

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

BPA NO

1. CONTRACT ID CODE

PAGE 1

OF PAGES 2

2. AMENDMENT/MODIFICATION NO. M007

3. EFFECTIVE DATE MAY 24 2012

4. REQUISITION/PURCHASE REQ. NO. FSM-12-052  
FAIMIS: N/A

5. PROJECT NO (If applicable)

6. ISSUED BY U.S. Nuclear Regulatory Commission  
Div. of Contracts  
Attn: Valerie Whipple  
Mail Stop: TWB-01-B10M  
Washington, DC 20555

CODE 3100

7. ADMINISTERED BY (If other than Item 6) U.S. Nuclear Regulatory Commission  
Div. of Contracts  
Mail Stop: TWB-01-B10M  
Washington, DC 20555

CODE 3100

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)

DORIS, MINOR A D/B/A ATTENUATION ENVIRONMENTAL COMPANY

5812 GREENWOOD AVENUE, N  
SEATTLE, WA 98103-3411

CODE D&B: 868907189

FACILITY CODE

(X) 9A. AMENDMENT OF SOLICITATION NO

9B. DATED (SEE ITEM 11)

10A. MODIFICATION OF CONTRACT/ORDER NO.  
NRC-41-10-014 T001

10B DATED (SEE ITEM 13)  
02-02-2011

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: 2011-5515-355-288 JC: F1179 BOC: 252A APPN: 31X0200  
\*\*\*NO FUNDING AT THIS TIME\*\*\*

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 data, 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) MUTUAL AGREEMENT OF BOTH PARTIES

E. IMPORTANT: Contractor is not, X is required to sign this document and return 1 copies to the issuing office.

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

See Page 2.

Total Current Task Order Amount: \$805,041.51 (changed)

Total Obligated Amount: \$500,000.00 (unchanged)

Period of Performance: 04/08/2011 - 11/30/2014 (changed)

NAICS: 541620 PSC: R421

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)

DORIS MINOR  
OWNER/MANAGING PRINCIPAL

16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)

Valerie Whipple  
Contracting Officer

15B. CONTRACTOR/OFFEROR

Doris Ann Minor  
(Signature of person authorized to sign)

15C. DATE SIGNED

5/24/12

16B. UNITED STATES OF AMERICA

BY Valerie Whipple  
(Signature of Contracting Officer)

16C. DATE SIGNED

5/25/12

The purpose of this modification is (1) to correct the task order amount cited on Modification No. 3 to read \$531,839.20 (not \$513,839.20); (2) to revise the Statement of Work to add Subtask 5D Section 106 Review and Section 6D; (3) to increase the level of effort accordingly; (4) to add labor categories; (5) to add a trip to the site for Ethnographic Information Gathering, (6) to revise the price schedule; (7) to increase the task order amount from \$531,839.20 to \$805,041.51; and (8) to extend the period of performance through November 30, 2014 as a result of licensing proceedings and litigation (Optional Task 7).

Accordingly the following changes are made:

1. Section 1, PRICE/COST SCHEDULE, is deleted in its entirety and replaced with the following:

Basic Work (Task 1): \$49,074.30  
Option 1 (Tasks 2-6): \$657,269.61 (exercised via Mod 1)  
Option 2 (Task 7): \$98,697.60 (exercised via Mod 4)

Total inclusive of options: \$805,041.51

See attached, revised price schedule.

2. SECTION 2, PERIOD OF PERFORMANCE, is revised to extend the task order through November 30, 2014 as a result of licensing proceedings and litigation. Therefore, Section 2 PERIOD OF PERFORMANCE is deleted in its entirety and replaced with the following:

## 2. PERIOD OF PERFORMANCE

The period of performance of this order shall be **April 8, 2011 through November 30, 2014.**

3. The Price Schedule is hereby deleted and replaced with the attached, revised Price Schedule dated May 23, 2012.
4. The Statement of Work is deleted in its entirety and replaced with the attached, revised Statement of Work dated May 23, 2012.

A summary of obligations under this task order, from date of award through this modification, is given below:

Obligated amount at award:	\$ 49,106.80 (transferred from basic contract)
Obligated amount Mod 1:	\$106,587.00 (transferred from basic contract)
Obligated amount Mod 2:	\$ 70,000.00 (transferred from basic contract)
Obligated amount Mod 3:	\$0
Obligated amount Mod 4:	\$ 60,000.00 (transferred from the basic contract)
Obligated amount Mod 5:	\$ 40,000.00 (transferred from the basic contract)
Obligated amount Mod 6:	\$174,306.20 (transferred from the basic contract)
Obligated amount Mod 7:	<u>\$0</u>
Total obligated amount:	\$500,000.00

This modification does not provide funding.

