

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT			BPA NO.	1. CONTRACT ID CODE	PAGE 1	OF PAG 2
2. AMENDMENT/MODIFICATION NO. M001	3. EFFECTIVE DATE See Block 16C	4. REQUISITION/PURCHASE REQ. NO. NMS-05-002/5006R0115	5. PROJECT NO. (If applicable)			
6. ISSUED BY U.S. Nuclear Regulatory Commission Div. of Contracts, CMB3 Attn: Manon Butt, Cont Spc, 301-415-7035 Mail Stop T-7-I-2 Washington, DC 20555	CODE 3100	7. ADMINISTERED BY (If other than Item 6) U.S. Nuclear Regulatory Commission Div. of Contracts Mail Stop T-7-I-2 Washington, DC 20555		CODE 3100		
8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code) ICF INCORPORATED, L.L.C. 9300 LEE HIGHWAY FAIRFAX VA 220311207			(X)	9A. AMENDMENT OF SOLICITATION NO.		
CODE 072648579				9B. DATED (SEE ITEM 11)		
FACILITY CODE				10A. MODIFICATION OF CONTRACT/ORDER NO. NRC-02-05-002 T002		
			X	10B. DATED (SEE ITEM 13) 03-07-2006		

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: 65015344234 JCN: J5522 BOC: 252A APPNO: 31X0200
 FFS # 5006R0115 DUNS # 072648579 Obligate \$92,733

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:
X	D. OTHER (Specify type of modification and authority)

E. IMPORTANT: Contractor is not, is required to sign this document and return 3 copies to the issuing office.

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

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) Lawrence Hyde, Director of Contracts	16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) Valerie M. Whipple Contracting Officer
15B. CONTRACTOR OFFEROR  (Signature of person authorized to sign)	15C. DATE SIGNED 17 August 2006
16B. UNITED STATES OF AMERICA BY  (Signature of Contracting Officer)	16C. DATE SIGNED 8/15/06

TEMPLATE - ADM001

SUNSI REVIEW COMPLETE

ADM002

The purpose of this modification is as follow:

1. To revise the Statement of Work to expand the scope of the regulatory/backfit analysis.
2. To increase the total cost plus fee amount by \$139,978.14, from \$27,766.36 to \$167,744.50.
3. To increase the total obligated amount by \$92,733.00, from \$27,766.36 to \$120,499.36.

Accordingly, the following changes are hereby made:

1. The Statement of Work is hereby replaced with the attached, revised Statement of Work dated July 13, 2006.
2. The Consideration and Obligation section is hereby deleted in its entirety and replaced with the following:

CONSIDERATION AND OBLIGATION—COST PLUS FIXED FEE (JUN 1988)

- (a) The total estimated cost to the Government for full performance of this task order is \$167,744.50, of which the sum of \$161,681.45 represent the estimated reimbursable costs, and of which \$6,063.05 represents the fixed fee.
- (b) There shall be no adjustment in the amount of the Contractor's fixed fee by reason of differences between any estimate of cost for performance of the work under this task order and the actual cost for performance of that work.
- (c) The amount obligated by the Government with respect to this task order is \$120,499.36.

All other terms and conditions under this task order remain unchanged.

STATEMENT OF WORK (REV 1.)
TASK ORDER No. 2 OF CONTRACT NO. NRC-02-05-002
July 13, 2006

Technical Assistance for the
Regulatory Analysis and OMB Supporting Statement
Associated with Revisions to the NRC's License Termination Rule
(10 CFR Part 20)
and Decommissioning Financial Assurance Regulations
(10 CFR Parts 30, 40, 50, 70, and 72)

Fee Recoverable: No
TAC Number: LA0056
JOB Code: J5522

1.0 Background

Based on NRC staff experience with financial assurance for decommissioning costs, gained since the decommissioning rule was issued in 1988 (53 FR 24018, June 27, 1988), the Commission directed the staff, in June 2002, to conduct an analysis of decommissioning and license termination issues. On October 1, 2002, the staff provided the Commission with an initial analysis that described the scope of each issue and the staff's plans for evaluation (SECY-02-0177). The staff's analysis and recommendations for eight issues were provided to the Commission on May 2, 2003 (SECY-03-0069), and the Commission approved the staff's recommendations with comments on November 17, 2003. Subsequently, on March 1, 2004, the staff provided the Commission with its analysis of a ninth issue on intentional mixing (SECY-04-0035), and the Commission approved the staff's recommendation with comments on May 11, 2004.

