

2. AMENDMENT/MODIFICATION NO. M240		3. EFFECTIVE DATE See Block 16C below	4. REQUISITION/PURCHASE REQ. NO. NMS-02-012 7/19/06	5. PROJECT NO. (If applicable)
6. ISSUED BY U.S. Nuclear Regulatory Commission Div of Contracts Two White Flint North - MS T-7-I-2 Contract Management Branch No. 3 Washington, DC 20555		CODE 3100	7. ADMINISTERED BY (If other than Item 6) U.S. Nuclear Regulatory Commission Div of Contracts Two White Flint North - MS T-7-I-2 Contract Management Branch No. 3 Washington, DC 20555	
			CODE 3100	

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)		(X)	9A. AMENDMENT OF SOLICITATION NO.
SOUTHWEST RESEARCH INSTITUTE			9B. DATED (SEE ITEM 11)
6220 CULEBRA RD			10A. MODIFICATION OF CONTRACT/ORDER NO. NRC-02-02-012
SAN ANTONIO TX 782385100			10B. DATED (SEE ITEM 13) 10-15-1987
CODE 007936842	FACILITY CODE	X	

**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 on 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 65015300129    JC: D-1035    BOC: 252A    APPN: APPN: N0200

**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.
X	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: <p align="center">N/A</p>
	D. OTHER (Specify type of modification and authority)

**E. IMPORTANT:** Contractor  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.

Duns #: 007936842

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)	
		Valerie M. Whipple	
15B. CONTRACTOR/OFFEROR  (Signature of person authorized to sign)	15C. DATE SIGNED	16B. UNITED STATES OF AMERICA BY  (Signature of Contracting Officer)	16C. DATE SIGNED 7/24/06

The purpose of this modification is to obligate and authorize FY06 funds under Job Code D1035 in the amount of \$4,850,000. Accordingly, the following changes are made:

1. Section B.2.D.b., d. and e. are revised to show the obligation and authorization of an additional \$4,850,000 to JC D1035 as follows:
  - B.2.D.b. is revised to increase the obligated amount shown in the first sentence by \$4,850,000 from \$64,139,015.19 to \$68,989,015.19, as shown in attached change page 8.
  - B.2.D.d. is revised to increase the obligation for Job Code D1035 by \$4,850,000 from \$61,575,406.19 to \$66,425,406.19. Please see attached change page 8a.
  - B.2.D.e. is revised to increase the total authorized amount for Job Code D1035 by \$4,850,000 from \$55,021,000 to \$64,721,000. Please see attached change page 9.

All other terms and conditions of this contract, including the ceiling amount for the third renewal period of \$86,213,679.00, remain the same.

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

**Job Code D1035 (HLW)**

FY03 obligation amount: \$14,426,867.34

FY03 deobligation amount: \$123,000

FY04 obligation amount: \$16,240,538.85

FY04 deobligation amount: \$350,000

FY05 obligation amount: \$17,881,000

FY06 obligation amount: \$18,000,000

Cumulative total of NRC obligations for JC D1035 (HLW) \$66,075,406

**Job Code J5226 (PFS)**

FY03 obligation amount: \$265,000

FY04 obligation amount: \$100,000

FY04 deobligation amount: \$75,000

Cumulative total of NRC obligations for JC J5226 (PFS) \$290,000.

**Job Code J5410 (INEEL ISFSI-2)**

FY03 obligation amount: \$352,032

FY04 obligation amount: \$320,000

Cumulative total of NRC obligations for JC J5410 (INEEL) \$672,032.

Job Code J5434 (Tunnel Fire)

FY03 obligation amount: \$31,002

Cumulative total of NRC obligations for JC J5434 (Tunnel Fire) \$31,002.

Job Code J5390 (Diablo Canyon)

FY03 obligation amount \$400,000

FY04 obligation amount \$85,000

FY04 deobligation amount \$60,000

Cumulative total of NRC obligations for JC J5390 (Diablo Canyon) \$425,000.

