

October 29, 2015

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

FROM: Catherine Haney, Director */RA/*  
Office of Nuclear Material Safety  
and Safeguards

SUBJECT: OFFICE OF THE INSPECTOR GENERAL'S AUDIT OF THE U.S.  
NUCLEAR REGULATORY COMMISSION'S IMPLEMENTATION  
OF ITS NATIONAL ENVIRONMENTAL POLICY ACT  
RESPONSIBILITIES (OIG-14-A-09)

The purpose of this memorandum is to discuss the U.S. Nuclear Regulatory Commission's (NRC) implementation of the Office of the Inspector General (OIG) recommendations in the OIG audit report, "Audit of NRC's Implementation of its National Environmental Policy Act Responsibilities" (OIG-14-A-09). The NRC considers recommendation 1 completed as discussed below.

### **Recommendation 1**

OIG recommended that the Executive Director for Operations:

- Develop and implement detailed guidance for fuel cycle and uranium recovery staff regarding inclusion of license conditions and tie downs in licenses.

**Status:** Completed

NRC staff from the Uranium Recovery Licensing Branch (URLB) and the Division of Fuel Cycle Safety and Environmental Review (FCSE) has developed and issued guidance on writing license conditions and tie downs in licenses. URLB staff has incorporated the guidance into the Division Operations Manual. FCSE staff has revised its Project Manager Licensing Review Handbook. Staff in each organization has been made aware of the availability of the guidance.

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Note that the NRC's position on inclusion of license conditions with no direct nexus to the Atomic Energy Act is described in a *Federal Register* notice (FRN) announcing the finalization of NRC's regulations related to the National Environmental Policy Act. Specifically, the FRN stated that "In addition, the Commission will continue its practice of including conditions in its licenses to assure that it is kept knowledgeable about other environmental matters involving its licensees" (49 FR 9352, specifically 49 FR 9360).

Based on this information, the NRC staff considers OIG Recommendation 1 completed.

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