

Russell
Beason

JUL 5 1980

MEMORANDUM FOR: A. Glagola, Evaluation Co-ordinator, Technical Assistance
Contracts Branch, Division of Contracts

FROM: J. Shapaker, Section Leader, Containment Systems Branch,
Division of Systems Integration

SUBJECT: FRANKLIN RESEARCH CENTER (FRC) PERFORMANCE EVALUATION

Attached are the evaluations of contractor (Franklin Research Center) performance under NRC Contract No. NRC-03-79-118 for the period May/June 1980, in the generic area of containment leakage rate testing.

151

James W. Shapaker, (Performance Monitor)
Section Leader
Containment Systems Branch
Division of Systems Integration

Attachment:
As stated

cc: E. Butcher

Central files
CSB Rdg
NRR Rdg (P-428)
JShapaker

CSB:DSI
JShapaker;jf
7/ /80

8010300 : 510

POOR ORIGINAL

11/10

MANAGING DOB WORK - GENERIC PROJECT

INITIATIVE (PROJECT

LEAD TIME: BUDGET PLAN-DOE INSTITUTIONAL PLAN (8-1101-2)

OBJECTIVES - SOBLO - (MICHIGAN FOR CONSULTANTS)
EST COSTS, FACTORS, (ELEMENTS OR BUDGET INFO)

SOURCE PLACEMENT (8-11-1)

OFFICE ASSIGNMENT, ASSIGNMENT
ESTABLISH FILE (8-1101-3)

EXECUTION

7.

REVIEW 189, NEGOTIATE A
OFFICE ASSIGNMENT

PREPARE 123 (REVISE)

CONTRACT REVIEW BOARD (WASTE, STAFF, COST, SCHED)

SIGN 173 (REVISE)

ADDRESS MONTHLY STATUS REPORTS - BID SCHEDULE/LEAD
DISAPPEARANCE }
WORK

INTERIM TECHNICAL REPORTS

(REVISE WORK DIRECTION, DIRECTION, RE-ACCOMPLISH A)

CLOSE OUT

ACCEPT FINAL TECHNICAL REPORT

COORDINATE WITH FUNDING OFFICE

REPORT FUND AVAILABLE / NEGOTIATED

DISPOSE OF PROPERTY

FILE TECH REPORTS WITH DEMONSTRATION

EVALUATE CONTRACTOR PERFORMANCE

HOLD/RETIRE RECORDS

III. Policy

It is the policy of NRC to promote uniform and equitable management practices within the offices of NRC and between NRC offices and the organizations of the DOE performing work for NRC.

IV. Responsibilities and Authorities

1. Directors of Offices:

- a. cooperate with DOE in long-range planning so as to ensure that both agencies anticipate the magnitude of funding, allocation of resources, and timing of events necessary to conduct interagency activities in accordance with the DOE-NRC Interagency Agreement on Institutional Planning System, dated August 18, 1978.
- b. issue requests for work proposals from DOE for research or technical assistance work (program support) to be performed at DOE facilities.
- c. evaluate the proposals; determine that the documents are technically adequate and that budgetary authority exists.
- d. prepare, coordinate, authorize, sign and issue NRC Forms 173, "Standard Order for DOE Work" (SOEW), and accompanying statements of work. This authority redelegated with written notification provided to the Director, Division of Accounting.

- e. establish, with regard to each research or technical assistance program, overall and specific plans; monitor and assess progress; followup to ensure that program results are properly analyzed, evaluated, and disseminated; additionally, insure that adequate feedback exists for the incorporation of results into the Commission's confirmatory assessment program and other regulatory activities. Keep the DOE operations offices and the Safety Engineering Division (EV/SED) informed of appropriate activities, including prior notification of planned program reviews and visits.

- f. coordinate and obtain the NRC Division of Security facility approval prior to placement of classified work at DOE facilities and notify the Division of Security of the completion of classified work.

- g. ensure appropriate clauses are included in the Standard Order for DOE Work regarding the private use and protection of proprietary and sensitive unclassified government information.

- h. during the course of work, develop any additional listings, report, or other information required for the completion of NRC directed programs or tasks.

- i. provide timely funding or guidance to permit continuance of on-going programs which encompass more than one fiscal year.
- j. formally notify DOE operations offices of any on-going programs the sponsoring office intends to phase out or terminate as soon as such intent is known.
- g. ensure appropriate clauses are included in the Standard Order for DOE Work regarding the private use and protection of proprietary and sensitive unclassified government information.
- h. during the course of work, develop any additional listings, reports, or other information required for the completion of NRC directed programs or tasks.
- i. provide timely funding or guidance to permit continuance of on-going programs which encompass more than one fiscal year.
- j. formally notify DOE operations offices of any on-going programs the sponsoring office intends to phase out or terminate as soon as such intent is known.
- k. review all billings certified by DOE in accordance with the scope of work and the SOEW, and approve for payment by signature on transmittal memorandum to the Division of Accounting. This

responsibility may be redelegated with the Division of Accounting advised.

1. assure that the proposed work shall be in accordance with appropriate conflict of interest policy and regulations.

m. coordinate and obtain Division of Automatic Data Processing Support approval prior to placement of tasks limited to computer support for NRC offices at DOE facilities.

n. maintain supporting data justifying placement of tasks with DOE versus commercial contracting which indicates the basis of the placement.

2. The Office of the Controller:

a. carries out implementation of the NRC-DOE Memorandum of Understanding through Management Directives, publication of Bulletins, and guidance memoranda to NRC program offices.

b. provides consolidated long-term planning data and annual budgetary information to meet both DOE and NRC planning requirements.

3. Director, Division of Budget:

- a. issues allotments and approves financial plan information to NRC program offices.
- b. maintains official allotment records for EDO and Commission offices and certifies funding availability for these offices and certifies funding availability for these offices.
- c. provides FIN listing to the Division of Accounting and reviews the applicable program office financial summary data.
- d. provides advice and guidance to other NRC offices as required for formulation of budget estimates.
- e. provides financial program status analyses to the Executive Director for Operations and the Commission as required.
- f. maintains and files copies of all NRC Standard Orders for DOE Work with accompanying statements of work and laboratory proposals. Reviews for proper office coordination and duplication of effort.

Director, Division of Accounting:

- a. records obligations against those SOEW's that have been accepted by DOE and forwarded to the Division of Accounting assuring use

of proper accounting citations, FIN, and Budget and Reporting Classifications (B&R).

- b. records costs as reported by DOE through receipt of their monthly Financial Information System (FIS) tape.
- c. receives all billings from DOE for work performed for NRC, transmits billings to appropriate NRC program offices for review and approval signature; upon receipt thereof, certifies correct for payment through the U.S. Treasury.
- d. monitors day-to-day status of not-yet-accepted or rejected SOEW's and provides information to NRC program offices.
- e. maintains records of outstanding DOE uncosted obligations and unpaid billings and provides reports to NRC program offices.
- f. resolves day-to-day problems associated with billing through direct contact with DOE operation offices (such as billings that do not reflect costs as reported through the FIS, incorrect or invalid FIN, etc.).
- g. transmits to the Property and Supply Branch, ADM, and the program offices copies of all itemized receiving reports furnished by DOE for equipment and related material funded by NRC.

5. Director, Division of Security:

- a. provides advice and assistance to NRC program offices on the placement of classified work at DOE facilities.
- b. obtains facility approval for classified work from the appropriate DOE Operations Office Security Organization and notifies the NRC program office of such approval.
- c. maintains master facility register for all NRC classified interests at DOE facilities.