One of the staff recommendations approved by the Commission was to conduct a new rulemaking to reduce the likelihood that funds for decommissioning will not be available when needed. The NRC is proposing to amend the financial assurance regulations for materials licensees licensed under 10 CFR Parts 30, 40, 70, and 72, and reactors licensed under 10 CFR Part 50. In addition, the NRC is proposing to revise licensee operations under § 20.1406 to require monitoring and reporting of contamination. If contamination were detected, licensees would have the option of eradicating the contamination immediately or increasing their decommissioning funding so that there would be enough funds to cover the cost of remediation during decommissioning.

2.0 Objective

The objective of this task order is to provide assistance to NMSS staff in the staff's development of a regulatory analysis, a backfit analysis, if required, and the Office of Management and Budget (OMB) supporting statement related to revising the NRC's regulations to reduce the likelihood that funds for decommissioning will not be available when needed.

The technical assistance provided by the contractor shall encompass input into: the regulatory/backfit analysis and the OMB supporting statement in support of the proposed rulemaking and the regulatory/backfit analysis and the OMB supporting statement in support of the final rulemaking.

As part of the regulatory/backfit analysis, the Contractor shall evaluate proposed regulatory amendments related to 10 CFR Part 20 associated with the License Termination rule. The Contractor shall assist NRC staff with an expanded scope of the analysis of the proposed rulemaking effort with work products from the following two-high profile agency activities due to the inclusion of subsurface contamination information:

- a Task Force (TF) to define the scope of subsurface contamination from liquid releases, and recommend improvements by NRC and licensees.
- a petition from the Union of Concerned Scientists (UCS) and numerous other parties to demand from reactor licensees the answers to several questions related to subsurface contamination.

The due date for submission of the rulemaking has been extended to March of 2007. As part of the regulatory/backfit analysis requirement, the contractor shall assist the NRC staff in producing an expanded scope of the analysis to support the proposed rulemaking. As a result of the extension and consideration of the TF Report and Director's Decision on the UCS petition, there is time and additional input data to develop a superior risk-informed Regulatory Analysis. The proposed rulemaking is expected to affect numerous operators of byproduct material and fuel cycle facilities, and possibly commercial nuclear power reactors, with respect to changes in financial assurance requirements, property insurance coverage, and subsurface contamination monitoring and reporting.

Technical expertise is required in the following areas: NRC regulatory analysis guidelines, NRC backfit requirements, Paperwork Reduction Act requirements, NRC decommissioning financial assurance regulations and regulatory guidance, bankruptcy law, insurance, environmental science, hydrology, geochemistry, health physics, engineering, finance, and cost estimation.

3.0 Level of Effort

The level of effort (LOE) for this task order is estimated to be 1,500 staff hours. The planned allocation of these hours is as follows:

<u>Labor Categories</u>	<u>FY 2006 Hrs</u>	<u>FY 2007 Hrs</u>	<u>Total Staff Hours</u>
Program Manager	[REDACTED]	[REDACTED]	[REDACTED]
Professional	[REDACTED]	[REDACTED]	[REDACTED]
Junior Professional	[REDACTED]	[REDACTED]	[REDACTED]
Total LOE	[REDACTED]	[REDACTED]	[REDACTED]

4.0 Period of Performance

The work on the tasks described in this task order is anticipated to commence on or about March 13, 2006, and shall continue through December 31, 2007.

5.0 Scope of Work

The contractor shall provide input for the regulatory/backfit analysis and the OMB supporting statement. This input shall be provided as drafts of the regulatory/backfit analysis and the OMB supporting statement as well as detailed technical records of the data, methods, and sources used in the regulatory/backfit analysis and the OMB supporting statement.

