

ORDER FOR SUPPLIES OR SERVICES

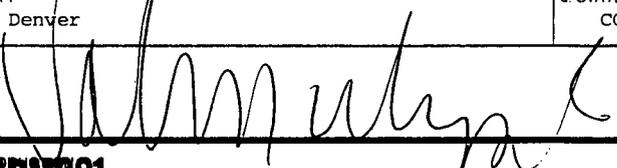
IMPORTANT: Mark all packages and papers with contract and/or order numbers.

BPA NO.

1. DATE OF ORDER 9/23/2011		2. CONTRACT NO. (if any) NRC-41-09-011		6. SHIP TO:	
3. ORDER NO. T025		MODIFICATION NO.		a. NAME OF CONSIGNEE U.S. Nuclear Regulatory Commission	
5. ISSUING OFFICE (Address correspondence to) U.S. Nuclear Regulatory Commission Div. of Contracts Attn: Valerie Whipple Mail Stop: TWB-01-B10M Washington, DC 20555		4. REQUISITION/REFERENCE NO. FSM-11-149		b. STREET ADDRESS James Webb Mail Stop TWFN 8F5	
7. TO:		c. CITY Washington		d. STATE DC	e. ZIP CODE 20555
a. NAME OF CONTRACTOR SOUTHWEST RESEARCH INSTITUTE		f. SHIP VIA		8. TYPE OF ORDER	
b. COMPANY NAME		<input type="checkbox"/> a. PURCHASE		<input checked="" type="checkbox"/> b. DELIVERY	
c. STREET ADDRESS 6220 CULEBRA RD		e. STATE TX		f. ZIP CODE 782385166	
d. CITY SAN ANTONIO		10. REQUISITIONING OFFICE FSM			
9. ACCOUNTING AND APPROPRIATION DATA B&R: 2011-55-35-4-196 F1227 BOC: 252A APPN: 31X0200 RPPA: FSM-11-149 FAIMIS: 114020 \$40,000 DUNS: 007936842		REFERENCE YOUR _____ Please furnish the following on the terms and conditions specified on both sides of this order and on the attached sheet, if any, including delivery as indicated.			
11. BUSINESS CLASSIFICATION (Check appropriate box(es))		12. F.O.B. POINT Destination			
<input type="checkbox"/> a. SMALL		<input checked="" type="checkbox"/> b. OTHER THAN SMALL		<input type="checkbox"/> c. DISADVANTAGED	
<input type="checkbox"/> d. WOMEN-OWNED		<input type="checkbox"/> e. HUBZone		<input type="checkbox"/> f. EMERGING SMALL BUSINESS	
<input type="checkbox"/> g. SERVICE-DISABLED VETERAN-OWNED		13. PLACE OF		14. GOVERNMENT B/L NO.	
a. INSPECTION		b. ACCEPTANCE		15. DELIVER TO F.O.B. POINT ON OR BEFORE (Date)	
16. DISCOUNT TERMS Net 30		17. SCHEDULE (See reverse for Rejections)			

ITEM NO. (a)	SUPPLIES OR SERVICES (b)	QUANTITY ORDERED (c)	UNIT (d)	UNIT PRICE (e)	AMOUNT (f)	QUANTITY ACCEPTED (g)
	<p>The Contractor shall provide services in accordance with the attached Statement of Work Entitled "Titan Energy Pre-License Site Visit and Preliminary Documentation Review."</p> <p>Total task order ceiling: \$90,352.</p> <p>The total obligated amount: \$40,000</p> <p>The Period of Performance is September 23, 2011 through March 31, 2012</p> <p>NRC Project Officer: Edna Knox-Davin 301-415-6577 Technical Monitor: James Webb 301-415-6252</p> <p>List of Attachments: Statement of Work</p> <p>DUNS: 007936842 NAICS: 541620 PSC: R421</p>					

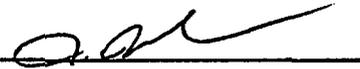
SEE BILLING INSTRUCTIONS ON REVERSE	18. SHIPPING POINT		19. GROSS SHIPPING WEIGHT		20. INVOICE NO.		17(h) TOTAL (Cont. pages)
	21. MAIL INVOICE TO:						
	a. NAME Department of Interior / NBC NRCPayments@nbc.gov						
	b. STREET ADDRESS (or P.O. Box) Attn: Fiscal Services Branch - D2770 7301 W. Mansfield Avenue						
c. CITY Denver			d. STATE CO	e. ZIP CODE 80235-2230		\$90,352	17(i). GRAND TOTAL

22. UNITED STATES OF AMERICA BY (Signature) 

23. NAME (Typed)
Valerie Whipple
Contracting Officer
TITLE: CONTRACTING/ORDERING OFFICER

Please indicate your acceptance of this order by having an official who is authorized to bind your organization, execute this document in the space provided below.

