



OFFICE OF THE
INSPECTOR GENERAL

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

November 1, 2017

MEMORANDUM TO: Victor M. McCree
Executive Director for Operations

FROM: Dr. Brett M. Baker */RA/*
Assistant Inspector General for Audits

SUBJECT: STATUS OF RECOMMENDATIONS: AUDIT OF NRC'S 10
CFR 2.206 PETITION REVIEW PROCESS (OIG-17-A-23)

REFERENCE: DEPUTY EXECUTIVE DIRECTOR FOR REACTOR AND
PREPAREDNESS PROGRAMS MEMORANDUM DATED
SEPTEMBER 18, 2017

Attached is the Office of the Inspector General's (OIG) analysis and status of recommendations as discussed in the agency's response dated September 18, 2017. Based on this response, recommendations 1 and 2 are resolved. Please provide a status update on these recommendations by May 18, 2018.

If you have questions or concerns, please call me at (301) 415-5915 or Paul Rades, Team Leader, at (301) 415-6228.

Attachment: As stated

cc: R. Lewis, OEDO
H. Rasouli, OEDO
J. Jolicouer, OEDO
J. Bowen, OEDO
EDO_ACS Distribution Resource

Audit Report

Audit of NRC's 10 CFR 2.206 Petition Review Process

OIG-17-A-23

Status of Recommendations

Recommendation 1: Develop controls to ensure formal assessments are performed and are documented for future use.

Agency Response Dated
September 18, 2017:

The staff agrees with the recommendation.

NRC Management Directive (MD) 1.1, "NRC Management Directives System," requires that at least every 5 years, the staff review and reissue, or certify as still relevant, all management directives, unless an extension of the expiration date of a management directive has been approved. Prior to the October 2000 version of MD 8.11, "Review Process for 10 CFR 2.206 Petitions," the staff performed and documented formal assessments of the 10 CFR 2.206 petition review process as part of the periodic review and revision of MD 8.11. Between 2009 and 2017, staff performed formal and informal assessments and implemented changes on various portions of the 10 CFR 2.206 petition review process. These assessments have also supported the ongoing revision of the October 2000 version of MD 8.11, which is expected to be issued by April 30, 2018.

Planned Action: The Office of Nuclear Reactor Regulation staff will develop or revise guidance and program process documents to provide guidance and controls for staff to perform and document periodic assessments of the 10 CFR 2.206 petition review process. Formal and informal assessments will continue to support enhancements to the process and future revisions of MD 8.11. However, the frequency of periodic assessments will be defined and decoupled from the review requirement in MD 1.1, to ensure they are performed on a consistent schedule.

Target date for completion: August 31, 2018

CONTACT: Merrilee J. Banic, NRR/DORL
(301) 415 2771

Audit Report

Audit of NRC's 10 CFR 2.206 Petition Review Process

OIG-17-A-23

Status of Recommendations

Recommendation 1 (cont'd):

OIG Analysis:

The actions described above meet the intent of this recommendation. OIG will close this recommendation after reviewing the revised guidance and verifying that it specifies measures for performing and documenting formal programmatic assessments in support of the 10 CFR 2.206 petition review process. This recommendation is resolved.

Status:

Resolved.

Audit Report

Audit of NRC's 10 CFR 2.206 Petition Review Process

OIG-17-A-23

Status of Recommendations

Recommendation 2: Clarify the criteria for reviewing and rejecting petitions.

Agency Response Dated
September 18, 2017:

The staff agrees with the recommendation.

NRC staff recognized the need to clarify the criteria for reviewing and rejecting 10 CFR 2.206 petitions as part of the ongoing revision to MD 8.11. Staff has developed and incorporated revised criteria in the proposed revision to MD 8.11.

Planned Action: NRC staff will implement the revised and clarified criteria upon approval and issuance of the proposed revision to MD 8.11, which staff expects to occur by April 30, 2018.

Target date for completion: April 30, 2018

CONTACT: Merrilee J. Banic, NRR/DORL
(301) 415 2771

OIG Analysis:

The actions described above meet the intent of this recommendation. OIG will close this recommendation after reviewing the updated version of MD 8.11 and verifying that it includes clarified criteria for staff review and rejection of 10 CFR 2.206 petitions. This recommendation is resolved.

Status:

Resolved.