



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

OFFICE OF THE  
INSPECTOR GENERAL

February 19, 2010

MEMORANDUM TO: R. William Borchardt  
Executive Director for Operations

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

SUBJECT: STATUS OF RECOMMENDATION: AUDIT OF  
NRC'S ALTERNATIVE DISPUTE RESOLUTION  
PROGRAM (OIG-08-A-03)

REFERENCE: DIRECTOR, OFFICE OF ENFORCEMENT,  
MEMORANDUM DATED DECEMBER 23, 2009

Attached is the Office of the Inspector General's (OIG) analysis and status of recommendation 2 as discussed in the agency's update dated December 23, 2009. Based on the response, recommendation 2 remains resolved. Recommendations 1, 3, and 4 were previously closed. Please provide a status update on recommendation 2 by April 30, 2010.

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

Attachment: As stated

cc: N. Mamish, OEDO  
J. Andersen, OEDO  
J. Arildsen, OEDO  
C. Jaegers, OEDO

## **Audit Report**

### **AUDIT OF NRC'S ALTERNATIVE DISPUTE RESOLUTION PROGRAM**

**(OIG-08-A-03)**

#### **Status of Recommendation**

Recommendation 2: Incorporate the interim guidance into the Enforcement Policy and Manual revisions.

Agency Response Dated  
December 23, 2009:

As previously stated in a memorandum to you from our office dated May 21, 2009, (*Reference ML091390225*) procedures from the various program offices were updated to include guidance on the process for follow-up and closure of ADR confirmatory orders falling within their area of responsibility. In addition, ADR program guidance was placed in the Enforcement Manual and was issued to the staff on December 22, 2008. The staff has incorporated ADR guidance in the revised Enforcement Policy which will be issued following approval by the Commission.

The draft Enforcement Policy was published in the Federal Register in September 2008. Due to extensive public comments, the staff re-publish the revised Enforcement Policy Supplements in the Federal Register in June 2009. The staff resolved the public comments and forwarded the revised Policy and Supplements to the EDO on December 23, 2009. The revised Policy is due to the Commission on December 31, 2009. Once approved by the Commission, the Enforcement Policy will be published in the Federal Register with an effective implementation date.

OIG Analysis:                      OIG acknowledges the agency's continued progress in meeting the full intent of this recommendation, including the completed revisions to ADR program guidance.  OIG will close the recommendation once the agency submits the final version of the revised Enforcement Policy so that OIG can ensure the intent of this recommendation is fully satisfied.

**Status:**                               Resolved.