



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

AC01-2  
PDR

October 17, 1991

MEMORANDUM FOR: Edward L. Halman, Director, Division of Contracts  
and Property Management, ADM

FROM: Alois J. Burda, Director, Program Management, Policy  
Development and Analysis Staff, RES

SUBJECT: REQUEST FOR OFFICE COMMENTS AND CONCURRENCE - FINAL RULE  
ENTITLED, "NUCLEAR REGULATORY COMMISSION ACQUISITION  
REGULATION (NRCAR)"

The Office of Nuclear Regulatory Research does not concur on the final rule transmitted in P. Norry's memo dated October 2, 1991. The concern we have and which requires further dialogue is that portion of the NRCAR which addresses contractor organizational conflict of interest, §2052.209-73. The wording in c.3 is substantially different than the option #2 in which we concurred for the Commission Paper on Contractor Organizational Conflict Of Interest.

Specifically, the NRCAR prohibits the contractor to "solicit or perform work at the site" for the licensee or applicant organization when performing any work for the NRC. It was the intent of Option #2 to prohibit the contractor from performing any related work at the site.

Until this issue has been resolved, RES cannot concur in this final rule. If you wish to discuss this with me, I can be contacted on ext. 23714.

Alois J. Burda, Director  
Program Management, Policy Development  
and Analysis Staff  
Office of Nuclear Regulatory Research

cc: P. Norry, ADM  
W. Foster, DCPM



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DIVISION OF CONTRACTS &  
PROPERTY MANAGEMENT

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A handwritten signature in dark ink, appearing to read "Alois J. Burda", is positioned above the typed name and title.

Alois J. Burda, Director  
Program Management, Policy Development  
and Analysis Staff  
Office of Nuclear Regulatory Research

cc: P. Norry, ADM  
W. Foster, DCPM