The primary tasks are:

- (1) Development of inputs for Regulatory Analysis and Backfit Analysis. Step 1 of this task is identification of affected attributes of the proposed rule, in accordance with NUREG/BR-0184, "Regulatory Analysis Technical Evaluation Handbook," dated January 1997, and NUREG/BR-0058, "Regulatory Analysis Guidelines of the U.S. Nuclear Regulatory Commission, Revision 4," dated September 2004. The Environmental Considerations attribute [or other attribute as determined during the work effort] will include data on subsurface transport of long-lived radionuclide contaminants that may be present at facilities affected by the proposed rule. The source of this data will be from a search of EPA's Record of Decisions database and from analysis performed by NRC DWMEP in realistic exposure scenarios. This Step 1 will be informed by the work performed by the TF and the Director's Decision on the UCS petition.

Step 2 of this task is identification of the universe affected by the proposed rule. The universe affected by the proposed rule will include categories of licensees covered under 10 CFR Part 30, described in the Licensee Tracking System (LTS) by program codes, and possibly commercial power reactors. The inclusion of commercial power reactors in the scope of the rulemaking, and the universe of affected entities, will be a decision made by NRC Management following work performed by the TF and the Director's Decision on the UCD petition. The materials licensees affected by the proposed rulemaking will be determined by the rulemaking Working Group. The NRC Technical Project Manager will provide the Working Group a list of materials licensees, based on their LTS program code, from which to make the decision on materials licensees affected by the proposed rule. For all or a sub-set of the affected licensees, a decision tree analysis will be developed to describe the alternative pathways that a licensed site could take with respect to decommissioning, the anticipated duration of those pathways, the identity of the party (e.g., licensee, NRC, other) that would be responsible for carrying out decommissioning under the various pathways, and the sources of funding for decommissioning.

Step 3 of this task is an evaluation of the costs and benefits of the proposed rule in accordance with the applicable NRC and OMB regulatory analysis guidelines, including both quantitative and qualitative costs and benefits. The cost-benefit analysis will apply the analytic approach described in NUREG 1757, Volume 2, Appendix N, to develop an estimate of the potential benefits of timely rather than delayed access to funds for

decommissioning and timely rather than delayed identification of subsurface contamination and actions to address subsurface contamination. The affected entities will come from work performed under Step 2 and the radionuclide contaminants will come from work performed under Step 1. Completion of this analysis may depend on the final language used in the proposed amendments to 10 CFR 20.1406. In addition, unless actual sites are chosen for analysis, many of the parameters required for the calculation in Equation N-2, including population density, concentration, the Derived Concentration Guideline Levels (DCGL), and the number of years over which the concentration will be calculated, will need to be estimated. A plausible scenario or scenarios will need to be developed for the possibility of public exposure and collective dose, given the presumption that all sites will be controlled until decommissioning is completed or long-term monitoring and controls are in place. These plausible scenarios may be informed by the realistic exposure scenarios performed by DWMEP. In addition, research will be performed to identify reasonable costs associated with long-term monitoring and care of a selected subset of representative facilities, based on the assumption that some licensees will make use of the LTR restricted release option and/or will have insufficient financial assurance and therefore decommissioning of the facility may take place over a longer time period than if adequate funding were available when decommissioning is begun (e.g., the Sequoya Fuels scenario).

Step 4 of this task is to prepare input and documentation to conduct a backfit analysis, if required.

Step 5 of this task is an evaluation of comments submitted for the proposed rule and resolution of these comments in the context of the draft Regulatory Analysis and Backfit Analysis.

- (2) Calculation of the burden associated with the rulemaking in accordance with the Paperwork Reduction Act.
- (3) Assistance at meetings, as required.

6.0 Meetings and Travel

Travel for this task order shall include up to 12 trips from the contractor's offices to NRC Headquarters.

Three (3) meetings shall be required with NRC technical staff during the period the documents are being prepared: a kick-off meeting, a meeting to discuss the contractor's draft documents, and a meeting transmitting the final documents.

Any other travel will be negotiated through a modification to the task order.

