

**AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT**

1 CONTRACT ID CODE PAGE OF PAGES  
5002R030 1 1

2 AMENDMENT/MODIFICATION NO 3 EFFECTIVE DATE 4 REQUISITION/PURCHASE REQ NO. 5 PROJECT NO (If applicable)  
161 12/17/2001 NMS-97-009 12/17/01

6 ISSUED BY CODE 7 ADMINISTERED BY (If other than Item 6) CODE  
U.S. Nuclear Regulatory Commission  
Division of Contracts and Property Mgt.  
Attn: T-7-I-2  
Contract Management Branch No. 2  
Washington 20555

8 NAME AND ADDRESS OF CONTRACTOR (No. street, county, State and ZIP Code) (X) 9A. AMENDMENT OF SOLICITATION NO.  
Southwest Research Institute  
6220 Culebra Road  
San Antonio, TX 78228-0510  
Attn: Wesley Patrick, President, CNWRA  
210-522-5158, TIN 74-1070544

9B. DATED (SEE ITEM 11)  
10A. MODIFICATION OF CONTRACT/ORDER NO.  
NRC-02-97-009  
10B. DATED (SEE ITEM 13)  
X 10-15-1987

CODE FACILITY CODE

**11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS**

The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers \_\_\_ is extended, \_\_\_ is not extended  
Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods:  
(a) By completing Items 8 and 15, and returning \_\_\_ copies of the amendment; (b) By acknowledging receipt of this amendment of each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPRIATION DATA (If required)  
B&R 25015301129 JC# D-1035 BOC 252A 31X020  
Obligate: \$13,201,000

**13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS, IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.**

(X) A THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.  
B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).  
X  
C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:  
D. OTHER (Specify type of modification and authority)

**E. IMPORTANT:** Contractor X is not, \_\_\_ is required to sign this document and return \_\_\_ copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

Please see attached pages.

Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print)	16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)
	Barbara D. Meehan
15B. CONTRACTOR/OFFEROR	15C. DATE SIGNED
(Signature of person authorized to sign)	
16B. UNITED STATES OF AMERICA	16C. DATE SIGNED
BY <i>Barbara D. Meehan</i> (Signature of Contracting Officer)	12-17-2001

The purpose of this modification is to provide incremental funding and authorize additional funds in Job Code D1035. Accordingly, the following changes are made:

1. Section B.2.C. b and d are revised to provide obligated funds for JC D1035, High-Level Waste, in the amount of \$13,201,000, as shown on the attached change pages.
2. Section B.2.C.e is revised to provide authorized funds for High-Level Waste, JC D1035 in the amount of \$5,000,000, as shown on the attached change pages.

All other terms and conditions of this contract, including the ceiling amount for the second renewal period of \$87,611,477.00, remain the same.

A summary of new obligations for the second renewal period of this contract is given below:

Job Code D1035 (HLW)

Total FY97 obligation amount \$445,000 (see Spent Fuel (CIS) below)

Total FY98 obligation amount \$10,792,270 (Note that this reflects the \$19,000 which was obligated on Mod. 123, but not reflected in this summary)

Total FY99 obligation amount \$11,862,000.

Total FY99 deobligation amount \$183,756.57.

Total FY00 obligation amount \$12,971,071.

Total FY00 deobligation amount of \$100,000.

Total FY01 obligation amount of \$13,415,000.

Total FY02 obligation amount of \$14,201,000.

Cumulative Total of NRC Obligations for JC 1035 (HLW) \$63,402,584.43.

Description of Changes Incorporated by Modification No. 161 to NRC-02-97-009

Page 3

Job Code D1035 (Spent Fuel (CIS))  
Total FY97 obligation amount \$200,000  
Total FY98 obligation amount \$250,000

Job Code J5297 (Spent Fuel (CIS))  
Total FY00 obligation amount \$100,000  
Total FY01 obligation amount \$331

Cumulative Total of NRC Obligations for CIS \$550,331.

Job Code J5164 (Tank Waste Remediation)

Total FY98 obligation amount \$250,000  
Total FY99 obligation amount \$285,000  
Total FY00 obligation amount \$840,000  
Total FY01 deobligation amount \$65,000

Cumulative Total of NRC Obligations for JC J5164 \$1,310,000.

Job Code J5206 (Spent Fuel Dry Transfer)  
Total FY97 obligation amount \$25,000.  
Total FY98 obligation amount \$200,000.  
Total FY98 deobligation amount \$33,000  
Total FY99 obligation amount \$283,600  
Total FY00 obligation amount \$135,000  
Total FY01 deobligation amount \$45,000

Cumulative Total of NRC Obligations for JC J5206 \$565,600.

