

**STATUS OF RECOMMENDATIONS FROM OFFICE OF INSPECTOR GENERAL AUDIT  
REPORT OIG-12-A-09, "AUDIT OF THE NUCLEAR REGULATORY COMMISSION'S USE OF  
CONFIRMATORY ACTION LETTERS"**

**Recommendation 1:**

Designate a centralized control point to oversee and implement an effective agency-wide confirmatory action letters (CALs) process.

**Status Update:**

This recommendation is closed as per Memorandum dated March 4, 2013.

**Recommendation 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.

**Status Update:**

Per your memorandum dated March 4, 2013, most of recommendation 2 has been reviewed and verified. However, as stated in your analysis section, you requested reasons for the summer 2014 Enforcement Policy (Policy) revision date.

A revision to the Policy requires a Commission Notation Vote paper in which each Commissioner must vote on and approve. This approval process necessitates a conglomerate of staff and consumes a significant amount of resources. For this reason, Office of Enforcement (OE) prefers to track minor proposed revisions, such as this CAL revision, until such a time that there is an accumulation of these minor revisions, and then package them together into one revision for approval. These revisions are generally tracked in OE's Enforcement Guidance Document Feedback Process and are typically incorporated in upcoming Policy revisions. The CAL revision to the manual is item #109 under the "Policy" section (<http://fusion.nrc.gov/oe/team/enforcement/Lists/OE%20Guidance%20Document%20Feedback/AllItems.aspx>). The next scheduled revision to the Policy is summer of 2014, when OE addresses an action addressed in SECY-12-0161 "Status Update: Tasks Related to Alternative Dispute Resolution in the Allegation and Enforcement Programs."

**Recommendation 3:**

Conduct periodic CAL audits that verify compliance with CAL policies and procedures.

**Status Update:**

OE developed Office Instruction OE-EB-114 "Audit of Confirmatory Action Letters (CALs)." This instruction can be found at the following link <http://portal.nrc.gov/edo/oe/Office%20Instructions/Forms/AllItems.aspx>. The staff recently completed a CAL audit (ML13192A131) by utilizing OE-EB-114 as its guidance. However, the audit only consisted of one CAL, because it was the only CAL issued since the procedure was updated on December 20, 2012. As such, OE has scheduled a subsequent audit approximately

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1 year from now. Once completed OE will revert to the procedure guidance and perform an audit periodically, approximately every 2 years.

**Recommendation 4:**

Implement a comprehensive, agencywide CAL tracking system.

**Status Update:**

This recommendation is closed as per Memorandum dated March 4, 2013.

The point of contact for all recommendations is Gerald Gulla, OE/EB, 301-415-2872.