



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

OFFICE OF THE
INSPECTOR GENERAL

September 18, 2008

MEMORANDUM TO: R. William Borchardt
Executive Director for Operations

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

SUBJECT: STATUS OF RECOMMENDATIONS: AUDIT OF NRC'S
INCIDENT RESPONSE PROGRAM (04-A-20)

REFERENCE: DIRECTOR, OFFICE OF NUCLEAR SECURITY AND
INCIDENT RESPONSE, MEMORANDUM DATED
AUGUST 11, 2008

Attached is the Office of the Inspector General's analysis of NRC's August 11, 2008, Updated Status of Recommendations memorandum. Based on previous correspondence and this update, recommendations 1, 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, and 17 are closed and recommendation 4 remains resolved. Please provide an updated status for the resolved recommendation by February 27, 2009.

If you have any questions or concerns, please call me at 415-5915 or Sherri Miotla, Team Leader, at 415-5914.

Attachment: As stated

cc: V. Ordaz, OEDO
J. Arildsen, OEDO
P. Shea, OEDO

Audit Report
Audit of NRC's Incident Response Program
OIG-04-A-20

Status of Recommendations

Recommendation 3: Update NUREG-0845, Agency Procedures for the NRC Incident Response Plan, or incorporate relevant portions into other agency procedures.

Agency Response
Dated August 11, 2008: NUREG-0728, Revision 4 issued for interim use effective April 14, 2005, has superseded NUREG-0845. The staff has incorporated the relevant portions of NUREG-0845 into NUREG-0728 and its implementing procedures. A cross-walk between NUREG-0845 and the implementing procedures has been performed to ensure there are no procedural gaps. The staff is utilizing a standardized format for the revised implementing procedures as part of the new IRM. Incident Response (IR) team and position procedures have been developed and are available for immediate use if an event were to occur. A matrix listing all of these team and position procedures is available in Enclosure 2. Some of these procedures remain in draft and will continue to be enhanced before they are formally approved. The development of these procedures, along with NUREG-0728 and Management Directive 8.2, satisfies the request to update the agency procedures for the NRC IR program.

The IR staff recommends this item be closed.

OIG Analysis: The agency's actions, including the immediate use of the revised implementing procedures, meet the intent of the recommendation. Therefore, recommendation 3 is now closed.

Status: Closed.

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Status of Recommendations

Recommendation 4: Periodically review regional incident response programs to ensure NRC's Incident Response Program is carried out consistently across the agency.

Agency Response

Dated August 11, 2008:

The staff completed the IR program assessment at Regions I and II. The assessment results were published in a report to the Deputy Director for IR and can be found in the Agencywide Documents Access and Management System under Accession Number ML073240937 for Region II and Number ML082100586 for Region I. Assessments for the other Regions are scheduled to be completed by mid FY09. Anticipated dates are as follows:

- Region III- week of June 22, 2009
- Region IV - week of October 27, 2008

The IR staff originally expected to have all regional self assessments completed by the end of FY08; however, due to the priority of several emergent issues (the addition of a full participation exercise) and other unfunded mandates (Continuity of Operations Mission Essential Functions submission, National Cyber Security Division 3-10 project, and the National Response Framework update) IR delayed the remaining two regional assessments until early-to-mid FY09.

OIG Analysis:

Recommendation 4 will be closed when the NRC completes the initial regional reviews.

Status:

Resolved.

Audit Report
Audit of NRC's Incident Response Program
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Status of Recommendations

Recommendation 11: Revise the *NRC Incident Response Plan* to better define the incident response to emergencies involving regulated fuel cycle facilities and nuclear materials.

Agency Response
Dated August 11, 2008: In lieu of revising NUREG-0728 to include improvements to guidance for IR to emergencies involving fuel cycle facilities, the NRC has provided updated guidance in the RTM supplements for Fuel Cycle Facilities, and developed IR team/position procedures and Incident Response Manual Chapters for the Fuel Cycle Safety Team. The staff is currently working with the Office of Nuclear Material Safety and Safeguards to further refine these procedures/Manual Chapters and will validate these procedures during the upcoming Paducah Exercise scheduled for September 9, 2008. The list of team and position procedures for Fuel Cycle Facility response is contained in Enclosure 2.

The IR staff recommends this item be closed.

OIG Analysis: The agency's actions meet the intent of the recommendation. Therefore, recommendation 11 is now closed.

Status: Closed.