

March 13, 2013

MEMORANDUM TO: Stephen D. Dingbaum
Assistant Inspector General for Audits
Office of the Inspector General

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

SUBJECT: STATUS OF RECOMMENDATIONS:
AUDIT OF NRC'S USE OF ORDERS (OIG-12-A-19)

This is in response to your December 4, 2012, memorandum to the Executive Director for Operations, "Status of Recommendations: Audit of NRC's Use of Orders (OIG-12-A-19)."

Enclosed is the updated status report of recommendations. The Office of Enforcement requests closure of recommendations 2 and 4.

Enclosure:
As stated

CONTACT: John R. Wray, OE/EB
(301) 415-1288

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**STATUS OF RECOMMENDATIONS FROM OFFICE OF INSPECTOR GENERAL
AUDIT REPORT OIG-12-A-19, "AUDIT OF THE NUCLEAR REGULATORY COMMISSION'S
USE OF ORDERS"**

Recommendation 1:

The Executive Director for Operations (OEDO) should identify and document order followup requirements and/or revise the *NRC Enforcement Policy*, as appropriate, and *Manual* to include, for each type of order, descriptions of the order type, definitions, and expectations for order followup, tracking, and closure.

Status Update:

The Office of Enforcement (OE) has evaluated the need to revise the Enforcement Policy, as appropriate, and the Enforcement Manual to address the recommended actions. OE, after consultation with other program offices and the regions, concluded that a description of order types, definitions, and expectations for order followup, tracking and closure is more appropriate for the Enforcement Manual. The Enforcement Manual is the document that provides guidance to the Staff on detailed actions required to implement the Enforcement Policy tenets and, therefore, is the appropriate location for the actions herein recommended.

OE is developing a revised section to the Enforcement Manual which will identify the various types of orders issued by the Staff. The revised Enforcement Manual section will contain references to the program office documents used to issue, track, and close orders issued in their respective areas of responsibility. After coordinating with the appropriate program offices and the regions, OE identified a few offices that need to revise procedures to address the issuance, tracking, and closure of orders in their area of responsibility. OE is on track to incorporate this new section no later than September 30, 2013.

Recommendation 2:

The Chief Financial Officer (CFO) should identify and document order followup requirements for CFO issued orders and/or coordinate with OE staff to revise the *NRC Enforcement Policy*, as appropriate, and *Manual* to include definitions, and expectations for order followup, tracking, and closure.

Status Update:

The CFO determined that a revision to the procedure addressing the control of orders issued by their office was appropriate. The procedure revision has been completed and can be found on CFO's Sharepoint site at http://portal.nrc.gov/OCM/ocfo/ocfo_admin/DOC/ARB/AR%20Policies%20and%20Procedures/Forms/AllItems.aspx. OE will include reference to this procedure in the new section to the Enforcement Manual discussed in the status update to Recommendation 1.

Recommendation 3:

The Director, Office of International Programs (OIP) should identify and document order followup requirements for OIP issued orders and/or coordinate with OE staff to revise the *NRC Enforcement Policy*, as appropriate, and *Manual* to include definitions, and expectations for order followup, tracking, and closure.

Status Update:

The OIP has determined that a procedure is appropriate to address the control of orders issued by their office. OIP is on track to complete the procedure by September 30, 2013. OE will include reference to this procedure in the new section to the Enforcement Manual discussed in the status update to Recommendation 1.

Recommendation 4:

The Director, OIP should seek an updated, documented delegation of authority to issue orders from the Chairman and/or Commission.

Status Update:

In a memorandum to the Chairman dated March 1, 2013, the Director, OIP requested from the Commission an updated, documented delegation of authority to issue orders. This memorandum is located in ADAMS at ML13010A167.

Recommendation 5:

The OEDO should seek an updated, documented delegation of authority to issue orders and to re-delegate that authority from the Chairman and/or Commission.

Status Update:

The OEDO intends to request that the Commission provide an updated, documented delegation of authority to issue orders. OEDO is on track to make this request by May 31, 2013.

The point of contact for all recommendations is John R. Wray, OE/EB, 301-415-1288.