



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

**OFFICE OF THE
INSPECTOR GENERAL**

August 31, 2011

MEMORANDUM TO: R. William Borchardt
Executive Director for Operations

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

SUBJECT: STATUS OF RECOMMENDATIONS RELATED TO THE
AUDIT OF NRC'S ENFORCEMENT PROGRAM
(OIG-08-A-17)

REFERENCE: DIRECTOR, OFFICE OF ENFORCEMENT, MEMORANDUM
DATED JULY 29, 2011

Attached is the Office of the Inspector General's analysis and status of recommendations 2 and 3 as discussed in the agency's response dated July 29, 2011. Based on this response, recommendations 2 and 3 remain in resolved status. Recommendation 1 was previously closed. Please provide an updated status of the resolved recommendations by February 10, 2012.

If you have any questions or concerns, please call me at 415-5915 or R.K. Wild, Team Leader, at 415-5948.

Attachment: As stated

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

Audit Report

AUDIT OF NRC'S ENFORCEMENT PROGRAM

OIG-08-A-17

Status of Recommendations

Recommendation 2: Define systematic data collection requirements for non-escalated enforcement actions.

Agency Response Dated
July 29, 2011:

Ongoing. As discussed in OE's June 17, 2010 status memo, the remaining action necessary to address this recommendation involves implementation of the web-based licensing system (WBL) currently under development by the Office of Federal and State Materials and Environmental Management Programs. This system will be used to track non-escalated materials inspection findings. The system requirements for WBL have been modified to enable the system to collect inspection results and to allow users to enter information regarding the disposition of enforcement actions associated with each inspection activity (e.g., requirement violated and type of enforcement action taken). The system requirements have also been modified to allow users to search the database and generate reports associated with nonescalated enforcement actions. Procedures will be developed for entry of data into WBL.

As an update to the information discussed in OE's December 17, 2010 status memo, all WBL actions in response to this recommendation are now scheduled to be completed in fall 2012.

OIG Analysis:

OIG acknowledges the agency's plans to adapt the WBL system to collect and track non-reactor, non-escalated inspection findings. However, OIG is concerned that the deployment of this system has been delayed once again, from the summer 2012 date provided by the agency in December 2010, to a now-projected deployment date of fall 2012. OIG encourages the agency to provide an interim solution for tracking this data until the implementation of WBL is complete. This recommendation will be closed when all of the cited activities are completed and reviewed by OIG to ensure that the recommendation has been adequately addressed.

Status: Resolved.

Audit Report

AUDIT OF NRC'S ENFORCEMENT PROGRAM

OIG-08-A-17

Status of Recommendations

Recommendation 3: Develop and implement a quality assurance process that ensures that collected enforcement data is accurate and complete.

Agency Response Dated
July 29, 2011:

Ongoing. A follow-up audit of completed NRC Form 591s was performed the week of May 9, 2011, to identify whether staff training on revisions to Inspection Manual Chapter (IMC) 2800, "Materials Inspection Program" and the Enforcement Manual was effective in assuring that non-escalated violation data being documented on NRC Form 591s is of high quality. The staff reviewed a population of 25 completed NRC Form 591 inspection records issued during the first calendar quarter of 2011 and found, in general, that the actions taken in response to Recommendation 1 were effective. Specifically, violations were well documented and included clearly stated requirements, as well as information about how the licensee failed to meet the requirements. In addition, when known at the time of the inspection, licensee corrective actions were also documented on the NRC Form 591. However, the audit did identify different versions of NRC Form 591 being used by inspectors in different agency offices. Additionally, in a few cases, the version used did not contain a branch chief signature block as now required by IMC 2800. This issue was communicated to the Office of Federal and State Materials and Environmental Management Programs on May 16, 2011, for appropriate action to ensure all agency offices use one version of NRC Form 591.

Actions associated with development of procedures for data entry and auditing of the WBL will commence when the completion of actions to address Recommendation 2 are complete, and with the goal of completing actions to address Recommendation 3 a short period of time later. Consequently, at this time, actions toward Recommendation 3 are anticipated to be completed late fall or winter 2012.

Recommendation 3 (continued):

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OIG-08-A-17

Status of Recommendations

OIG Analysis:

The agency continues to make progress in evaluating and developing additional guidance and controls to ensure the quality of collected enforcement data. This recommendation will be closed when OIG receives and reviews the revised guidance and proposed controls to ensure that the agency's actions fully satisfy the intent of the recommendation.

Status:

Resolved.