6. Director, Division of Technical Information and Document Control:

- a. develops and issues instructions in conjunction with the NRC program offices and DOE/OTI for the preparation of reports.
- b. prints or duplicates reports as specified by the terms and conditions of the Standard Order for DOE Work.
- c. makes physical distribution of all reports required by the SOEW that are to be made publicly available.

7. Director, Division of Automatic Data Processing Support:

- a. provides advice and assistance to NRC program offices in obtaining computer services at DOE facilities.
- b. obtains DOE facility approval for computer services to NRC staff.
- c. prepares requests for work proposals and evaluates DOE proposals for computer services to NRC staff.
- d. provides coordinated hardware and consulting software support services to NRC offices obtaining computer services at DOE facilities.

8. Project Managers:

The project manager has overall responsibility for management of the DOE work order assigned to him. His duties and responsibilities are outlined in NRC Bulletin No. 1401-2, "Project Management Responsibility for Woods or Technical and Research Services Acquired under DOE/NRC Memorandum of Understanding" dated _____.

V. Definitions

a. Decision Unit

The basic program or organizational entity for which budget requests are prepared and for which managers make significant decisions on

the amount of spending and scope or quality of work to be performed

[OMB Circular No. A-115]

b. Financial Identification Number (FIN)

The lowest level of detail to which NRC funds are subdivided. Each FIN represents a specific project, and usually equates to a DOE work order or a commercial contract.

c. Program

That grouping of work, usually represented by projects, under which action may be taken towards a goal.

d. Project

A specific acquisition of goods or technical and research services which is assigned a unique Financial Identification Number (FIN) and which satisfies the attainment of either a single or a homogeneous group of objectives. This project - FIN relationship ^{unites} ~~unites~~ the technical and financial structures of NRC.

e. Task

A unit of work carried out within a project.

f. Standard-Order for DOE Work (SOEW), NRC Form 173

VI. Basic Requirements

The process of acquiring goods and services from DOE labs can be grouped into three phases; planning, execution and task order close out. A flow chart diagramming the process is shown on Exhibit__.

1. Planning

a. Funding

The first step in the procurement process involves inclusion of the project in the budget. This step requires that objectives be defined, a program plan formulated and costs estimated. Generally projects will be reviewed during the normal course of the budget cycle. Emergency projects can be initiated through internal office reprogramming after the budget has been allotted.

b. Source Identification

A preliminary review of possible sources for the goods or services should be undertaken, while the budget is being reviewed. This process may involve examination of trade publications, conferences with the Division of Contracts, and investigation of the DOE labs. The decision of which type of contract source to use will largely depend upon the type of services or goods required, the time frame in which they are needed, and the capability and availability of the potential contractor or consultant. See NRC Bulletin 1401-1 for criteria for selecting the DOE labs as a source for goods or services.

c. FIN Number Assignment

A unique FIN number will be given to the project by the Program Support Staff from a block of numbers assigned to the Office by the Division of Accounting, Controller's Office. The FIN number is particularly important since it is the primary NRC managerial identifier of projects. Therefore, when the objective(s) of a project change to the extent that it (they) can no longer be reasonably associated with the original objective(s), a new FIN number should be assigned to the project.

d. DOE Institutional Planning

To assist DOE in budgeting and planning the workload at their laboratories, each NRC office prepares estimates of the work required at each lab during the next five years. These estimates are generally submitted to DOE in February of each year.

e. Statement of Work (SOW)

The most important factor to the success of a project is a well-planned, well-written Statement of Work. The SOW should be as detailed as possible in order that the contractor can prepare an informed proposal which will describe how, when and by whom the objectives will be accomplished. Exhibit 1 includes a sample proposal request letter, SOW outline, and proposal requirements. While the SOW is being prepared, an estimate of costs should also be made which will later be

compared to the submitted proposal. The completed proposal request package will be circulated for coordination with other interested offices and then sent through the office chain of command for approval and issuance.

f. Proposal Review

When the proposal is submitted it should be reviewed for completeness, responsiveness to the objectives described in the request, soundness of technical approach, and finally reasonableness of cost. During this review period, a dialog is established with the lab in order to mutually resolve questionable areas of the proposal. When the work is initiated at the request of another office the office originating the user requirement will participate in the negotiations. Occasionally this exchange results in the submission of a new proposal.

g. Preparing the Work Order

After the negotiation process is completed, the NRC Form 173, Standard Order for DOE Work is prepared and final Statement of Work is drafted and attached. The proposal from the contractor may be used partially or totally as the statement of work as long as ^a complete description of the work and ^{the unique} ~~terms~~ terms and conditions ~~are included in the work order.~~

~~apply to all DOE work orders~~ of the agreement are stated clearly and are attached to the NRC Form 173. *The Standard Terms and Conditions* applying to all DOE work orders which are in NRC Manual Chapter 1102, mutually agreed to by NRC and DOE, need not be included as an attachment but merely referred to on the NRC Form 173 or attached SOW. Exhibits 2, 3 and 4

provide a sample standard transmittal letter, NRC Form 173, instructions for preparation of the NRC Form 173, and Standard Terms and Conditions. The standard transmittal letter should be addressed to the Manager of the appropriate DOE Operation Office and include the three paragraphs shown in the Exhibit. An information copy should be sent to the Safety Engineering Division (EV/SED) at DOE Headquarters as well. The transmittal may include additional information, but it should be noted that the transmittal letter is not a part of the order. ~~Standard~~

~~Standard~~ ~~Terms and Conditions~~
~~Standard~~ ~~Terms and Conditions~~
~~Standard~~ ~~Terms and Conditions~~
However, Any modification or deletions to the Standard Terms and Conditions are to be noted on the NRC Form 173 and provided as an attachment. Exhibit 5 provides the addresses of the DOE Operations Office managers. There may be instances when urgently required work does not provide sufficient time for proposal preparation and review prior to issuance of a work authorization. In these instances, the standard transmittal letter shall include an additional appropriate paragraph as indicated in Exhibit 2.

h. Review and Approval of the Work Order

Source selection for all projects over \$10,000 is reviewed via NRC Form 367 "DOE Source Selection Justification" See NRC Bulletin 1401-1 for details and processing information. To insure projects are properly reviewed and coordinated outside

the originating office, each program office (RES, NRR, NMSS, IE, SD) will provide copies of standard transmittal letters with any attachments to all other program offices (including International Programs and State Programs as appropriate) for all projects of \$100K or greater. It will remain the individual responsibility of the issuing office director to determine the degree of coordination needed for projects of less than \$100K. This procedure will afford all program offices the opportunity to comment or concur as they feel necessary on the higher value projects. This concurrence may be obtained concurrently (vice sequentially) and will be indicated within one week of receipt. The absence of a response will be considered a positive response. If a problem or reservation is identified, the nonconcurring office director will provide specific rationale in writing to the issuing office within an additional week. The issuing office is responsible to take whatever action is necessary to resolve the problem before the NRC Form 173 is transmitted to the manager of the appropriate DOE operations office. The nonconcurring or commenting office shall work expeditiously with the issuing office in resolving the problem. Only after final internal review and coordination, noted above, may an NRC Form 173 be transmitted to DOE. This procedure will insure^{that} a completed Standard Order of DOE Work does not unnecessarily duplicate ongoing or prior tasks. Under no circumstances will an issuing office break up a program to circumvent this required

coordination. Revisions to SOEWs which increase funding by \$100K or greater will also be processed by this procedure.

