

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1 CONTRACT ID CODE 5002R038 PAGE 1 OF PAGE 1

2 AMENDMENT/MODIFICATION NO. 164 3 EFFECTIVE DATE 01-04-2002 4 REQUISITION/PURCHASE REQ. NO. NMS-97-009 1/4/02 5 PROJECT NO. (If applicable)
6 ISSUED BY U.S. Nuclear Regulatory Commission Division of Contracts and Property Mgmt. Attn: T-7-I-2 Contract Management Branch No. 2 Washington DC 20555 7 ADMINISTERED BY (If other than Item 6) CODE

8 NAME AND ADDRESS OF CONTRACTOR (No. street, county, State and ZIP Code) Southwest Research Institute 6220 Culebra Road San Antonio, TX 78228-0510 Attn: Wesley Patrick, President, CNWRA 210-522-5158, TIN 74-1070544 9A AMENDMENT OF SOLICITATION NO. 9B DATED (SEE ITEM 11) 10A MODIFICATION OF CONTRACT/ORDER NO. NRC-02-97-009 10B DATED (SEE ITEM 13) X 10-15-1987

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 25015308270 JC: J5410 BOC 252A 31X0200 Obligate: \$175,000

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). 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) 15B. CONTRACTOR/OFFEROR 15C. DATE SIGNED 16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) Barbara D. Meehan 16B. UNITED STATES OF AMERICA 16C. DATE SIGNED 01-04-2002 BY (Signature of Contracting Officer)

TEMPLATE - ADM 001

ADM 02

The purpose of this modification is to provide incremental funding and to authorize funds in the amount of \$175,000 to the INEEL ISFSI-2 project (██████████). Accordingly, the following changes are made:

Section B.2.C. b and d are revised to provide obligated funds for ██████████ INEEL ISFSI-2, in the amount of \$175,000, as shown on the attached change pages 5, 6, and 6a.

Section B.2.C.e is revised to provide authorized funds for INEEL ISFSI-2 in the amount of \$175,000, as shown on the attached change page 7.

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:

██████████

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.

[REDACTED] (Spent Fuel (CIS))
Total FY97 obligation amount \$200,000
Total FY98 obligation amount \$250,000

[REDACTED] Spent Fuel (CIS))
Total FY00 obligation amount \$100,000
Total FY01 obligation amount \$331

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

[REDACTED] (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.

[REDACTED] 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.

[REDACTED] Aluminum-Based Spent Fuels)
Total FY98 obligation amount \$125,000.

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

[REDACTED] (MI-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. 164 to NRC-02-97-009

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[REDACTED] 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 \$150,000

Cumulative Total of NRC Obligations for JC J5226 \$1,799,550.

[REDACTED] (SKB Peer Review)

Total FY00 obligation amount \$9,987

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

[REDACTED] 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.

[REDACTED] (Diablo Canyon)

Total FY01 obligation amount \$15,000

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

[REDACTED] (WSS)

Total FY02 deobligation amount \$3,028.61

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

[REDACTED] (EEL ISFSI-2)

Total FY02 obligation amount \$200,000

Cumulative Total of NRC Obligations for JC J5410 \$200,000

This modification obligates \$175,000 in FY02 funds.

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

High-Level Waste [REDACTED] Amount: \$ 44,662,918	Licensing Support System [REDACTED] Amount: \$35,900
Research [REDACTED] Amount: \$ 15,584,461.47	Waste Solidification Systems [REDACTED] Amount: \$642,391.87 [REDACTED] Amount: \$39,900
Transportation Job Code: D1070 Amount: \$0	Monitored Retrievable Storage [REDACTED] Amount: \$20,459.70
Tank Waste Remediation [REDACTED] Amount: \$772,035.00	Safety Review of TMI-2 [REDACTED] 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 \$ 68,398,032.43. 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

[REDACTED]
New Funds: \$ 63,686,341
Deob.: \$283,756.57
Carryover: \$1,989,455.71
Total: \$65,392,040.14

Waste Solidification Systems

[REDACTED]
New Funds:
Carryover: \$2,763.35
Total: \$2,763.35

Tank Waste Remediation

[REDACTED]
New Funds: \$1,375,000
Deobligation: \$65,000
Carryover: \$1,246,284.95
Total: \$2,556,284.95

Waste Solidification Systems

[REDACTED]
New Funds: \$0
Deobligation: \$3,028.61
Carryover: \$35,349.05
Total: \$32,320.44

Spent Fuel (TMI-2 Fuel Debris)

[REDACTED]
New Funds: \$308,878
Deob.: \$23,898
Carryover: \$28,746.69
Total: \$313,726.69

Spent Fuel (Dry Transfer)

[REDACTED]
New Funds: \$643,600
Deobligate: \$78,000
Carryover: \$0
Total: \$565,600

Aluminum-Based Spent Fuels

[REDACTED]
New Funds: \$125,000
Total: \$125,000

Spent Fuel (CIS)

[REDACTED]
New Funds: \$450,000
Total: \$450,000

Spent Fuel (PFS)*

[REDACTED]
New Funds: \$1,799,550
Total: \$1,799,550

Spent Fuel (CIS)

[REDACTED]
New Funds: \$100,331
Total: \$100,331

SKB Peer Review

[REDACTED]
New Funds: \$9,987
Total: \$9,987

Naval Spent Fuel

[REDACTED]
New Funds: \$161,000
Deob: \$26,000
Total: \$135,000

Diablo Canyon

[REDACTED]
New Funds: \$15,000
Total: \$15,000

INEEL ISFSI-2

[REDACTED]
New Funds: \$200,000
Total: \$200,000

Total New Funds Obligated for 2nd Renewal Period: \$68,874,687.00
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: \$68,398,032.43

*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 [REDACTED] Amount: \$55,348,673	Waste Solidification Systems [REDACTED] Amount: \$32,320.44 Job Code: L1793 Amount: \$2,763.35	
Tank Waste Remediation [REDACTED] Amount: \$2,548,584	Spent Fuel (TMI-2 Fuel Debris) [REDACTED] Amount: \$313,726.69	
Spent Fuel (Dry Transfer) [REDACTED] Amount: \$565,600	Spent Fuel (CIS) [REDACTED] Amount: \$450,000	Naval Spent Fuel [REDACTED] Amount: \$135,000
Aluminum-Based Spent Fuel [REDACTED] Amount: \$125,000	Spent Fuel (CIS) [REDACTED] Amount: \$100,331	Diablo Canyon [REDACTED] Amount: \$15,000
SKB Peer Review [REDACTED] Amount: \$9,987	Spent Fuel (PFS) [REDACTED] Amount: \$1,799,550	INEEL ISFSI-2 [REDACTED] Amount: \$200,000

Total amount authorized: \$61,646,535.48

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,