Job Code J5210 (Aluminum-Based Spent Fuels)  
Total FY98 obligation amount \$125,000.

Cumulative Total of NRC Obligations for JC J5210 \$125,000

Job Code J5186 (TMI-2 Fuel Debris)

Total FY98 obligation amount \$208,000.  
Total FY98 deobligation amount \$8,000.  
Total FY99 obligation amount \$100,000  
Total FY99 deobligation amount \$15,898.  
Total FY01 obligation amount \$878.

Cumulative Total of NRC Obligations for JC J5186 \$284,980.

Description of Changes Incorporated by Modification No. 161 to NRC-02-97-009

Page 4

Job Code J5226 (Private Fuel Storage)  
Total FY98 obligation amount \$158,000  
Total FY99 obligation amount \$332,630  
Total FY00 obligation amount \$443,920  
Total FY01 obligation amount \$715,000  
Total FY02 obligation amount \$100,000

Cumulative Total of NRC Obligations for JC J5226 \$1,749,550.

Job Code J5324 (SKB Peer Review)  
Total FY00 obligation amount \$9,987

Cumulative Total of NRC Obligations for JC J5324 \$9,987.

Job Code J5327 (Naval Spent Fuel)  
Total FY00 obligation amount \$161,000  
Total FY01 deobligation amount \$26,000

Cumulative Total of NRC Obligations for JC J5327 \$135,000.

Job Code J5390 (Diablo Canyon)  
Total FY01 obligation amount \$15,000

Cumulative Total of NRC Obligations for JC J5390 \$15,000.

Job Code J5190 (WSS)  
Total FY02 deobligation amount \$3,028.61

Cumulative Total of NRC Deobligations (for second renewal period) \$3,028.61.

Job Code J5410 (INEEL ISFSI-2)  
Total FY02 obligation amount \$25,000

Cumulative Total of NRC Obligations for JC J5410 \$25,000

This modification provides funds in the amount of \$13,201,000 for JC D1035 High-Level Waste.

e. Total amount authorized by Operations/Project Plans was as follows:

High-Level Waste Job Code: D1035 Amount: \$ 44,662,918	Licensing Support System Job Code: L1590 Amount: \$35,900
Research Job Code: B6666 Amount: \$ 15,584,461.47	Waste Solidification Systems Job Code: L1793 Amount: \$642,391.87 Job Code: J5190 Amount: \$39,900
Transportation Job Code: D1070 Amount: \$0	Monitored Retrievable Storage Job Code: L2516 Amount: \$20,459.70
Tank Waste Remediation Job Code: J5164 Amount: \$772,035.00	Safety Review of TMI-2 Job Code: J5186 Amount: \$158,290

Total amount authorized: \$ 61,916,356.04

f. The total award fee available; the award fee earned thus far and the evaluation period applicable thereto were as follows:

<u>Evaluation Period</u>	<u>Available Award Fee</u>	<u>Award Fee Earned</u>
11 9/27/92-4/9/93	\$309,465	259,951
12 4/10/93-9/24/93	347,645	316,673
13 9/25/93-9/30/94	709,894	668,010.43
14 10/1/94-9/29/95	817,617	793,088
15 9/30/95-9/27/96	665,948	645,970
16 9/28/96-9/26/97	556,736	528,899

Current Data

C. September 27, 1997 - September 27, 2002

- a. The total estimated ceiling amount of this Cost-Plus-Award-Fee type contract for the above mentioned period is \$87,611,477.00.
- b. The amount presently obligated by the Government with respect to this contract for this period is \$ 68,173,032.43. In addition, carryover funds in the amount of \$3,299,571.15 (note that \$3,028.61 was deobligated in FY02 from JC J5190) are available for use in this renewal period as indicated below. The award fee pool will be as stated in the AFDP. The plan will reflect the actual award fee pool based on cumulative estimated costs for performance of approved Operations/Project Plans. The applicable base fee percentage is also described in the AFDP.