Further external coordination review is performed by the Safeguards Technical Assistance Review (STAR) Group for all safeguards projects, Waste Management Review Group for all waste management projects, and the Senior Contract Review Group for all projects over \$500,000. The Office Director or designee is responsible for the review of all other projects.

i. Issuing Authority

The Directors of NRC Offices, by receipt of an allotment, have been delegated the authority to incur obligations within a specified amount. The Directors of NRC Offices as holders of an allotment may redelegate the authority to designated officials to incur obligations. The designated officials to whom such authority has been redelegated must have direct financial management responsibility for the execution of important segments of the Commission program. Consequently, the Director of the appropriate NRC Office or his delegate, as noted above, must sign all NRC Form 173.

j. Authorizing Financial Flexibility. Reallocation of funds between FINs is not authorized unless the issuing authority so indicates on the NRC Form 173. If an issuing office authorizes the DOE performing organization to reallocate funds between FINs, the issuing authority of the office will be notified within five days after such an adjustment. To be recognized in the current year, the adjustment must ^{be} incorporated in a Standard Order for DOE Work, signed and dated by both parties prior to October 1. This new NRC Form 173 will change the amounts per FIN in accordance with the performing organization's cost experience.

Issuing office shall not authorize funds to be transferred between FINs after the end of the fiscal year without the prior approval of the Controller, NRC.

2. Execution

a. Monthly Letter Status Report

The monthly letter status report is one of the primary tools for the monitoring of a work order. It should contain the information listed on Exhibit 1, page 2 of 5. Costs should be examined for reasonableness in light of technical progress achieved. Also, the elements of costs should be examined; labor costs against reported personnel time expenditures, and ADP, materials and supplies and subcontract costs in relation to technical requirements. Finally, costs should be analyzed in their historical perspective; i.e., costs to date versus technical status, estimated funds remaining versus remaining milestones. If the analysis reveals problems or questions, the lab should be immediately contacted and a solution sought.

b. Intermediate Technical Reports

Intermediate technical reports will be prepared and submitted in accordance with the Standard Terms and Conditions contained in Exhibit 4 and in NRC Manual Chapter 1102. The office responsible for the task order should insure that user or other interested offices receive a copy of the technical reports.

c. Technical Guidance

The Project Manager is responsible for providing technical guidance to the contractor. This responsibility includes interpreting the statement of work, performing technical inspections and acceptances, and assisting in the resolution of problems. However, the guidance must be consistent with the description of work in the work order, not constitute new assignment of work or change to the expressed terms, conditions, or specifications incorporated into the work order, not constitute a basis for an extension to the period of performance or contract delivery schedule, and not constitute a basis for any increase in the contract price.

d. Changes

Any changes to an existing order (i.e., funding amount work period, statement of work, etc.) will be accomplished by the issuance of a new NRC Form 173.

e. Vouchers

Vouchers are initially received by the Division of Accounting and forwarded via a transmittal memorandum for approval to the sponsoring office. The responsibility and procedure for approval is described in Bulletin 1401-2.

3. Close out

a. Final Technical Reports

b. Property Disposal

c. File Retirement

d. Lab Evaluation

VII Schedule

VIII Flow Chart



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

Exhibit 1
Page 1 of 5

(date)

SAMPLE

Mr. R. J. Hart, Manager
Oak Ridge Operations Office
U.S. Department of Energy
P.O. Box E
Oak Ridge, Tennessee 37830

Dear Mr. Hart:

This letter is a request for a proposal from the Oak Ridge National Laboratory to provide program support contractual assistance to the Office of Nuclear Material Safety and Safeguards of the Nuclear Regulatory Commission. The enclosed statement of work details the required work and should be used as the basis for preparing a proposal for submission to this office. Standard terms and conditions for NRC work, as approved by Headquarters, DOE apply to this effort. A copy of these terms and conditions has been furnished your office separately. The proposal should contain as a minimum the information set forth in Enclosure 2 and should be submitted in six copies to:

U.S. Nuclear Regulatory Commission
Office of Nuclear Material Safety and Safeguards
Attn: Program Support
Washington, D.C. 20555

Work under this task (is anticipated to be unclassified.) or (will require access to and/or the origination of classified information as indicated on the enclosed NRC Form 187.)

This request for proposal is not an authorization to start work. Authorization to commence work becomes effective upon the Oak Ridge Operations Office acceptance of an appropriately executed NRC Form 173.

If you have any questions about this request, please contact Mr. Don Loosley on FTS 427-4072. Thank you for your assistance.

Sincerely,

William J. Dircks, Director
Office of Nuclear Material
Safety and Safeguards

Enclosures:

1. Statement of Work
2. Proposal Content
3. NRC Form 187 (If classified)

cc:

H. Postma, ORNL
R. W. Barber, EV/SED(2)

Approved: October 2, 1979

STATEMENT OF WORK FOR
(FILL IN FIN TITLE, FIN, AND B&R)

1.0 Background

Provide a brief statement to orient the reader to the requirements for the work and discuss any pertinent work previously accomplished.

2.0 Work Required

Provide a concise description of the tasks to be accomplished by the performing organization. Highlight changes from prior authorized statements of work (SOW), if any.

3.0 Reporting Requirements

Each program office shall specify its reporting requirements (types of reports, frequency, and distribution) in the SOW. This may be accomplished by reference to existing office procedures.

The report listing shall include, as a minimum, a monthly letter status report and a formal final report to be furnished upon completion of the program. Consulting service contracts should be reported based on activity level. The programmatic distribution of these documents shall be as specified by the responsible program office.

3.1 Monthly Letter Status Report

Each month the performing organization shall submit a brief letter status report which summarizes: the work performed during the current period and cumulative to date) previous month, personnel time expenditures during the previous month, ~~costs~~ costs generated against the work effort, milestones reached and an explanation for missed milestones, problems encountered, The first monthly letter status report after program authorization shall include planned monthly rate of expenditures for the fiscal year, if not provided with the proposal and include any changes to prior schedules or estimated costs. Other estimates in the proposal will be corrected at this time to reflect authorized program levels. Exception: for consultants the frequency should be in consonance with the activity level; i.e., report only if activity occurs. If this report is to be made available routinely in the NRC Public Document Room, it shall be treated as an interim technical report (see 3.2 for procedure). plans for the next reporting period, and problems anticipated.

Interim and Final Technical Reports

Instructions for the preparation of this portion of the statement of work are provided in the Terms and Conditions of the Standard

Current period and cumulative to date)

Costs should be broken out for labor, ADP, supplies and materials, and subcontract costs.

milestones reached and an explanation for missed milestones, problems encountered,

plans for the next reporting period, and problems anticipated.

Order for DOE Work, Paragraph 12. List the required reports and specify content and due date, if known. An individual task report may be designated to be either an interim report or final report.

3.3 Environmental Impact Statements

Draft and final environmental impact statements will be published as NRC documents, as required by NEPA. Environmental impact statements will follow guidelines for NRC staff-generated documents. (Reference: NRC Manual Chapter 3201.)

4.0 Meetings & Travel

Consider any required meetings and associated travel requirements for meetings which the performing organization will attend or host. All foreign travel requires identification per NRC Manual Chapter 1501.

5.0 NRC Furnished Material

Specify any special reports, equipment, or other items to be provided to the performing organization by the NRC and when the material will be provided. If convenient, this information may be provided as an integral part of the task definition in Paragraph 2 above.

6.0 Period of Performance

Specify the start and completion dates for the work described in this statement of work. Where appropriate, this information should be specified for individual milestones, as well as for total effort.

7.0 Technical Direction

Insert name and FTS telephone number of the individual designated as the NRC technical monitor for this effort.

