
40 C.F.R. § 1090.55

Requirements for independent parties.

This section specifies how a third party demonstrates their independence from the regulated party that hires them and their technical ability to perform the specified services.

(a) *Independence.* The independent third party, their contractors, subcontractors, and their organizations must be independent of the regulated party. All the criteria listed in paragraphs (a)(1) and (2) of this section must be met by each person involved in the specified activities in this part that the independent third party is hired to perform for a regulated party, except that an internal auditor may instead meet the requirements in § 1090.1800(b)(1)(i).

(1) *Employment criteria.* No person employed by an independent third party, including contractor and subcontractor personnel, who is involved in a specified activity performed by the independent third party under the provisions of this part, may be employed, currently or previously, by the regulated party for any duration within the 12 months preceding the date when the regulated party hired the independent third party to provide services under this part.

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