ACCEPTED:

Signature: 

Name: R.B. Kalmbach

Title: Executive Director, Contracts

Date: 9/21/2011

TASK ORDER TERMS AND CONDITIONS

1. CONSIDERATION AND OBLIGATION--COST PLUS FIXED FEE (JUN 1988) ALTERNATE I (JUN 1991)

The total estimated cost to the Government for full performance of this contract is \$90,352, of which the sum of [REDACTED] represents the estimated reimbursable costs, and of which [REDACTED] 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 contract and the actual cost for performance of that work.
- (c) The amount currently obligated by the Government with respect to this contract is \$40,000, of which the sum of [REDACTED] represents the estimated reimbursable costs, and of which [REDACTED] represents the fixed fee.

2. PERIOD OF PERFORMANCE

The period of performance of this order shall be September 23, 2011 through March 31, 2012.

3. 2052.215-70 KEY PERSONNEL (JAN 1993)

- (a) The following individuals are considered to be essential to the successful performance of the work hereunder:

<u>Name</u>	<u>Position</u>
Dr. Robert Lenhard	Project Manager

The contractor agrees that personnel may not be removed from the contract work or replaced without compliance with paragraphs (b) and (c) of this section.

- (b) If one or more of the key personnel, for whatever reason, becomes, or is expected to become, unavailable for work under this contract for a continuous period exceeding 30 work days, or is expected to devote substantially less effort to the work than indicated in the proposal or initially anticipated, the contractor shall immediately notify the contracting officer and shall, subject to the concurrence of the contracting officer, promptly replace the personnel with personnel of at least substantially equal ability and qualifications.
- (c) Each request for approval of substitutions must be in writing and contain a detailed explanation of the circumstances necessitating the proposed substitutions. The request must also contain a complete resume for the proposed substitute and other information requested or needed by the contracting officer to evaluate the proposed substitution. The contracting officer and the project officer shall evaluate the contractor's request and the contracting officer shall promptly notify the contractor of his or her decision in writing.
- (d) If the contracting officer determines that suitable and timely replacement of key personnel who have been reassigned, terminated, or have otherwise become unavailable for the contract work is not reasonably forthcoming, or that the resultant reduction of productive effort would be so

substantial as to impair the successful completion of the contract or the service order, the contract may be terminated by the contracting officer for default or for the convenience of the Government, as appropriate. If the contracting officer finds the contractor at fault for the condition, the contract price or fixed fee may be equitably adjusted downward to compensate the Government for any resultant delay, loss, or damage.

4. 2052.215-78 TRAVEL APPROVALS AND REIMBURSEMENT -ALTERNATE 1 (OCT 1999)

- (a) Total expenditure for travel may not exceed \$12,770 without the prior approval of the contracting officer.
- (b) All foreign travel must be approved in advance by the NRC on NRC Form 445, Request for Approval of Official Foreign Travel, and must be in compliance with FAR 52.247-63 Preference for U.S. Flag Air Carriers. The contractor shall submit NRC Form 445 to the NRC no later than 30 days prior to the commencement of travel.
- (c) The contractor will be reimbursed only for those travel costs incurred that are directly related to this contract and which are allowable subject to the limitations prescribed in FAR 31.205-46.
- (d) It is the responsibility of the contractor to notify the contracting officer in accordance with the FAR Limitations of Cost clause of this contract when, at any time, the contractor learns that travel expenses will cause the contractor to exceed the travel ceiling amount identified in paragraph (a) of this clause.
- (e) Reasonable travel costs for research and related activities performed at State and nonprofit institutions, in accordance with Section 12 of Pub. L. 100-679, shall be charged in accordance with the contractor's institutional policy to the degree that the limitations of Office of Management and Budget (OMB) guidance are not exceeded. Applicable guidance documents include OMB Circular A-87, Cost Principles for State and Local Governments; OMB Circular A-122, Cost Principles for Nonprofit Organizations; and OMB Circular A-21, Cost Principles for Educational Institutions.

