

September 27, 2013

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

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

SUBJECT: STATUS OF RECOMMENDATIONS: AUDIT OF NRC'S
NON-CONCURRENCE PROCESS (OIG-11-A-02)

The following provides a status update of actions taken in response to recommendations 3, 4, and 8 as contained in the subject audit report. (Recommendations 1, 2, 5, 6, and 7 were closed as a result of the staff's March 31, 2011, July 27, 2011, February 24, 2012 and December 19, 2012 responses.)

Recommendation 3

Finalize MD 10.158 by the end of 2011. (The OIG's July 25, 2013, response agreed that OE met its obligation to complete Phase 4 of the MD finalization process by June 28, 2013; however, the Office of Enforcement (OE) has ultimate responsibility for ensuring that the MD completes the remaining phases of the revision process and will keep Recommendation 3 in "resolved" status until MD 10.158 is published.)

Status:

On July 19, 2013, ADM completed its commitment in Phase 5 of the MD finalization process (i.e., ADM Director reviews NRC Form 522 package and signs NRC Form 522) and forwarded the signature package to the Office of General Counsel (OGC). During OGC's review process, OE met with representatives from OGC and collaboratively resolved several issues. As a result, on August 12, 2013, OGC indicated that they had no legal obligation on the NRC Form 522 package and forwarded it to the Office of the Executive Director for Operations (OEDO).

CONTACT: Renée Pedersen, OE/CRB
(301) 415-2742

On September 18, 2013, the OEDO informed OE that due to strategic considerations being addressed within senior management that may impact the MD, their target date for completion is the end of calendar year 2013.

Completion date for publication of MD 10.158: 12/31/2013

POC: Renée Pedersen, OE

Recommendation 4

Make non-concurrence process training available in an on-demand format to all staff and managers.

Status

OE intends to collaborate with the Office of the Chief Human Capital Officer (OCHCO) to develop NCP on-line, on-demand training for all staff and managers. OE has prepared draft updates to the [NCP Website](#) which include an enhanced NCP overview, FAQ's, a process flow chart and releasability review guidelines. To further highlight and raise awareness of the NCP for all employees, OE plans to acknowledge new NCP cases on the Web site as "pending" along with the closed cases already on the Web site.

In addition, OE has developed a draft, revised NCP Form which includes step-by-step instructions and implementation guidance for inclusion on the NCP Web site. These tools will further promote successful implementation of the program.

Completion date: Commensurate with available support from OCHCO, OE will develop on-line; on-demand training available for all staff and managers approximately six months after the guidance in MD 10.158 is announced to the staff (i.e., end of Phase 8).

POC: Renée Pedersen, OE in coordination with OCHCO

Recommendation 8

Perform regularly scheduled comprehensive assessments of the non-concurrence process.

Status

Section III.D.2 of the current guidance in the MD requires that the Director, Office of Enforcement ensures that periodic assessments of the NCP are performed.

Consistent with the Internal Safety Culture Task Force recommendation to conduct a broader review of OCWE (including the NCP and the DPO Program), the staff plans to perform assessments of the non-concurrence process within one year after receiving the results of each

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OIG Safety Culture and Climate Survey (SCCS). OE received the results from the 2012 SCCS on January 8 and 9, 2013.

Completion date: 1/9/2014

POC: Renée Pedersen, OE

cc: MWeber
MJohnson
DAsh
KBrock
JFoster

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