

**§ 109-45.309-53**

**§ 109-45.309-53 Nuclear-related or proliferation sensitive property.**

Nuclear-related or proliferation-sensitive property shall be made available for sale only after the stripping and certification requirements of §109-43.307-52 of this subpart have been met.

**§ 109-45.309-54 Automatic Data Processing Equipment (ADPE).**

ADPE shall be made available for sale only after the sanitizing and certification requirements of §109-43.307-53 of this subpart have been met.

**§ 109-45.310 Antitrust laws.**

DOE offices shall submit to the Deputy Assistant Secretary for Procurement and Assistance Management any request for a proposed sale of a patent, process, technique, or invention, regardless of cost; or of surplus personal property with a fair market value of \$3,000,000 or more.

**§ 109-45.317 Noncollusive bids and proposals.**

(a) [Reserved]

(b) The head of the field organization shall make the determination required in 41 CFR 101-45.317(b). This authority cannot be redelegated.

**Subpart 109-45.6—Debarred, Suspended, and Ineligible Contractors**

**§ 109-45.601 Policy.**

(a)-(b) [Reserved]

(c) The Director, Office of Administrative Services and heads of field organization shall make the compelling reason determination when entering into a contract for the purchase of surplus Government personal property by a debarred or suspended contractor.

(d) The Deputy Assistant Secretary for Procurement and Assistance Management shall make the determination for simultaneously debarring and suspending a contractor from the purchase of surplus Federal personal property and the award of sales contracts.

**§ 109-45.602 Listing debarred or suspended contractors.**

(a) [Reserved]

**41 CFR Ch. 109 (7-1-10 Edition)**

(b) The Director, Office of Administrative Services and heads of field organizations shall establish procedures to ensure that listed contractors are not awarded contracts.

**Subpart 109-45.9—Abandonment or Destruction of Personal Property**

**§ 109-45.901 Authority to abandon or destroy.**

Personal property in the possession of DOE offices or designated contractors may be abandoned or destroyed provided that a written determination has been made by the OPMO that property has no commercial value or the estimated cost of its continued care and handling would exceed the estimated proceeds from its sale.

**§ 109-45.902 Findings justifying abandonment or destruction.**

**§ 109-45.902-2 Abandonment or destruction without notice.**

The head of the field organization shall designate an official to make the findings justifying abandonment or destruction without public notice of personal property. The OPMO shall review and coordinate on the findings.

**Subpart 109-45.10—Recovery of Precious Metals**

**§ 109-45.1002 Agency responsibilities.**

The Director, Office of Administrative Services and heads of field organizations are responsible for establishing a program for the recovery of precious metals.

**§ 109-45.1002-3 Precious metals recovery program monitor.**

The DPMO shall be the precious metals recovery program monitor.

**§ 109-45.1003 Recovery of silver from precious metals bearing materials.**

The Director, Office of Administrative Services and heads of field organizations are responsible for the establishment and maintenance of a program for silver recovery from used hypo solution and scrap film.