5. SEAT BELTS

Contractors, subcontractors, and grantees, are encouraged to adopt and enforce on-the-job seat belt policies and programs for their employees when operating company-owned, rented, or personally owned vehicles.

6. WHISTLEBLOWER PROTECTION FOR NRC CONTRACTOR AND SUBCONTRACTOR EMPLOYEES (JULY 2006)

(a) The U.S. Nuclear Regulatory Commission (NRC) contractor and its subcontractor are subject to the Whistleblower Employee Protection public law provisions as codified at 42 U.S.C. 5851. NRC contractor(s) and subcontractor(s) shall comply with the requirements of this Whistleblower Employee Protection law, and the implementing regulations of the NRC and the Department of Labor (DOL). See, for example, DOL Procedures on Handling Complaints at 29 C.F.R. Part 24 concerning the employer obligations, prohibited acts, DOL procedures and the requirement for prominent posting of notice of Employee Rights at Appendix A to Part 24.

(b) Under this Whistleblower Employee Protection law, as implemented by regulations, NRC contractor and subcontractor employees are protected from discharge, reprisal, threats, intimidation, coercion, blacklisting or other employment discrimination practices with respect to compensation, terms,

conditions or privileges of their employment because the contractor or subcontractor employee(s) has provided notice to the employer, refused to engage in unlawful practices, assisted in proceedings or testified on activities concerning alleged violations of the Atomic Energy Act of 1954 (as amended) and the Energy Reorganization Act of 1974 (as amended).

(c) The contractor shall insert this or the substance of this clause in any subcontracts involving work performed under this contract.

STATEMENT OF WORK

TASK TITLE Titan Energy Pre-License Site Visit and Preliminary Documentation Review
JOB CODE NO. F1227
TASK ORDER NO: 025
B&R NUMBER: 2011-55-35-4-196
NRC ISSUING OFFICE: FSME
NRC PROJECT OFFICER: Edna Knox-Davin, (301) 415-6577
NRC TECHNICAL PROJECT MANAGER: James Webb, (301) 415-6252

SUBTASK NO. 1: Preliminary Safety Review of the Technical Application
SUBTASK NO. 2: Preliminary Environmental Review of the Environmental Application

FEE RECOVERABLE: Yes
TAC NUMBER: JA0149
DOCKET NUMBER: 040-9094

BACKGROUND:

Titan Energy plans to construct and operate the first NRC-licensed Uranium Heap Leach facility at a location in Fremont County, Wyoming. This project is known as the Sheep Mountain Project. The heap leach facility will treat crushed uranium-bearing ores on outdoor ore pads with a solution to extract uranium. The uranium-rich solution will be directed to a central processing facility, with the final product, a dry uranium yellowcake, to be shipped offsite for further processing.

NRC staff conducts pre-license application site visits for the purpose of becoming acquainted with the site and to conduct a preliminary review of a license application for the purpose of identifying potential issues that may extend the licensing review process. Prior to the site visit, potential applicants have made visits to NRC Headquarters to brief NRC staff on pre-application development activities. NRC has found that pre-license application site visits are beneficial in reducing the number of NRC staff Request for Additional Information (RAIs) for the staff's safety and environmental reviews, and Open Issues for the staff's safety reviews. It is anticipated that the pre-license application site visit to the Sheep Mountain Project site will improve the NRC's licensing review process.

OBJECTIVE:

The objective of this task order is to seek technical assistance from the Center for Nuclear Waste Regulatory Analyses (CNWRA) to provide technical specialists to support the pre-license application site visit and the preliminary review of the license application.

WORK REQUIREMENTS/SCOPE OF WORK:

In addition to the site tour, CNWRA staff members shall support the review of the technical and environmental reports for technical accuracy, regulatory compliance, and make suggestions for improving the quality of the document. Deficiencies should be discussed with the NRC Technical Project Manager (TPM) before discussing the issues with Titan representatives.

Subtask No. 1 Preliminary Safety Review of the Technical Application

The CNWRA shall provide two staff members to attend the pre-license application site visit and provide safety technical support for the preliminary review of the technical report of the license application. One CNWRA staff member shall have expertise in hydrology, geology, or groundwater assessment, or some combination thereof and meet the technical qualifications required as defined in this statement of work. The second CNWRA staff member shall have expertise in health physics and meet the technical qualifications required as defined in this statement of work.

