



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION V

1450 MARIA LANE, SUITE 210
WALNUT CREEK, CALIFORNIA 94596-5368

OCT 16 1991

AC01-2

PDR

✓
OK
Memorandum
11-20-91

Memorandum For: William H. Foster, Chief
Policy Branch, DCPM

From: Kathleen Hamill, Director
Division of Resource Management and Administration

Subject: REQUEST FOR OFFICE COMMENTS AND CONCURRENCE - FINAL RULE
ENTITLED "NUCLEAR REGULATORY COMMISSION ACQUISITION
REGULATION"

In response to P. G. Norry's memorandum, subject above, dated October 2, 1991, Region V concurs with the proposed final rule of the NRC Acquisition Regulation.

Kathleen Hamill, Director
Division of Resource Management and
Administration

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Kathleen Hamill
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MEMORANDUM
CALL

Previous editions usable

Debora De Marco

☒ YOU WERE CALLED BY-- ☐ YOU WERE VISITED BY--

Ron Smith
OF (Organization)

☐ PLEASE PHONE ☐ FTS ☐ AUTOVON

ask for

☐ WILL CALL AGAIN ☐ IS WAITING TO SEE YOU

☐ RETURNED YOUR CALL ☐ WISHES AN APPOINTMENT

MESSAGE

Col Ron Smith

703-693-5210

*tell them its the
Reservist doing*

RECEIVED BY *dot drill* DATE TIME

63-110 NSN 7540-00-634-4018

STANDARD FORM 63 (Rev. 8-81)
Prescribed by GSA
FPMR (41 CFR) 101-11.6

* U.S. GPO 1990 - 202-080

Therefore, neither an environmental impact statement nor an environmental assessment is required for this final rule.

Paperwork Reduction Act Statement

2 The information collection requirements were submitted to the Office of Management and Budget (OMB) at the proposed rule stage. At that time, OMB denied approval, ~~of these collections~~. OMB believed that rather than promulgating an NRC regulation, NRC should forward those provisions appropriate for inclusion in the ~~Federal Acquisition Regulation (FAR)~~ to the FAR Councils for consideration in accordance with FAR 1.304(c). They further requested that publication relating to Conflict of Interest Policies Applicable to Consultants await implementation in the FAR. It is the agency's position that since we are required by law to have separate procurement regulations implementing the FAR and these provisions only apply to special circumstances of the NRC, they would be inappropriate 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 takes precedence over the FAR 9.5, "Organizational and Consultant Conflicts of Interest." However, where non-conflicting guidance appears in FAR 9.5, that guidance shall be followed. With these considerations, NRC is therefore requesting OMB approval of the information collection requirements at the final rule stage.

1 This final rule amends information collection requirements that are subject to the paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq).

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Unsub -
CFR - Authority -
Regulated by -
Page -
11-20-91
Reorder

This rule has been submitted to OMB for review and approval of the paperwork requirements. The information collections will not become effective until after ^{OMB} ~~they are~~ ^{is} approved ~~by OMB~~. Notice of OMB approval will be published in the Federal Register.

The public reporting burden for this collection of information is estimated to average 11 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-3019, (3150-0018), Office of Management and Budget, Washington, DC 20503.

Regulatory Flexibility Certification

As required by the Regulatory Flexibility Act of 1980, 5 U.S.C. 605(b), the Commission certifies that this rule does not have a significant economic impact on a substantial number of small entities. The final rule establishes the procedures and requirements necessary to implement and supplement the Federal Acquisition Regulation {FAR} which will govern the acquisition of goods and services by the NRC. To the extent that the final rule affects a small entity, it sets out provisions applicable to small business and to small, disadvantaged business concerns.