



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555

SEP 16 1992

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DIVISION OF CONTRACTS &
PROPERTY MANAGEMENT

MEMORANDUM FOR: Michael T. Lesar, Chief
Rules Review Section
Regulatory Publications Branch
Division of Freedom of Information and
Publications Services
Office of Administration

FROM: Brenda Jo. Shelton, Chief
Information and Records Management Branch
Division of Information Support Services
Office of Information Resources Management

SUBJECT: REQUEST FOR COMMENT AND CONCURRENCE ON THE
FINAL RULE, 48 CFR 20, NRC ACQUISITION
REGULATION

Please release the subject rule for publication.

- X The IRM concerns have been resolved.
- X Change the Paperwork Reduction Act Statement as indicated
on the attached.
- _____ Add/change the "Information Collection Requirements:
OMB Approval" section as indicated on the attached.

Brenda Jo. Shelton, Chief
Information and Records Management Branch
Division of Information Support Services
Office of Information Resources Management

Enclosure:
As stated

cc: W. Foster, ADM ✓
D. DeMarco, ADM

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Paperwork Reduction Act Statement

This final rule amends information collection requirements that are subject to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq). These requirements were approved by the Office of Management and Budget approval number 3150-0169.

The information collection requirements were submitted to OMB at the proposed rule stage. At that time, OMB denied approval. OMB believed that rather than promulgating an NRC regulation, NRC should forward those provisions appropriate for inclusion in the FAR to the FAR Councils for consideration in accordance with FAR 1.304(c). OMB further requested that publication of provisions relating to Conflict of Interest Policies Applicable to Consultants await implementation in the FAR. It is the NRC's position that because we are required by law to have separate procurement regulations implementing the FAR and these provisions only apply to the special circumstances of the NRC, the provisions of the NRCAR are not appropriate for inclusion in the FAR for government wide usage. In addition, in accordance with Sec. 8, Pub. L. 95-601, adding Sec. 170A to Pub. L. 83-703, 68 Stat. 919, as amended (42 U.S.C. 2210a), NRC's organizational conflicts of interest provision takes precedence over the FAR 9.5, Organizational and Consultant Conflicts of Interest. However, where non-conflicting guidance appears in FAR 9.5, the NRC shall follow that guidance. With these considerations, NRC therefore requested OMB approval of the information collection requirements at the final rule stage.

The public reporting burden for this collection of information is estimated to average 10.7 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Information and Records Management Branch (MNBB-7714), U.S. Nuclear Regulatory Commission, Washington, DC 20555, and to the Desk Officer, Office of Information and Regulatory Affairs, NEOB-30.9, (3150-0169), Office of Management and Budget, Washington, DC 20503.

SUMMARY OF INFORMATION COLLECTION REQUEST

Title: 48 CFR 20, NRC Acquisition Regulation

Current Burden/Responses: 0 hours/0 responses

Proposed Burden/Responses: 120,441 hours/11,270 responses

Reasons for Changes in Burden/Responses:

48 CFR 20, the NRC Acquisition Regulation, will implement a new regulation with requirements specific to NRC needs.

Level of Concurrence: Deputy Director
Division of Contracts and Property
Management
Office of Administration

Recordkeeping Requirements in Accordance with the Retention Periods for Records Rule: Not applicable.

Proposed Rule/Final Rule Incorporated into the OCP: N/A

Abstract:

The NRC Acquisition Regulation implements and supplements the government-wide Federal Acquisition Regulation (FAR). It requires that certain information be submitted by bidders for contracts, that specified information be included in proposals and contracts, and that contractors submit monthly status and financial reports.

ASSESSMENT OF PROPOSED INFORMATION COLLECTION

TO INFORMATION MANAGEMENT COORDINATOR:

William Foster

Information Management Coordinator

DCPM/ADM

TITLE OF INFORMATION COLLECTION REQUIREMENT

48 CFR 20, NRC Acquisition Regulation

THE FOLLOWING FACTORS WERE CONSIDERED IN EVALUATING THE PROPOSED

INFORMATION COLLECTION REQUIREMENT. (If the response is not so, check "No" and explain under "Remarks.")

YES

NO

- | | | |
|---|-----|--|
| 1. The requirement is needed. (It is the best means to achieve a necessary regulatory objective.) | X | |
| 2. The requirement has practical utility, i.e., the NRC has the capability to use the information in a timely and useful fashion. | X | |
| 3. The schedule for imposing the requirement is reasonable. | X | |
| 4. The requirement selected is the least burdensome method of achieving a necessary regulatory objective. | X | |
| 5. The requirement does not duplicate or overlap requirements imposed by the NRC. | X | |
| 6. The requirement does not duplicate or overlap requirements imposed by other Government agencies. | X | |
| 7. The method use to estimate the burden is adequate. | X | |
| 8. The burden estimates are reasonable when compared with similar requirements previously submitted. | X | |
| 9. The methods proposed for collecting or keeping the information are consistent with sound records management practices. | X | |
| 10. The records retention period is sufficiently definitive and reasonable. | N/A | |
| 11. The requirement adequately identifies the records to be maintained and the information to be reported. | X | |
| 12. NRC administrative support requirements are sufficient to manage the information collection. | X | |
| 13. The information collection will not cause NRC to exceed its Information Collection Budget. | X | |

REMARKS (If an explanation to items 1 through 13 above, reference the remark to the item number)

REVIEWER - Name and Title

Brenda Jo. Shelton, Chief
Information and Records Management
Branch/DISS/IRM

SIGNATURE



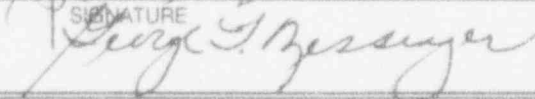
REVIEW DATE

7/1/92

APPROVING OFFICIAL - Name and Title

George H. Messenger, Director
Division of Information Support Services/IRM

SIGNATURE



DATE

7-1-92