CNWRA staff members shall participate in the entrance meeting at the site, complete the site tour, conduct the technical review, and participate in the exit meeting. Assignment of the specific sections of the preliminary technical application for review will be determined by the NRC TPM. CNWRA staff members should be familiar with NRC standards and guidance.

Members of the public may or may not be present during the site visit. CNWRA staff members shall not answer questions from the public unless directed by the NRCTPM. If the NRC TPM is not present during some parts of the site visit, CNWRA staff members shall direct all questions from the public to the NRC TPM, unless otherwise directed by the NRC TPM.

Subtask No. 2 Preliminary Environmental Review of the Environmental Application

The CNWRA shall provide two staff members to attend the pre-license application site visit and provide environmental support for the preliminary review of the environmental report of the license application environmental report. These individuals shall have expertise in hydrology, meteorology, and/or health physics as it relates to environmental reviews and NEPA.

CNWRA staff members shall participate in the entrance meeting at the site, complete the site tour, conduct the environmental review, and participate in the exit meeting. The CNWRA shall prepare a work plan that outlines the environmental resource areas that will be reviewed. Assignment of the specific sections of the preliminary environmental report of the license application for review will be discussed with and determined by the NRC TPM prior to the site visit. CNWRA staff members should be familiar with NRC standards and guidance.

Members of the public may or may not be present during the site visit. CNWRA staff members shall not answer questions from the public unless directed by the NRC TPM. If the NRC TPM is not present during some parts of the site visit, CNWRA staff members shall direct all questions from the public to the NRC TPM, unless otherwise directed by the NRC TPM.

LEVEL OF WORK:

Subtask No. 1

The estimated level of effort for this subtask is 239 hours

Subtask No. 2

The estimated level of effort for this subtask is 243 hours

TECHNICAL QUALIFICATION REQUIRED

A minimum of a bachelor of science (preferably a graduate level degree) in a science and/or engineering discipline with a minimum of 5 years of experience with expertise in the following areas: 1) hydrology, hydrogeology, geology, groundwater assessment, health physics, environmental sciences (preferably with emphasis on NEPA and the conduct of environmental reviews) or some combination thereof.

NRC FURNISHED MATERIAL:

There is no furnished material for this task order.

SCHEDULE/DELIVERABLES:

Subtask 1 and Subtask 2

Deliverable	Schedule
Based on the scope of work, provide a draft work plan for the pre-license site visit and preliminary documentation review	4 Weeks from award
Provide a final work plan that incorporates and resolves NRC comments on the draft work plan	1 Week after receiving NRC comments on draft work plan
Travel to site for pre-license site tour	10 Weeks from award
Review sections of the technical application as assigned by NRC team leader or project manager (Subtask 1)	11 Weeks from award
Review sections of the environmental application as assigned by NRC team leader or project Manager (Subtask 2)	11 Weeks from award
Prepare draft summary report of the technical application review and submit to NRC for review (Subtask 1)	15 Weeks from award

Prepare draft summary report of the environmental application review and submit to NRC for review (Subtask 2)

15 Weeks from award

Incorporate NRC comments and prepare final safety and environmental summary report and submit to NRC.

25 Weeks from award

TECHNICAL DIRECTION:

Edna Knox-Davin is the designated NRC Project Officer (PO) and James Webb is the designated NRC Technical Project Manager (TPM) for all work under this task order. John Buckley is the designated NRC Technical Monitor for Subtask 1 and James Park is the designated NRC Technical Monitor for Subtask 2. . Technical instructions may be provided to the CNWRA staff by the NRC Technical Monitors and TPM during the duration of this task order. Technical instructions shall not constitute new assignments of work or changes of such a nature as to justify an adjustment in cost or the period of performance. Directions, if any, for changes in scope of work, cost, or period of performance will be issued by the NRC Contracting Officer.

TECHNICAL REPORTS:

Technical reports for the task order shall be submitted via electronic mail with electronic attachments consistent with the word processor in use at the NRC or portable document format (pdf) as appropriate. The CNWRA shall also provide one copy of each technical report to the NRC TPM.

FINANCIAL AND TECHNICAL STATUS REPORTS:

CNWRA shall submit periodic technical and financial reports in accordance with the contract. The estimated staff effort should be recorded at the subtask level. The work accomplished and the degree of completeness should also be tracked by subtask. The reports are due within 20 calendar days after the end of the report period (i.e., each four week period). The NRC TPM shall receive two copies of the periodic status report and the NRC Project Officer shall receive one copy. See the contract for further distribution requirements.