

From: Grenier, Bernard *BNL*
To: Frumkin, Daniel *BNL*
Cc: Klein, Alex
Subject: FW: STATUS - JCN No. J-4242A
Date: Monday, February 22, 2010 2:08:17 PM
Attachments: TO2_J4244_Ratification_Action.doc

Dan,

While looking for another E-mail, I came across this one. I did not realize that the period of performance had expired. Technically, they are no longer authorize to do work. If you want them to continued, we can do a ratification action.. I suppose Mark would approve. Attached is a sample we did on another contract at PNNL.

Bernie

From: Higgins, James C [mailto:higgins@bnl.gov] *BNL*
Sent: Monday, February 08, 2010 3:15 PM
To: Grenier, Bernard
Cc: Metzger, Brian; Frumkin, Daniel; Sullivan, Kenneth
Subject: RE: STATUS - JCN No. J-4242A

Hi Bernie: Ken Sullivan is on travel for NRC this week. I see that our period of performance on Task Order expires Feb. 15, 2010. As you can see from the below emails, the responses to the RAIs are not all in yet and the work will go well into the future. We will need a no-cost extension to this TO. I don't have a specific date, but maybe Brian or Dan can give you one. I'd say that it will go to at least June 30th. Thanks, Jim Higgins

From: Frumkin, Daniel *BNL*
Sent: Tuesday, January 26, 2010 3:01 PM
To: Sullivan, Kenneth; Metzger, Brian
Cc: Higgins, James C
Subject: RE: STATUS - JCN No. J-4242

I appreciate all the communicating that is going on.

Ken, we should have had you on the phone calls with the licensees prior to sending out the RAIs for IP and OC. We will try to get you on the call with WC, when it comes up.

Brian, also please send Ken the JAF exemption as soon as Alex signs it.

Dan

From: Sullivan, Kenneth [mailto:ks@bnl.gov] *BNL*
Sent: Tuesday, January 26, 2010 2:21 PM
To: Metzger, Brian
Cc: Frumkin, Daniel; Higgins, James C
Subject: RE: STATUS - JCN No. J-4242

Brian

BNL

Appreciate the prompt and detailed response. If possible, could you please forward me a copy of the "Final" RAIs (i.e., the versions sent to the licensee's) or the Adams accession (ML) numbers. Also, please include BNL on the distribution of the "Final" Wolf Creek RAIs. These versions will be needed to review licensee responses.

I strongly agree with your recommendation to develop a "template" ...will work to have it in place prior to the [planned] arrival of the first RAI responses [i.e., by 3/15]

Thanks

Ken

From: Metzger, Brian [mailto:Brian.Metzger@nrc.gov] *BMZ*
Sent: Tuesday, January 26, 2010 12:52 PM
To: Sullivan, Kenneth
Cc: Frumkin, Daniel; Higgins, James C
Subject: RE: STATUS - JCN No. J-4242

Ken,

Four out of the five sets of RAIs have been sent to the licensees. The Wolf Creek RAIs are with the PM and should be sent to the licensee any day now if they haven't already been sent. Follow up phone calls have also occurred with all of the licensees, except Wolf Creek, to discuss any questions the licensees may have had on the RAIs and to establish when the licensees would provide their responses. RAI responses are due from the licensees as follows:

Oyster Creek (Phase 1 & 2) - 4/2/2010
Indian Point 2 & 3 - 3/15/2010
Wolf Creek - Pending

At this point, it would be helpful if you began to prepare templates for each of the documents (Exemptions/Amendments), utilizing the appropriate Office Instructions, so that once we receive the RAI responses we can move as quickly as possible to incorporate the information into our evaluations. Note that while we combined the RAIs for Oyster Creek into a single document, there will still be two separate documents (Exemptions).

If you have any questions, please let us know.

Regards,

Brian Metzger
Fire Protection Engineer, NRR/DRA/AFP, B
Phone: 301-415-3972
Location: O-10G13
Mail Stop: O-10C15

From: Sullivan, Kenneth [mailto:ks@bnl.gov]
Sent: Tuesday, January 26, 2010 10:43 AM
To: Metzger, Brian
Cc: Frumkin, Daniel; Higgins, James C

Subject: STATUS - JCN No. J-4242

Brian

To ensure we are all on the same page... could you please provide the current status of the 5 sets of RAIs I forwarded to you?