- c. Evaluation of the award fee earned will be accomplished in accordance with the then current AFDP (Attachment 11). Neither the determination as to the amount of fee available during a given period, the amount of award fee earned, nor the determination of the criteria under which the subject award fee will be made, shall be subject to FAR Subpart 52.233-1, entitled, "Disputes".
- d. Total funds currently obligated by Job Code (JC) are as follows:

High-Level Waste Job Code: D1035 New Funds: \$ 63,686,341 Deob.: \$283,756.57 Carryover: \$1,989,455.71 Total: \$65,392,040.14	Waste Solidification Systems Job Code: L1793 New Funds: Carryover: \$2,763.35 Total: \$2,763.35
Tank Waste Remediation Job Code: J5164 New Funds: \$1,375,000 Deobligation: \$65,000 Carryover: \$1,246,284.95 Total: \$2,556,284.95	Waste Solidification Systems Job Code: J5190 New Funds: \$0 Deobligation: \$3,028.61 Carryover: \$35,349.05 Total: \$32,320.44
Spent Fuel (TMI-2 Fuel Debris) Job Code: J5186 New Funds: \$308,878 Deob.: \$23,898 Carryover: \$28,746.69 Total: \$313,726.69	Spent Fuel (Dry Transfer) Job Code: J5206 New Funds: \$643,600 Deobligate: \$78,000 Carryover: \$0 Total: \$565,600
Aluminum-Based Spent Fuels Job Code: J5210 New Funds: \$125,000 Total: \$125,000	Spent Fuel (CIS) Job Code: D1035 New Funds: \$450,000 Total: \$450,000
Spent Fuel (PFS)* Job Code: J5226 New Funds: \$1,749,550 Total: \$1,749,550	Spent Fuel (CIS) Job Code: J5297 New Funds: \$100,331 Total: \$100,331
SKB Peer Review Job Code: J5324 New Funds: \$9,987 Total: \$9,987	Naval Spent Fuel Job Code J5327 New Funds: \$161,000 Deob: \$26,000 Total: \$135,000
Diablo Canyon Job Code: J5390 New Funds: \$15,000 Total: \$15,000	INEEL ISFSI-2 Job Code: J5410 New Funds: \$25,000 Total: \$25,000

Total New Funds Obligated for 2nd Renewal Period:	\$68,649,687.00
Funds Deobligated during 2nd Renewal Period:	476,654.57
(Note that \$3,028.61 was deobligated from carryover funds rather than new funds.)	
Net Obligated:	\$68,173,032.43

\*PFS is subject to the license fee recovery provisions located elsewhere in this contract.  
The TAC number for this project is L22462.

e. Total amount authorized by Operations/Project Plans is as follows:

High-Level Waste Job Code: D1035 Amount: \$55,348,673	Waste Solidification Systems Job Code: J5190 Amount: \$32,320.44 Job Code: L1793 Amount: \$2,763.35	
Tank Waste Remediation Job Code: J5164 Amount: \$2,548,584	Spent Fuel (TMI-2 Fuel Debris) Job Code: J5186 Amount: \$313,726.69	
Spent Fuel (Dry Transfer) Job Code: J5206 Amount: \$565,600	Spent Fuel (CIS) Job Code: D1035 Amount: \$450,000	Naval Spent Fuel Job Code: J5327 Amount: \$135,000
Aluminum-Based Spent Fuel Job Code: J5210 Amount: \$125,000	Spent Fuel (CIS) Job Code: J5297 Amount: \$100,331	Diablo Canyon Job Code: J5390 Amount: \$15,000
SKB Peer Review Job Code: J5324 Amount: \$9,987	Spent Fuel (PFS) Job Code: J5226 Amount: \$1,749,550	INEEL ISFSI-2 Job Code: J5410 Amount: \$25,000
Total amount authorized: \$61,421,535.48		

f. The total award fee available, the award fee earned thus far and the evaluation period applicable thereto are as follows:

<u>Evaluation Period</u>	<u>Available Award Fee</u>	<u>Award Fee Earned</u>
17 9/27/97-9/25/98	\$598,989	\$581,021
18 9/26/98-9/24/99	797,438	781,490
19 9/25/99-9/29/00	818,779	794,216
20 9/30/00-9/28/01		
21 9/29/01-9/27/02		

Section C - Description/Specifications/Work Statement

C.1 Statement of Work for Operation of the Center for Nuclear Waste Regulatory Analyses

C.1.1 Concept for CNWRA Support to NRC

C.1.1.1 Nuclear Waste Policy Act of 1982

The Nuclear Waste Policy Act of 1982 as amended (NWPAA) sets forth the policy of the United States with regard to the management, storage and disposal of this nation's high-level radioactive waste from commercial and defense activities. The NWPAA charges the Department of Energy (DOE) as the lead Federal Agency to manage the siting, construction,