8.0 Disposal of Property

Upon completion of a program or termination of a program, a reconciled report will be developed jointly by DOE and NRC to record available material purchased with NRC funds. This report should be developed as soon as possible after program completion or termination decision has been made, but not later than sixty days after work termination date. The report should be submitted to the Property and Supply Branch, NRC.

PROPOSAL CONTENT

The minimum items required in all proposals are:

1. Performing Organization's Name and Location
2. FIN Title (as on statement of work)
3. FIN Number
4. B&R Number (NRC's)
5. Performing organization's key personnel, program manager, or principal investigator, and FIS phone number.
6. Background (include previous technical progress if a continuation, and relationship to other projects).
7. Work to be Performed (Provide a concise description of tasks to be performed and expected results for the period of performance. Identify major subcontracts, including consultants. Note technical data requirements, potential problems, and other technical information needed to fully explain the effort. Highlight changes from prior authorized SOW's, if any, identify changes in performance, schedule, or costs).
8. Costs estimated to be incurred by DOE contractors, subcontractors, and consultants. (List by fiscal year to completion):
 - a. Manyears of Technical Support (MTS)
 - b. Costs:
 - (1) Direct Salaries (Labor) for MTS
 - (2) Material and Services (excluding ADP)
 - (3) Total ADP Support
 - (4) Subcontracts
 - (5) Capital Equipment
 - (6) Direct Travel Expense (Foreign travel must be shown separately.)
 - (7) General and Administrative Expense (Include indirect labor cost.)
 - c. Total Estimated Cost:

9. Forecasts:

- a. Milestone Chart for accomplishing the work.
- b. Planned monthly rate of costs for first fiscal year. This may be provided with the first report of an authorized program if not known at time of proposal submittal. At the beginning of each subsequent year, reports should include the planned monthly rate of costs for the ensuing year.

10. Conflict of Interest:

In order to assist the Commission in its evaluation, the DOE Contracting Officer shall describe any significant contractual and organizational relationships of the DOE, its contractor, their employees, or expected subcontractors or consultants on this proposal, with industries regulated by the NRC (e.g. utilities, etc.) and suppliers thereof (e.g. architect engineers and reactor manufacturers etc.) that might give rise to an apparent or actual conflict of interest.



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

Exhibit 2
Page 1 of 1

(date)

SAMPLE

Mr. R. J. Hart, Manager
Oak Ridge Operations Office
U.S. Department of Energy
P. O. Box E
Oak Ridge, Tennessee 37830

Dear Mr. Hart:

The enclosed NRC Form 173, Standard Order for DOE Work, for \$ _____ is hereby submitted in accordance with Section III.B.2 of the DOE/NRC Memorandum of Understanding of February 24, 1978.

(Include as second paragraph when appropriate:) This work is urgently required to support (define activity) and the SOEW is forwarded without prior proposal. The work authorization provides for proposal preparation as part of the work scope.

Please indicate DOE acceptance by signing and returning the enclosed NRC Form 173 to the NRC Office of the Controller, Division of Accounting, with a copy to this office.

If you have any questions, please contact Mr. Don Loosley (FTS 427-4072). Thank you for your assistance.

Sincerely,

William J. Dircks, Director
Office of Nuclear Material
Safety and Safeguards

Enclosure(s):

1. Standard Order for DOE Work
2. NRC Form 187 (if classified)

cc: R. Barber, EV/SED(2)

Approved: October 2, 1979

NRC FORM 173 (5-79)		U.S. NUCLEAR REGULATORY COMMISSION	ORDER NUMBER
STANDARD ORDER FOR DOE WORK		DATE	
ISSUED TO: (DOE Office)	ISSUED BY: (NRC Office)	ACCOUNTING CITATION APPROPRIATION SYMBOL	
PERFORMING ORGANIZATION AND LOCATION		S&R NUMBER	
		FIN NUMBER	
FIN TITLE		WORK PERIOD THIS ORDER	
		FIXED <input type="checkbox"/>	ESTIMATED <input type="checkbox"/>
		FROM	TO
OBLIGATION AVAILABILITY PROVIDED BY:			
A. THIS ORDER		\$	
B. TOTAL OF ORDERS PLACED PRIOR TO THIS DATE WITH THE PERFORMING ORGANIZATION UNDER THE SAME "APPROPRIATION SYMBOL" AND THE FIRST FOUR DIGITS OF THE "S&R NUMBER" CITED ABOVE		\$	
C. TOTAL ORDERS TO DATE		\$	
(TOTAL A & B)		\$	
D. AMOUNT INCLUDED IN "C" APPLICABLE TO THE "FIN NUMBER" CITED IN THIS ORDER		\$	
FINANCIAL FLEXIBILITY:			
<input type="checkbox"/> FUNDS WILL NOT BE REPROGRAMMED BETWEEN FINs. LINE D CONSTITUTES A LIMITATION ON OBLIGATIONS AUTHORIZED.			
<input type="checkbox"/> FUNDS MAY BE REPROGRAMMED NOT TO EXCEED ± 10% OF FIN LEVEL UP TO \$50K. LINE C CONSTITUTES A LIMITATION ON OBLIGATIONS AUTHORIZED.			
STANDARD TERMS AND CONDITIONS PROVIDED DOE ARE CONSIDERED PART OF THIS ORDER UNLESS OTHERWISE NOTED.			
ATTACHMENTS THE FOLLOWING ATTACHMENTS ARE HEREBY MADE A PART OF THIS ORDER:		SECURITY	
<input type="checkbox"/> STATEMENT OF WORK <input type="checkbox"/> ADDITIONAL TERMS AND CONDITIONS <input type="checkbox"/> OTHER		<input type="checkbox"/> WORK ON THIS ORDER IS NOT CLASSIFIED <input type="checkbox"/> WORK ON THIS ORDER INVOLVES CLASSIFIED INFORMATION. NRC FORM 187 IS ATTACHED.	
REMARKS: (Reference the proposal by number and date, and indicate if the attached statement of work modifies the DOE proposal)			
ISSUING AUTHORITY		ACCEPTING ORGANIZATION	
SIGNATURE		SIGNATURE	
TITLE		TITLE	
		DATE	

NRC FORM 173 (5-79)

Approved: October 2, 1979

INSTRUCTIONS FOR PREPARATION OF
NRC FORM 173

The following items will be completed by the NRC issuing office:

Order No.

The order number identifies the issuing office, fiscal year the order is issued and the sequential number of the order. The number is XX-XX-XXX. The first two digits represent the office code, i.e., 10 for Office of Standards Development, 20 for Nuclear Reactor Regulation, etc. The third and fourth digits identify the fiscal year in which the order is issued. The last three digits are sequential numbers of the order assigned by the issuing office starting with 001 for the first order placed with DOE for that fiscal year.

Date

The date signed by the issuing authority.

Issued To

The name of the DOE office receiving the order.

Issued By

The name of the NRC office issuing the order.

Performing Organization

The name and location of the DOE laboratory, prime contractor, or office which will perform the work. Provide further identification of laboratory complex, site, etc., if possible. Identify DOE program manager or principal investigator if known.

FIN Title

The title should be a concise description of the work. The title on this form should be the same as that provided to the Division of Budget, CON, for the Financial Plan Listing. For continuing efforts, titles generally will not change from year to year. In the event that the order covers a number of FIN tasks, insert the words "see remarks," then provide the appropriate lists and remarks.

Accounting Citation - Appropriation

Use the same appropriation number as that identified on the allotment for current fiscal year funds. For adjustments to prior year FINs, use appropriate allotment citation.