7.0 NRC-Furnished Materials

NRC will provide the contractor, as appropriate, with copies of NRC's current regulations, guidance documents, storage and transportation cask documents, and other documents identified as pertinent to performing the required work.

8.0 Contractor Supplied Materials

Where necessary, in the contractor's judgment, the contractor may obtain relevant information from public or private sources. Fees shall be paid by the contractor. The NRC will not reimburse the contractor for any fees associated with obtaining any other information from public or private sources.

9.0 Schedule for Deliverables

The schedule for the deliverables associated with the proposed rulemaking shall be adhered to by contractor as shown in the following table.

Deliverable	Calendar Time to Prepare
Kick-Off Meeting	Date to be mutually agreed upon between the Technical Project Manager and the Contractor, but no later than May 3 Completed on April 11, 2006.
Monthly Letter Status Reports (Refer to Section G of the contract.)	Monthly after kickoff meeting
Preliminary draft of OMB supporting statement describing proposed financial assurance amendments	No later than July 31, 2006.
Preliminary draft of Regulatory Analysis including items from Steps 1- 3 described under Section 5, Scope of Work	No later than September 8, 2006
<u>Draft Regulatory/Backfit Analysis for proposed rule</u>	4 weeks after kickoff meeting No later than September 29, 2006
Draft OMB Supporting Statement for proposed rule	3 weeks after NRC comments on No later than November 15, 2006
Evaluation of comments submitted for the proposed rule and resolution of these comments in the context of the draft Regulatory/BackfitRegulatory Analysis and Backfit Analysis .	Date to be mutually agreed upon between Technical Project Manager and the Contractor.

The schedule for deliverables for the final rulemaking will depend upon the number of comments received on the proposed regulatory/backfit analysis and OMB supporting statement. The schedule shall be as agreed upon by the Technical Project Manager and the Contractor and incorporated into the task order by modification.

10. Performance Requirements and Standards

Requirement	Standard	QA Method	Deduction Schedule
Performance of Statement of Work	At least a satisfactory rating for performance of each task.	Performance Evaluation Report	Full payment of fixed fee if rated satisfactory or above on all tasks. 25% reduction of fixed fee if rated less than satisfactory on any one of the tasks.

11. Technical Direction

NRC Project Officer: Brenda J. DuBose, phone 301-415-6578, NMSS/PMDA/RASB, Mail Stop T-8-A-23, email BJD2@nrc.gov.

NRC Technical Project Manager: Kevin R. O'Sullivan, phone 301-415-8112, NMSS/IMNS/RGB, Mail Stop T-8-F-3, email KRO2@nrc.gov.

NRC Contracting Officer: Robert B. Webber, phone 301-415-6520, ADM/DC/CMB3, Mail Stop T-7-I-2, email RBW@nrc.gov.

The NRC Technical Project Manager (TPM) is responsible for providing technical guidance to the performing organization regarding staff interpretations of the technical aspects of regulatory requirements, along with copies of relevant documents (e.g., Regulatory Guides) when requested by the performing organization. All work products must be reviewed and approved by the NRC TPM before they are submitted as final documents. All technical directions given to the performing organization must be consistent with the workscope and schedule. The NRC TPM is not authorized to unilaterally make changes to the approved workscope or schedule or give the performing organization any direction that would increase costs over approved levels. The Contracting Officer is the only individual authorized to make such changes to this task order.

12. Monthly Letter Status Reports

The contractor shall submit the required reports in accordance with Sections F.3, Technical Progress Report, and F.4, Financial Status Report, of the basic contract.

examination(s) in accordance with recognized professional standards and demonstrate experience providing high quality reports to supervisors and attorneys for use in litigation. Personnel must also be experienced in testifying in court and administrative proceedings involving Federal law enforcement personnel.

- b. Psychiatrist must be from an **American Psychiatric Association** accredited post internship resident program, board certified in psychiatry with a minimum of 10 years of experience in the tasks enumerated at 2a, and licensed by at least one state.
- c. Psychologist must have a PhD with a minimum of 15 years experience in the tasks enumerated at 2a; must be from an **American Psychological Association** accredited school; and licensed by at least one state.