Job Code J5501 (Humboldt Bay)

FY04 obligation amount \$540,000

FY05 obligation amount \$396,975

Cumulative total of NRC obligations for JC J5501 (Humboldt Bay) \$936,975.

Job Code J5543 (WIR South Carolina/Idaho)

FY05 obligation amount \$250,000

FY06 obligation amount \$50,000

Cumulative total of NRC obligations for JC J5543 (WIR South Carolina/Idaho) \$300,000.

Job Code J5562

FY06 obligation amount \$200,000

Cumulative total of NRC obligations for JC J5562 (WIR South Carolina/Idaho) \$200,000.

This modification obligates \$4,850,000 in FY 2006 funds.

- 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	743,973	714,214
21 9/29/01-9/27/02	818,079	801,717

Current Data

- D. September 28, 2002 - September 28, 2007 (Third Renewal Period, Contract No. NRC-02-02-012)
- a. The total estimated ceiling amount of this Cost-Plus-Award-Fee type contract for the above mentioned period is \$86,213,679.
- b. The amount presently obligated by the Government with respect to this contract for this period is \$68,989,015.19. In addition, carryover funds in the amount of \$2,527,558.08\* 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 (HLW)  
Job Code: D1035  
New Funds: \$66,425,406.19  
Deobligation: \$350,000  
Carryover: \$2,367,427.02  
Total: \$68,442,833.21

Private Fuel Storage (PFS)\*  
Job Code: J5226  
New Funds: \$365,000  
Deobligation: \$75,000  
Carryover: \$16,568.21  
Total: \$306,568.21

INEEL ISFSI-2\*  
Job Code: J5410  
New Funds: \$672,032  
Deobligation: \$16,500  
Carryover: \$27,458.28  
Total: \$682,990.28

Diablo Canyon\*  
Job Code: J5390  
New Funds: \$485,000  
Deobligation: \$83,000  
Carryover: \$80,974.32  
Total: \$482,974.32

Tunnel Fire Environment  
Job Code: J5434  
New Funds: \$31,002  
Carryover: \$35,130.25  
Total: \$66,132.25

Humboldt Bay\*  
Job Code: J5501  
New Funds: \$936,975  
Deobligation: \$1,900  
Carryover: \$0  
Total: \$935,075

WIR DOE South Carolina and Idaho  
Job Code: J5543  
New Funds: \$300,000  
Total: \$300,000  
Job Code: J5562  
New Funds: \$300,000  
Total: \$300,000

\*PFS, INEEL ISFSI-2, Diablo Canyon, and Humboldt Bay are subject to the license fee recovery provisions located elsewhere in this contract. The TAC numbers are: PFS - L21150 for PFS Hearing Support, INEEL ISFSI-2 - L23389, Diablo Canyon - L23399, Humboldt Bay - L23683. Docket numbers are: PFS - 072-00022, Diablo Canyon - 072-00026, INEEL - 072-00025, Humboldt Bay - 072-00027.

Carryover from previous projects deobligated by modifications 194 and 198.

Total New Funds Obligated for 3<sup>rd</sup> Renewal Period: \$68,989,015.19

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

High-Level Waste (HLW)  
 Job Code: D1035  
 Amount: \$64,721,000

Private Fuel Storage (PFS)  
 Job Code: J5226  
 Amount: \$241,828

INEEL ISFSI-2  
 Job Code: J5410  
 Amount: \$699,490.28

Diablo Canyon  
 Job Code: J5390  
 Amount: \$490,960

Tunnel Fire Environment  
 Job Code: J5434  
 Amount: \$66,132.25

Humboldt Bay  
 Job Code: J5501  
 Amount: \$936,975

WIR DOE South Carolina and Idaho  
 Job Code: J5543  
 Total: \$300,000  
 Job Code: J5562  
 Total: \$300,000

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>
22 9/28/02-9/26/03	\$850,886	\$835,570
23 9/27/03-9/24/04	\$889,876	\$863,180
24 9/27/04-9/24/05	\$968,227	\$948,863
25		
26		

**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, transportation, 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