B&R Number

Show the NRC B&R number under which the order was placed. This should be the same B&R number as that identified in the financial plan. When an order covers a number of tasks, insert the statement "see remarks" and add as appropriate.

FIN Number

Show the FIN number which identifies the task and fiscal year of the funds. The basic number (first five positions) will not change for continuing efforts. (The sixth digit denotes the fiscal year of the funds.) In the case of an order covering a number of tasks, insert the statement "see remarks" and add as appropriate.

Work Period

Show the period in which the work is to be performed and funded. Note whether work period is fixed or estimated and check applicable box. If the order is for more than one FIN, insert the words "see remarks" and provide as appropriate.

Definitions: Fixed means that costs shall not be incurred beyond the cited work period. For the work period to be extended a revised NRC Form 173 must be issued.

Estimated means that the exact period of performance is not known at inception of the project. In this instance the period of performance may be extended without prior approval by the NRC. However, when the period of performance is determined, a revised NRC Form 173 will be issued providing a fixed work period.

Obligation Availability Provided By:

a. This Order

Include the dollar value of the order.

b. Total of Orders Placed Prior to This Date

Show the total value of all prior orders this fiscal year placed by the issuing office to this performing organization citing the same appropriation source and the first four digits of the NRC B&R number appearing in the accounting citation. Leave blank for the initial order in any fiscal year.

c. Total Order to Date

Show the total of a. and b. above.

d. Amount Included in c.

If the order is for a single FIN, this amount would represent the cumulative year-to-date amount of funds obligated against the FIN. If the order is for more than one FIN, insert "see remarks" and add as appropriate.

Financial Flexibility

Check the appropriate box to denote level of flexibility the issuing office wishes to grant the performing organization without prior notification.

Attachments

Check the appropriate box identifying the attachments to this order.

Security

Check the appropriate box. If classified, complete NRC Form 187 and forward to the Division of Security for appropriate concurrence, along with a copy of the statement of work.

Remarks

Use this space for any pertinent information you may want to include. If the order is for more than one FIN, include the following listing:

(1) FIN numbers, (2) FIN titles, (3) NRC B&R numbers, (4) amount of this order by FIN, (5) cumulative amount by FIN, and (6) work periods.

If additional cost reporting information is required by the NRC technical monitor, this will be coordinated with the Controller, and noted in the remarks section. (The DOE operations office will accept such requests only if they appear reasonable and the information requested is readily available.)

Issuing Authority

The signature of the director of the appropriate NRC office or his designee must appear in this block.

Accounting Organization

The signature of the DOE representative authorized to accept the order, title, and the date of the signature should appear here.

TERMS AND CONDITIONS
STANDARD ORDER FOR DOE WORK*

1. Security - Unclassified Work Efforts

To the extent that performance of work under this order does not involve classified information, the following clauses are applicable:

- (a) It is mutually expected that the activities under this work order will not involve classified information or material. If in the opinion of either party this expectation changes, they shall immediately notify the other party in writing. In any event, DOE shall handle and otherwise safeguard classified information and material in accordance with applicable law and DOE requirements and shall promptly inform the Commission in writing if and when classified information or material becomes involved.
- (b) The DOE contractor (performing organization) shall not permit any individual to have access to Restricted Data, or other classified information except in accordance with the Atomic Energy Act of 1954, as amended, and DOE's regulations or requirements.
- (c) Except as specifically authorized by this work order or as otherwise approved by the issuing authority, records or other information, documents and materials furnished by the NRC in the performance of the order shall be used only in connection with the work performed under the order. Upon completion or termination of this order, DOE shall transmit to the issuing authority all records or other information, documents and materials and any copies thereof, furnished by the NRC in the performance of this work order except those required by the DOE Contracting Officer's official records.
- (d) All parties conducting activities under this work order shall be responsible for the safeguarding from unauthorized disclosure any information or other documents and material exempt from public disclosure by the NRC's regulations and made available in connection with the performance of work under this order. Both parties agree to conform to all regulations, requirements, and directions of the NRC with respect to such material.

* While these terms and conditions are oriented to government owned, contractor operated facilities (GOCO), they apply equally to government owned, government operated facilities (GOGO). Examples of GOGO are the New Brunswick Laboratory (NBL) and the Idaho Radiological Environmental Sciences Laboratory (RESL).

2. Security - Classified Work Efforts

To the extent that the performance of work under this order involves classified information, the following clauses are applicable:

- (a) DOE and the DOE contractor (performing organization) shall be responsible for safeguarding Restricted Data, Formerly Restricted Data, and other National Security Information and for protecting against sabotage, espionage, loss and theft in accordance with DOE's security regulations and requirements.

Except as otherwise expressly provided, DOE shall, upon completion or termination of the work order, transmit to the Commission all classified matter in its possession or in the possession of any person under its control in connection with performance of this work order. If retention of any classified matter is required by DOE, it must obtain the approval of the Commission and complete a certificate of possession specifying the classified matter to be retained.

- (b) Regulations. The Contracting Officer shall ascertain that the DOE contractors conform to all security regulations and requirements of DOE.
- (c) Definition of Restricted Data. The term "Restricted Data," as used in this clause, means all data concerning (1) design, manufacture, or utilization of atomic weapons; (2) the production of special nuclear material; or (3) the use of special nuclear material in the production of energy, but shall not include data declassified or removed from the Restricted Data category pursuant to Section 142 of the Atomic Energy Act of 1954, as amended.
- (d) Definition of Formerly Restricted Data. The term "Formerly Restricted Data," as used in this clause, means classified information related primarily to the military utilization of atomic weapons removed from the Restricted Data category under Section 142.d of the Atomic Energy Act of 1954, as amended.
- (e) Definition of National Security Information. Official information or material which requires protection against unauthorized disclosure in the interest of the national defense or foreign relations of the United States.
- (f) Security Clearance of Personnel. DOE and DOE contractors shall not permit any individual to have access to Restricted Data, Formerly Restricted Data, or other National Security Information, except in accordance with the Atomic Energy Act of 1954, as amended, and the DOE regulations or requirements

applicable to the particular type or category of classified information to which access is required.

- (g) Criminal Liability. It is understood that the unauthorized disclosure or the failure to properly safeguard Restricted Data, Formerly Restricted Data, National Security Information, or any other classified matter that may come to the DOE or to any person under a DOE contract in connection with work under the work order, may subject the performing organization, its agents, employees, or subcontractors to criminal liability under the laws of the United States. (See the Atomic Energy Act of 1954, as amended, 42 U.S.C. 2011 et seq.; 18 U.S.C. 793 and 974; and Executive Order 12065.)
- (h) Subcontracts and Purchase Orders. Except as otherwise authorized in writing by the Commission, DOE shall insert provisions similar to the foregoing in all subcontracts and purchase orders under this work order.

3. Classification

To the extent that the performance of work under this order involves classified information, the following clause is applicable: "In the performance of the work under this work order DOE shall assure that, the performing organization shall assign interim classification levels to all documents, material, and equipment originated or generated by the performing organization in accordance with classification guidance furnished by the Commission. Each subcontract and purchase order issued hereunder involving the generation of classified documents, material, or equipment, shall include a provision to the effect that in the performance of such subcontract or purchase order the subcontractor or supplier shall assign interim classification levels to all such documents, material, and equipment in accordance with classification guidance furnished by the performing organization. The performing organization shall in turn submit through appropriate channels all documents, material, and equipment generated under the work order to the office responsible for the work order for final classification determination. It is the responsibility of the office originating the work order to ensure that proper classification is assigned by an Authorized Classifier. The attached NRC Form 187, Security/Classification Requirement, dated _____ is a part of this order."