The five specific BNL submittals were as follows:

1. e-mail dated October 13, 2009, Oyster Creek Nuclear Generating Station, Phase 1 Request, TAC No. ME0756. (addresses staff comments received from NRC on October 07, 2009 on initial draft version submitted on October 1, 2010)
2. e-mail dated October 20, 2009, Oyster Creek Nuclear Generating Station, Phase 2 Request, TAC No. ME0780
3. e-mail dated November 5, 2009, Indian Point 2 Nuclear Generating Station, TAC No. ME0798 (addressed staff comments on the initial set of draft RAIs submitted on October 28, 2010).
4. e-mail dated November 9, 2009, Indian Point 3 Nuclear Generating Station, TAC No. ME0799. (addressed staff comments on the initial set of draft RAIs submitted on October 28, 2010).
5. e-mails dated January 11 and 12, 2010, Wolf Creek Nuclear Generating Station, TAC No. ME0797

Please let me know if you need anything further from my end.

Thanks in advance

Ken Sullivan
BNL
ks@bnl.gov
631-344-7915

From: Metzger, Brian [mailto:Brian.Metzger@nrc.gov]
Sent: Friday, January 15, 2010 10:40 AM
To: Sullivan, Kenneth
Cc: Frumkin, Daniel
Subject: RE: Review of Recommended RAI Changes

Thanks Ken. I incorporated your comments into our document.

Regards,

Brian Metzger
Fire Protection Engineer, NRR/DRA/AFPB,

Phone: 301-415-3972
Location: O-10G13
Mail Stop: O-10C15



From: Sullivan, Kenneth [mailto:ks@bnl.gov]
Sent: Wednesday, January 13, 2010 4:39 PM
To: Metzger, Brian
Cc: Frumkin, Daniel
Subject: Review of Recommended RAI Changes

Brian

The attached file contains the results of a detailed review of your recommended changes to Draft RAIs related to the Wolf Creek OMA LAR. As indicated in the attachment, I concur with all of your recommendations except for two.

Let me know your thoughts

Thanks

Ken

Ratification Action for
Cost Overrun on Task Order 2, J-4244
Pacific Northwest National Laboratory

January 21, 2010

On September 16, 2009, NRC issued DOE Order Number 2009-218 which authorized Modification No. 1 to JCN J-4244. This Modification converted this contract from a "work-order" contract to a "task ordering" contract. In this same order, four task orders were established each with their own authorized cost ceiling, period of performance, funds obligated to date and an assigned Technical Monitor.

For Task Order 2, an authorized cost ceiling of \$62,600 was established and funds obligated to date were set at \$50,000. As of October 2009, costs were \$27,636. In their November 2009, Monthly Business Letter Report, PNNL reported costs of \$26,323, raising cumulative costs to date to \$53,959, creating a cost overrun of \$3,959.

In a January 13, 2010, E-mail response, the Principal Investigator for J-4244 at PNNL stated that he "was still managing the first four tasks (meaning now the first four task orders) as one project when the funds should have been managed individually." Another complicating factor is in an attempt to reduce end-of-year carryover in NRR, \$50,000 was deobligated from this JCN. As a result of this deobligation obligated funds were set at \$50,000 for Task Order 2 rather than at the full amount of \$62,600. Nevertheless, the PI acknowledged his mistake that he should not have spent funds that were not authorized for Task Order 2.

The work performed by the PI and his team is within the scope of work for Task Order 2 and it is work that had to be accomplished for NRC as defined in the contract. Had NRC provided sufficient funding for accomplishment of this work in a timely manner, this overrun would not have occurred.

It is our recommendation that the balance of funds be obligated and that the additional costs incurred by PNNL of \$3,959 be paid because the work obtained from the contractor was work that would have otherwise have been done to the benefit of the NRC.

Tina Ghosh
Technical Monitor

Date

Bernard L. Grenier
Project Officer

Date

Approval: _____

Mark A. Cunningham
Director, Division of Risk Assessment
Contracting Officer

Date