

August 2, 2012

MEMORANDUM TO: Those on the Attached List

FROM: Roy P. Zimmerman, Director */RA/*
Office of Enforcement

SUBJECT: ENFORCEMENT MANUAL REVISION TO INCORPORATE THE
OFFICE OF THE INSPECTOR GENERAL CONFIRMATORY ACTION
LETTER AUDIT RECOMMENDATIONS

Purpose:

The purpose of this memorandum is to inform the regional/program office staff of a revision to the Enforcement Manual (Manual) that will go into effect January 1, 2013. The implementation of this revision to section 3.5 "Confirmatory Action Letter (CAL)" will require the regional/program office staff to verify that their applicable Office Instructions and/or Inspection Guidance procedures align with the revised Manual.

Discussion:

The Office of the Inspector General (OIG) performed a CAL audit (Agencywide Document Access Management System Accession Number ML12061A037) from May through November 2011. The audit focused on reviewing the agency's administration of the CAL process by examining relevant documents and conducting interviews with agency staff. The audit report concluded that the Nuclear Regulatory Commission's (NRC) administration of the CAL process is not as effective as it could be and provided examples for areas that are in need of improvement. The report also included the following four recommendations to improve the internal CAL process:

1. Designate a centralized control point to oversee and implement an effective agencywide CAL process;
2. Assess and update the NRC Enforcement Policy, the NRC Enforcement Manual, and other associated guidance to ensure that NRC's approach for utilizing CALs is consistent, effective, and efficient;
3. Conduct periodic CAL audits that verify compliance with CAL policies and procedures;
4. Implement a comprehensive, agencywide CAL tracking system.

The Office of Enforcement (OE) was assigned lead on the response and initiated email correspondence among OE and the regions/program offices to gain alignment with the aforementioned recommendations. On March 12, 2012, OE replied to the OIG and agreed to the recommendations (ML12061A034 and ML12061A035).

CONTACTS: Gerry J. Gulla, OE/EB
(301) 415-2872

Over the past several weeks, OE has worked with staff from your region/program office on ways to best implement these recommendations. Through this effort, we have designated OE as the agency's centralized control point for CALs and the Enforcement Action Tracking System as the agencywide CAL tracking system. We have also revised the Manual to include these and other CAL process changes (see Enclosure) which will become effective on January 1, 2013.

Action:

Please have your staff verify that your applicable Office Instructions and/or Inspection Guidance Procedures are consistent with the revised Manual guidance no later than December 1, 2012. Send notification of completion, along with ADAMS accession numbers for the applicable revised instructions/procedures to Gerald Gulla of my staff. This information will be utilized in an OIG status update letter due to the Executive Director for Operations no later than December 31, 2012.

Enclosures:

1. Enforcement Manual CAL Section Revision
2. Enforcement Manual CAL Section Revision – Mark-up

cc: R.W. Borchardt, EDO
M. Weber, DEDMRT
M. Johnson, DEDR
N. Mamish, AO

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OFFICE	OE/EB	OE/EB	OE: D
NAME	GGulla	NHilton	RZimmerman
DATE	7/25/2012	7/31/2012	8/2/2012

OFFICIAL RECORD COPY

MEMORANDUM TO THOSE ON THE ATTACHED LIST DATED: August 2, 2012

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GENERAL CONFIRMATORY ACTION LETTER AUDIT RECOMMENDATIONS

Mark A. Satorius, Director, Office of Federal and State Materials
and Environmental Management Programs

Catherine Haney, Director, Office of Nuclear Material Safety
and Safeguards

Eric J. Leeds, Director, Office of Nuclear Reactor Regulation

Glenn M. Tracy, Director, Office of New Reactors

William M. Dean, Regional Administrator, Region I

Victor M. McCree, Regional Administrator, Region II

Charles A. Casto, Regional Administrator, Region III

Elmo E. Collins, Jr., Regional Administrator, Region IV

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