



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

November 17, 2017

MEMORANDUM TO: Dr. Brett M. Baker  
Assistant Inspector General for Audits  
Office of the Inspector General

FROM: Marc L. Dapas, Director */RA/*  
Office of Nuclear Material Safety  
And Safeguards

SUBJECT: RESPONSE TO THE STATUS OF RECOMMENDATIONS:  
AUDIT OF NRC'S REGULATORY ANALYSIS PROCESS  
(OIG-15-A-15)

This letter provides the U.S. Nuclear Regulatory Commission (NRC) staff's status update for Recommendations 1 and 3 from the Office of the Inspector General's (OIG's) audit OIG-15-A-15, "Audit of the NRC's Regulatory Analysis Process," dated June 24, 2015.

**Recommendation 1:**

Develop and implement a formal training/qualification program for cost estimators. This training/qualification program can be incorporated into the office instructions and procedures of the NRC offices with regulatory analysis responsibilities.

**Response:**

The Office of Nuclear Reactor Regulation (NRR) issued the procedure for its regulatory analysis training/qualification program, PRMB-TRNG-02, "Branch-Specific Qualification Plan for Cost Analysts," Rev. 0, on February 18, 2016. All four cost analysts completed their qualification training and passed their qualification boards as of October 13, 2017.

As a result of the October 29, 2017, implementation of the Rulemaking Center of Expertise in the Division of Rulemaking (DRM) in the Office of Nuclear Material Safety and Safeguards (NMSS), the NRC's regulatory analysis responsibilities transferred from NRR to the Regulatory Analysis and Rulemaking Support Branch in NMSS/DRM. The procedure for the qualification program will be re-issued to reflect the change in organizational structure from NRR to NMSS.

**Target Completion Date:** Completed

**Point of Contact:** R. Frederick Schofer, NMSS

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**Recommendation 3:**

Update and implement the cost benefit guidance documents as planned in SECY-14-0002. Incorporate this guidance into office procedures by reference.

**Response:**

On April 17, 2017, the staff published in the *Federal Register* (82 FR 18163) a request for public comment on the draft NUREG/BR-0058, Revision 5, "Regulatory Analysis Guidelines of the U.S. Nuclear Regulatory Commission" (Agencywide Documents Access and Management System (ADAMS) Accession No. ML17100A480). The 60-day public comment period closed on June 16, 2017. The staff considered and addressed, as appropriate, the comments submitted on the draft NUREG. The subject NUREG is currently in the concurrence process with an expected delivery to the Commission as a notation vote paper by January 5, 2018. The staff updated interim Revision 2 of NMSS Policy and Procedure 6-10, "NMSS Procedures for Preparation and Review of Rulemaking Packages" (ADAMS Accession No. ML17257A004), to reference the draft Revision 5 of NUREG/BR-0058 that was released in April 2017. Following Commission review and approval, the staff will revise its procedures to reference the final NUREG.

**Target Completion Dates:**

April 2017 (completed – issued draft NUREG/BR-0058, Revision 5)

October 2017 (completed – updated NMSS Policy and Procedure 6-10)

January 2018 (target – issue notation vote paper with Revision 5 to NUREG/BR-0058)

**Point of Contact:** R. Frederick Schofer, NMSS

cc: Chairman Svinicki  
Commissioner Baran  
Commissioner Burns  
SECY

RESPONSE TO THE STATUS OF RECOMMENDATIONS: AUDIT OF NRC'S REGULATORY ANALYSIS PROCESS (OIG-15-A-15), DATED: November 17, 2017

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\*Concurrence via e-mail

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