4. Proprietary Information

In connection with the performance of work under this order, the Commission may furnish for DOE review, evaluation, or other use, certain trade secrets or confidential or privileged commercial or financial information determined by the Commission to be otherwise exempt from public inspection or disclosure. Such information

shall be submitted in writing to the DOE Contracting Officer (where the DOE performing organization is a DOE contractor) or the DOE Facility Manager (where the DOE performing organization is a DOE facility) for approval of the acceptance of the proprietary information, and for reaching agreement with the Commission on the limitations, conditions and terms under which the information may be used by the performing organization.

For DOE contractor employees used as NRC consultants, proprietary or other privileged information may be provided by NRC on an individual basis with the understanding that it will be protected from disclosure and will be returned to NRC upon completion of the task.

5. Work for Others

Notwithstanding any other provision of the work order, the DOE Contracting Officer and DOE contractor agree that placement of this work does not give rise to any actual or apparent conflict of interest from either agency's viewpoint. They further agree that during the period of performance, the contractor will forego entering into any new contractual arrangement which could give rise to a conflict of interest. The performing organization shall ensure that all employees designated as key personnel, if any, under the work order abide by the provisions of this clause. The DOE organizational conflict of interest provisions will be used as a guide in making such determinations. If in the DOE Contracting Officer's view, any proposed contractual arrangement creates a possibility for conflict of interest, he shall notify the issuing NRC office and obtain their written approval prior to the execution of the associated contract.

6. Subcontracting

The DOE organization shall notify the issuing office reasonably in advance of entering into any major or significant technical service subcontract not contained in the original proposal. "Major or significant" must be used with judgement and related to the total value of the project and/or impact on the results. This advance notification will include:

- (a) A description of services to be called for by the subcontract,
- (b) Identification of the proposed subcontractor,
- (c) The proposed subcontract costs, and
- (d) A statement that the proposed subcontract will not result in a real or apparent conflict of interest situation. If the NRC program office requires additional specific subcontractor

information or limitations, those requirements shall be stated on the NRC Form 173. Doe will provide any special requirements such as financial and organizational disclosures for consulting type services.

7. Stop-Work Order

- (a) The issuing office may, at any time, by written order to the DOE Contracting Officer, require the contractor to stop all, or any part, of the work called for by this work order for a period of ninety days after the order is delivered to the contractor, and for any further period to which the parties may agree. Any such order shall be specifically identified as a Stop-Work Order issued pursuant to this clause. Upon receipt of such an order, the contractor shall forthwith comply with its terms and take all reasonable steps to minimize the incurrence of cost allocable to the work covered by the order during the period of work stoppage. Within a period of ninety days after a Stop-Work Order is delivered to DOE, or within any extension of that period to which the parties shall have agreed, the issuing office shall either:
 - (i) Cancel the Stop-Work Order, or
 - (ii) Terminate the work covered by this work order.
- (b) If a Stop-Work Order issued under this clause is cancelled or the period of the Stop-Work Order or any extension thereof expires, DOE shall authorize its contractor to resume work. An adjustment shall be made in the delivery schedule or cost, or both, and the work order shall be modified in writing accordingly.
- (c) If a Stop-Work Order is not cancelled and the work covered by such is terminated in accordance with the terms of this work order, costs resulting from the Stop-Work Order shall be allowed in arriving at the termination settlement.

8. Patent Rights

The statutory, regulatory and procedural patent policies of DOE will be applicable to the work falling under this work order, provided however:

- (a) Disclosures of inventions conceived or first actually reduced to practice under Commission funded work shall be promptly furnished to the Commission together with notice of DOE's intended patent action on such invention;

- (b) If DOE should determine not to protect such inventions, either domestically or abroad, the Commission shall have the right to protect such inventions;
- (c) If the technology covered by any invention disclosure upon which DOE intends to file is deemed by the Commission to fall within the Commission's mission, i.e., relates to nuclear facilities and materials safety, safeguards, and environmental protection, in support of the Commission's licensing and regulatory functions, the Commission may so notify DOE and a determination will be made by the parties as to which party will file such patent application or applications; and
- (d) In view of the statutory patent policies of DOE and NRC, neither party shall grant any form of exclusive patent rights, by waiver or by licensing, without expressed approval of the other party.

9. Patent Clearance

In order that public disclosure of information regarding scientific or technical developments arising out of this work order will not adversely affect the patent interests of either DOE or NRC, patent approval for release or publication shall be secured from DOE prior to the release or publication of any such information.

10. Limitation of Funds

- (a) The Commission shall not be obligated to reimburse DOE for costs incurred by its contractors in excess of the total amount authorized by an appropriately executed NRC Form 173. NRC will formally notify the appropriate DOE Field Office of any programs they intend to phase out or terminate as soon as such intent is known; preferably, at least 30 days prior to the proposed termination date. For programs with fixed performance periods, the DOE Field Office should assume that the program will terminate on the last day of the period specified in the Standard Order for DOE Work unless notified otherwise.
- (b) If at any time DOE has reason to believe that the costs will exceed the total amount authorized, DOE shall notify the issuing authority. In the absence of formal NRC instructions to continue or to terminate a program, the DOE Field Office (contracting officer or his designee) will notify NRC, by TWX or other suitable written means, when the accrued costs of any NRC program approaches 90% of the authorized funding level. The notification should include estimated date when the accrued costs will equal the authorized funds, and may, if appropriate, recommend or request NRC action desired. The notification

should be addressed to the appropriate NRC office, with copy to the NRC Controller, and to DOE-EV-SED. After such notification, the issuing office will:

- (i) Increase funding authorization, and/or
 - (ii) Change the scope of work, and/or
 - (iii) Change the period of performance, or
 - (iv) Terminate this work order.
- (c) If this work order permits DOE to reallocate funds authorized by this order between FIN's, the issuing office shall be notified of such reallocation within five days after such an adjustment. To be recognized in the current fiscal year, the adjustments must be incorporated in an NRC Form 173 signed and dated prior to October 1.
- (d) In cases where the work period states "estimated," prior notification that work is to extend beyond the period indicated is not necessary to completing the assigned work.
- (e) If the work period under this work order is fixed, the performance of work should be completed within that period. However, when it is first anticipated by DOE that the work cannot be completed within the time period fixed by this work order, the issuing office shall be notified in writing. Notification shall occur in sufficient time to allow the issuance of another NRC Form 173 authorizing an extension of the work period to such time as is necessary to complete the authorized work.

Work shall not be performed beyond the end of the work period of this order unless authorized by an appropriately executed NRC Form 173. If the period of performance is not extended, the issuing office will issue an NRC Form 173 to the appropriate DOE office deobligating any excess funds.

11. Billing Requirements

- (a) DOE will bill NRC monthly for costs reported through the FIS system by the six position FIN number via separate bills for costs applicable for each NRC Program Office, (e.g., Standards Development, Nuclear Reactor Regulation, etc.).
- (b) The bills will identify the NRC FIN (6-positions) such as A10017, B20016, etc. (the last digit identifies the fiscal year of the funding), the NRC B&R number shown on the NRC Form 173, and the DOE B&R number.

