

September 11, 2006

MEMORANDUM TO: Luis A. Reyes
Executive Director for Operations

FROM: Stephen D. Dingbaum **/RA/**
Assistant Inspector General for Audits

SUBJECT: STATUS OF RECOMMENDATIONS: REVIEW OF
NRC'S DRUG-FREE WORKPLACE PLAN
(OIG-04-A-15)

REFERENCE: DIRECTOR, OFFICE OF ADMINISTRATION,
MEMORANDUM DATED AUGUST 15, 2006

Attached is the Office of the Inspector General's analysis and status of recommendations as discussed in the agency's response dated August 15, 2006. Based on this response, the three recommendations contained in the report are resolved.

Please note that while these recommendations have remained resolved for more than 2 years, the actions to close them have not yet been completed. This leaves the NRC's Drug-Testing Program with a plan that has not been approved by the Department of Health and Human Services. I encourage you to resolve whatever impasse is causing this delay. If you do not make significant progress toward closing these recommendations by September 30, 2006, we will report on each of these recommendations in the next OIG Semiannual Report to Congress.

If progress toward closing these recommendations is not made by September 30, 2006, please provide an updated status by November 30, 2006, that clearly describes the actions the agency is pursuing to complete the recommendations, and the dates when these actions will be complete.

If you have any questions or concerns, please call me at 415-5915.

Attachment: As stated

cc: M. Johnson, OEDO
M. Malloy, OEDO
P. Tressler, OEDO

Audit Report

REVIEW OF NRC'S DRUG-FREE WORKPLACE PLAN (OIG-04-A-15)

Status of Recommendations

<u>Recommendation 1:</u>	Revise the <i>NRC Drug-Free Workplace Plan (Plan)</i> to include the deferral of testing clause from the U.S. Department of Health and Human Services (HHS) Model Plan for a Comprehensive Drug-Free Workplace Program.
Response Dated August 15, 2006:	While the Plan has been revised to include the deferral of testing clause, ADM has determined it prudent to delay its submission of the Plan to HHS until receipt of the Commission's decision on the staff's recommendation for revising the drug testing pool criteria. Within 60 days of receipt of the Commission's decision, ADM will incorporate any necessary revisions and submit the Plan to HHS.
OIG Analysis:	The proposed action addresses the issue discussed in the report. This response continues to fail to specify a date by which the revised Plan will be finalized. This recommendation will be closed when OIG verifies that the final updated HHS approved Plan contains the deferral of testing clause.
Status:	Resolved.

Audit Report

REVIEW OF NRC'S DRUG-FREE WORKPLACE PLAN (OIG-04-A-15)

Status of Recommendations

<u>Recommendation 2:</u>	Include in the <i>NRC Drug-Free Workplace Plan</i> (Plan) instruction that revisions must receive approval from the U.S. Department of Health and Human Services prior to implementation.
Response Dated August 15, 2006:	This instruction is included in the Plan. As stated above, ADM expects to submit the Plan to HHS for approval within 60 days of receipt of the Commission's decision regarding the designation of drug testing pool criteria.
OIG Analysis:	The proposed action addresses the issue discussed in the report. However, this response continues to fail to specify a date by which the revised Plan will be finalized. This recommendation will be complete when OIG verifies that the final updated Plan contains the provision for HHS approval prior to revision.
Status:	Resolved.

Audit Report

REVIEW OF NRC'S DRUG-FREE WORKPLACE PLAN (OIG-04-A-15)

Status of Recommendations

<u>Recommendation 3:</u>	Obtain U.S. Department of Health and Human Services approval of the <i>NRC Drug-Free Workplace Plan</i> (Plan) prior to implementation.
Response Dated August 15, 2006:	HHS approval will be obtained prior to full implementation and dissemination of Revision 2 of the Plan.
OIG Analysis:	The proposed action addresses the issue discussed in the report and the intent of the recommendation. However, NRC has not obtained HHS approval of Revision 2 of the Plan in a timely manner. OIG encourages the staff to give the revision to the plan the appropriate attention to bring the <i>NRC Drug-Free Workplace Plan</i> into compliance with Federal guidance. This recommendation will be closed when OIG reviews HHS's approval of the final updated Plan.
Status:	Resolved.