- (c) The bills will be certified by the DOE field office prior to submission to NRC. The bills, at a minimum, will indicate the month the costs were incurred and the dollar amount of those costs.
- (d) For bills which include equipment and related material (including sensitive items), an itemized receiving report will be provided to include:

DOE Facility Identification (each page)

<u>National</u> <u>Stock No.</u> (When available)	<u>Item</u> <u>Description</u>	<u>Manufacturer</u> <u>& Model No.</u>	<u>Serial</u> <u>Number</u>	<u>Acquisition</u> <u>Cost</u>	<u>Quantity</u>	<u>Total Fin</u> <u>Cost</u>	<u>No.</u>
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- (e) All bills (SF 1081) shall be issued (original and 5 copies) to

U.S. Nuclear Regulatory Commission
Office of the Controller
Division of Accounting (L 316)
Washington, D.C. 20555

- (f) Any additional billing information to be requested must be so indicated under the "Remarks" section of the NRC Form 173.

12. Technical Reporting Requirements

- (a) The statement of work will specify the technical reporting requirements, including a concise list of reports to be provided by DOE, frequency and distribution. The minimum reporting requirement is a formal final report to be furnished upon completion of the work. Annual reports may be required if the work is to take longer than 16 months.

All costs associated with report preparation of camera-ready copy, printing, and shipping for NRC are to be direct charges to the authorized program involved, and are not to be included in DOE General and Administrative Expenses.

Each report required by the statement of work shall be identified as interim or formal in accordance with the following definitions:

- (i) Interim Contractor Reports - Regulatory and technical documents prepared in accordance with contract or inter-agency agreement requirements for recording plans and

results during the course of the work. Such documents may include, but are not limited to, informal progress reports, letter reports, quick-look reports, data reports, technical status reports, project descriptions, pre-test predictions, model verifications, experiment safety analyses, experiment operating procedures, facility certification reports, and test result reports.*

- (ii) Formal Contractor Reports - Regulatory and technical documents that record the results of contractor work at principal points in the program. Such documents may include, but are not limited to, quarterly, topical, and annual progress reports and final reports.

Draft and final environmental impact statements, which will be published as NRC documents, as required by NEPA, are not subject to paragraph 12 of these terms and conditions. DOE laboratory inputs are not acknowledged in these documents. This variation from the standard terms and conditions must be included in the statement of work.

If the NRC program office placing the work desires to give the principal investigator of the work the option of publication in a recognized technical journal rather than a formal report, this option will be stated in the statement of work.

Exercise of this option requires that the final draft (subsequent to peer review) of the journal article be submitted by letter to the NRC Division of Technical Information and Document Control (NRC/TIDC) for processing for accession by the NRC Public Document Room at the time it is submitted to the journal. When the journal article is published, the draft must be replaced with a copy of the journal article by sending an author's copy, properly identified, to NRC/TIDC.

Each journal article submission must be accompanied by the following statement, "The submitted manuscript has been authored by a contractor of the U.S. Government under contract number _____. Accordingly, the U.S. Government has a nonexclusive, royalty-free license to publish or reproduce the published form of this contribution, or allow others to do so, for U.S. Government purposes." In addition, each article must carry the statement, "Work supported by the U.S. Nuclear Regulatory Commission, Office of _____ under Interagency Agreement DOE 40-550-75 with the U.S. Department of Energy."

If requested by the journal or other publisher to transfer the copyright, the author shall respond to the journal or other publisher, in writing, in accordance with the sample letter shown in Figure 1.

*All these documents must carry the title page shown in Figure 2.

Presentation of the results at a technical meeting may also be authorized by NRC.

(b) Content of Technical Reports

The content of technical reports should follow generally accepted technical writing practice with appropriate flexibility to meet the author's (authors') specific needs.

Progress and final reports should include an abstract of 200 words or less. The abstract shall summarize the major points of the report results, recommendations and/or conclusions. For progress reports, the abstract should outline the status of work to date. The preferred location for the abstract is between the title page of the report and the table of contents. The pertinent NRC FIN numbers(s) and the official FIN title(s) should be placed at the bottom of the abstract page.

Progress and final reports for all NRC offices except the Office of Standards Development (SD) should also include a 500 to 1000 word executive summary (one or two pages) of the major findings, conclusions, and recommendations (if any) of the report. The executive summary, labeled as such, should appear as the first section of the main report on page one, and should precede the introduction, if any.

Interim reports for all NRC offices except SD should also include a one-page executive summary of the subject matter covered in the body of the report. The summary should also be included in the letter transmitting the report to the NRC technical monitor.

Scientific and technical reports should not include administrative, managerial or fiscal information unsuitable for wide dissemination. They should also not include proposals for further support which are to be submitted separately to protect their privacy.

(c) Interim Reports Preparation and Handling

The number of copies specified in the statement of work for each interim report are to be sent to the NRC technical monitor on the schedule indicated in the statement of work. Two copies and an NRC Form 426A, Publications Release, are to be sent to the NRC Division of Technical Information and Document Control with a title page of the type shown in Figure 2, unless the NRC technical monitor specifies that all copies be sent through him. In that case the Technical Monitor will forward two copies of the report with an NRC Form 426A to NRC TIDC for processing into the NRC Public Document Room (PDR). (If an official of the performing organization is authorized to sign the NRC Form 426A, he will be designated by name in the statement of work).

Two copies and a signed DOE Form 426 are to be sent to DOE Technical Information Center (DOE TIC) by the performing organization.

(d) Formal Reports Preparation and Handling

Formal reports may be printed for NRC distribution by those DOE facilities that have Joint Committee on Printing (JCP), U.S. Congress, authorized printing plants if the work is being done for either of the following NRC offices:

Office of Nuclear Regulatory Research
Office of Standards Development

Formal reports will not be printed for NRC if the work is being done for any of the following NRC offices:

Office of Nuclear Reactor Regulation
Office of Nuclear Material Safety and Safeguards
Office of Inspection and Enforcement
Office of State Programs

The principal DOE facilities that perform NRC work and which have JCP authorized printing plants are:

Ames Laboratory
Argonne National Laboratory
Brookhaven National Laboratory
Grand Junction Office
Hanford Atomic Products Operation
Idaho National Engineering Laboratory
Knolls Atomic Power Laboratory
Lawrence Berkeley Laboratory
Lawrence Livermore Laboratory
Los Alamos Scientific Laboratory
Mound Laboratory
Oak Ridge National Laboratory (through K-25 plant)
Sandia/Albuquerque
Savannah River Plant

Printed copies or reproducible masters will be supplied in accordance with the following procedures:

- (i) Formal Reports Printed at DOE Facilities - The distribution quantity indicated in the statement of work plus reproducible master will be supplied to the NRC Division of Technical

Information and Document Control. When a report is printed for NRC, DOE procedures prevail; however, the data elements, shown in Figures 3, 4, and 5 will be incorporated in the printed version. See 12(h) for copies to be retained by the performing organization.

- (ii) Formal Reports Printed at NRC - Reproducible masters (camera-ready copy) for printing and distribution are to be sent to the NRC Division of Technical Information and Document Control. The originator may retain up to 25 duplicated copies "for internal use only" prior to receiving printed copies from NRC. See 12(h) for copies to be supplied the performing organization.

If publication is to be delayed by NRC to coordinate with program office issuance, this is to be noted both on the NRC Form 426A and the DOE Form 426. If the document is not to be reviewed prior to printing, state on the NRC Form 426A that accompanies the camera-ready copy when it is sent to NRC Division of Technical Information and Document Control that the document is not to be reviewed prior to publication.

- (iii) NRC Form 426A and DOE Form 426 - In all cases a completed NRC Form 426A must accompany the formal report. Two copies of all paragraph (i) and (ii) reports and a signed DOE Form 426 are to be sent to DOE TIC by the performing organization.

The reproducible masters must be accompanied by NRC Form 426A. If an official of the performing organization is authorized to sign the NRC Form 426A, that official will be designated by name in the statement of work.

- (e) Programmatic Review of Reports

The statement of work must indicate those technical reports that will be reviewed in draft form for NRC policy, management, regulatory and legal issues. After such review the final form of the report will be prepared by the performing organization and submitted to NRC/TIDC as reproducible masters or printed copies.

- (f) Administrative Review of Reports

Patent and security classification review of all reports will be accomplished by the cognizant DOE Operations Office.

(g) Reports Containing Commercial Proprietary Information

Proprietary information used in reporting to NRC will be noted on the title page of any report submitted to NRC.

(h) Printing and Distribution of Reports

All interim and formal reports to be made publicly available will be prepared in accordance with DOE standards for style and format utilizing the performing organization's standard cover, if any, with the data elements shown on Figure 3, and a title page with the data elements shown on Figure 2 for interim reports and on Figure 5 for formal reports. These reports are to be submitted to the NRC Division of Technical Information and Document Control with a completed NRC Form 426A.

Up to 50 copies of all publicly available reports may be retained by or will be bulk shipped to the performing organization by NRC for internal use of the performing organization. If the performing organization requires more than 50 copies for internal use, a written justification must be sent to the NRC Technical Monitor, with a copy to the Director, Division of Technical Information and Document Control. The Director, NRC/TIDC, will formally consider the request and inform the technical monitor of the results. This procedure requires a minimum of six weeks.

Single copies for specific individuals in organizations other than the performing organization who are not included in the distribution list stated in the SOW may be requested on a program basis or on a report-by-report basis. The request, with written justification, shall be addressed to the NRC Technical Monitor with a copy to NRC/TIDC. If the additional distribution is approved by the Technical Monitor, the performing organization shall send these copies (if printing is done by the performing organization) and address labels for the individuals to NRC/TIDC, where the distribution will be made along with the standard distribution.

(i) Announcement of Formal Reports

Formal reports will be announced by the Government Printing Office and the National Technical Information Service (NTIS) and will be placed on sale by NTIS.

(j) Document Identification

All unclassified technical reports will be made publicly available and will carry an NRC identification number and a DOE identification number, with the NRC identification as the prime number, as shown in Figures 3 and 5. For interim reports (see Figure 2), this number will be the computer accession number and will be added by NRC at the time the document is sent to the Public Document Room (NRC/PDR). For formal reports, the identification number will be assigned by NRC/TIDC. Advance information regarding number is needed and it may be obtained by the performing organization's publication group by calling NRC/TIDC. Commercial: (301) 492-7566, FTS: Access Code + 492-7566.

The NRC identification number for formal reports will have the form NUREG/CR-xxxx.

(k) Transmittal of Technical Reports to NRC and DOE

The transmittal of all technical reports and reproducible masters of interim and formal reports will be accomplished under an NRC Form 426A and a DOE Form 426. Actual shipment of reproducible masters to NRC shall be by first class mail to the Division of Technical Information and Document Control at the following address:

United States Nuclear Regulatory Commission
Attn: Division of Technical Information and
Document Control
Washington, DC 20555

Printed reports for NRC distribution shall be sent to NRC by express carrier to the following address:

Division of Technical Information and
Document Control
United States Nuclear Regulatory Commission
7920 Norfolk Avenue
Bethesda, MD 20014

The address for transmittal to DOE TIC is:

Technical Information Center
United States Department of Energy
P. O. Box 62
Oak Ridge, TN 37830

(1) Summary Check List

The check list presented in Table 1 gives guidance on the actions and requirements for technical reporting.

Table 1
Technical Reporting Actions and Requirements*

<u>Actions and Requirements</u>	<u>Interim (informal) Reports</u>	<u>Formal Reports</u>
NRC Form 426A	yes	yes
DOE Form 426	yes	yes
Copies to NRC Program Office	See statement of work	4 preliminary
Copies to NRC/TIDC	2 with NRC Form 426A	Sufficient printed reports for NRC distribution and reproducible masters or only reproducible masters (camera-ready copy) with NRC Form 426A (see Statement of Work)
Copies to DOE/TIC	2 with DOE Form 426	2
Available NRC Public Document Room	yes	yes
Available DOE/TIC	yes	no
Available NTIS	no	yes
Draft Review	Specified in Statement of Work	Specified in Statement of Work
Patent Review	yes	yes
Classification Review	yes	yes
Proprietary Material Review	yes	yes

*This table does not apply to draft and final environmental impact statements.

FIGURE 1

Sample Letter on Copyright Agreement

Dear _____:

We recently received a document for signature assigning copyright and republication rights in the submitted article (title) to (name of publication). This letter is offered in lieu of the document as a means of completing the transfer of ownership. Accordingly, we hereby expressly transfer and assign our rights of ownership in the above cited work to (name of publisher).

You are advised, however, that the above assignment and any publication or republication of the above cited work is subject to the following Government rights:

The submitted manuscript has been authored by a contractor (grantee) of the U.S. Government under contract (grant) No. _____. Accordingly, the U.S. Government has a nonexclusive, royalty-free license to publish or reproduce the published form of this contribution, or allow others to do so, for U.S. Government purposes.

In addition, each article which results from the placement of NRC work with DOE must state "Work supported by the U.S. Nuclear Regulatory Commission, Office of _____ under Interagency Agreement with the U.S. Department of Energy."

Sincerely,

POCR ORIGINAL

FIGURE 2
SAMPLE TITLE PAGE FOR INTERIM CONTRACTOR DOCUMENTS
TO BE MADE PUBLICLY AVAILABLE

Accession No.
(Will be added by NRC)
Contractor's Report No.
Title of Program for
Which Contract Written
Limited Subject of
This Document
Type of Document:
Status Report, Quick-
Look Report, etc
Individual

INTERIM REPORT

Accession No. _____

Contract Program or Project Title:

Subject of this Document:

Type of Document:

Author(s):

Date of Document:

Responsible NRC Individual and NRC Office or Division:

This document was prepared primarily for preliminary or internal use. It has not received full review and approval. Since there may be substantive changes, this document should not be considered final.

Contractor and
Address

Oak Ridge National Laboratory
Oak Ridge, Tennessee 37830
operated by
Union Carbide Corporation
for the
U.S. Department of Energy

NRC FIN Number

Prepared for
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555
Under Interagency Agreement DOE 40-550-75
NRC FIN No. A12347
INTERIM REPORT

POOR ORIGINAL

FIGURE 3
SAMPLE COVER FOR UNCLASSIFIED FORMAL REPORTS PREPARED
UNDER OR PURSUANT TO INTERAGENCY AGREEMENTS

NRC Report No.
Contractor Report No.
Vol., Part, Rev., etc.

NUREG/CR-0950

Title

A Review of The Application of Strategic Analysis to Material Accounting

Type of Report
or Subtitle

A Consensus Report
by the Peer Review Group

Author(s), Editor(s)

Argonne National Laboratory

Contractor

Prepared for
U. S. Nuclear Regulatory
Commission

Sponsorship

FIGURE 4
DISCLAIMER AND AVAILABILITY STATEMENTS
(BACK OF COVER)

NOTICE

This report was prepared as an account of work sponsored by an agency of the United States Government. Neither the United States Government nor any agency thereof, or any of their employees, makes any warranty, expressed or implied, or assumes any legal liability or responsibility for any third party's use, or the results of such use, of any information, apparatus, product or process disclosed in this report, or represents that its use by such third party would not infringe privately owned rights.

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FIGURE 5
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A Consensus Report by the Peer Review Group
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