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

PROJECT TITLE: TECHNICAL ASSISTANCE FOR THE DEVELOPMENT OF ENVIRONMENTAL ASSESSMENT DOCUMENT

TASK TITLE: TECHNICAL ASSISTANCE FOR THE DEVELOPMENT OF SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT FOR THE ROSS IN-SITU RECOVERY PROJECT (DATED MAY 23, 2012)

TASK ORDER NUMBER: 001

TASK AREA: 2 (Supplement to the Generic Environmental Impact Statement for In-Situ leach Uranium Milling Facilities (NUREG – 1910) {SEIS})

JOB CODE: F1179

B&R NUMBER: 0-5515-355-288

ISSUING OFFICE: FSME

FEE RECOVERABLE: YES

TAC NUMBER: J00840

DOCKET NUMBER: 40-09091

NRC Project Officer (PO): Edna Knox-Davin (301) 415-6577

NRC TECHNICAL PROJECT MANAGER (TPM): Johari Moore (301) 415-7694

## 1.0 BACKGROUND

The U.S. Nuclear Regulatory Commission (NRC) staff received an application from Peninsula Minerals, Ltd./Strata Energy, Inc.(Strata) on January 4, 2011 for a new Source Materials License, under the provisions of 10 CFR Part 40. The new license would allow Strata to conduct in-situ leach (ISL) activities for uranium extraction at Ross, located in Lance District, Crook County, Wyoming. Activities involved in the proposed set up and operation of the Ross project would include the construction of surface and subsurface infrastructures; operation of well fields to recover the uranium from injected solutions; aquifer restoration activities to restore the groundwater quality in the production zone after uranium recovery is completed within a well field; and decommissioning of surface and subsurface infrastructure and reclaiming the surface after uranium production activities at the site has been completed.

Given that the NRC expects to receive a large number of new Source Materials License applications (involving the use of the ISL process) in a relatively short period of time, the NRC prepared a "*Generic Environmental Impact Statement for Uranium In-Situ Leach Milling Facilities*" (GEIS) to support an efficient and consistent approach of reviewing site-specific license applications, license renewal requests, and amendment requests for ISL facilities. The NRC staff used the GEIS as a starting point for its initial three site-specific National Environmental Policy Act (NEPA) analyses uranium in-situ recovery (ISR) facilities, and it will be used to identify and evaluate potential environmental impacts associated with the construction, operation, aquifer restoration, and decommissioning of the Ross facility. Where the potential environmental impact conclusions presented in the GEIS can be adopted for Ross (i.e., whether they are within the bounds established in the GEIS), the Supplemental Environmental Impact Statement (SEIS) will provide justification for adopting the GEIS evaluation. For the impact conclusions presented in the GEIS that cannot be adopted, site-specific features and potential impacts will be evaluated in a Ross site-specific SEIS.

## 2.0 OBJECTIVE

The objective of this task order is to obtain technical assistance with the acceptance review of an environmental report and the development of a Draft SEIS, Final SEIS, and all documents necessary to complete the environmental review as outlined below under Section 4.0, Scope of Work and Deliverables.

## 3.0 STAFFING

The contractor shall ensure that the technical staff performing under this task order possess the necessary experience and expertise in the technical areas assigned to them. The NRC reserves the right to approve the Project Manager and the individual technical staff assigned to each task from the necessary technical disciplines. The contractor's Project Manager shall have in-depth expertise in at least one of the issues covered by the SEIS and a general understanding of the range of issues covered by NRC environmental reviews, as outlined in NRC NUREG-1748. The contractor's Project Manager shall have extensive experience in the technical and regulatory aspects necessary for evaluating the environmental impacts of the construction, operation, and/or decommissioning of industrial facilities that require reviews under NEPA such as uranium recovery facilities, and should have expertise in methods used to mitigate the impacts on the environment. The contractor's technical staff shall have specialized experience to include greater than five years experience in conducting reviews in the specific technical areas assigned and shall have an appropriate combination of education, training, and experience in areas required to complete the SEIS including, but not limited to, health physics, ecology, cultural resources, hydrology, geology, air quality, socioeconomics, and cost-benefit analyses. Additionally, the contractor's technical staff shall have a clear understanding of the depth of review generally required by the NRC and specifically required by the type of activity proposed by the applicant for the disciplines they represent. The contractor's technical staff shall also have experience presenting technical information and be able to provide written and oral testimony at mandatory or adjudicatory hearings on the proposed actions as needed. The NRC considers the following staff to be essential for this effort:

1. Project Manager
2. Task Manager
3. Environmental Specialist/Scientist/Engineer
4. Radiation Health Physicist
5. Hydrologist/Hydrogeologist
6. Geologist
7. Nuclear Physicist/Engineer/Criticality
8. General Engineer/Chemical Engineer
9. Historic and Cultural Resources Specialist
10. Ecology and interrelated earth sciences Specialist
11. Environmental Justice Specialist
12. Socioeconomics Specialist
13. Transportation impact assessment Specialist
14. Cumulative impacts assessment Specialist
15. Facilitation/Public Outreach Specialist
16. Nuclear Fuel Facility, Spent Fuel Facility, and/or Uranium Mining and Milling Specialist
17. Tribal, Local, State, and/or other Federal Agency Consultations and Coordination Specialist

## 4.0 SCOPE OF WORK AND DELIVERABLES

The Contractor shall support NRC in developing a SEIS that the NRC is producing as the lead federal agency. The SEIS shall be written in accordance with 10 CFR Part 51 and using the guidance provided in NUREG-1748 and NUREG-1910. The SEIS will be used by the NRC to support decisions related to the issuance of a new Source Materials License to Strata, as described in Section 1.0. The work conducted under this task order shall be subject to the project management requirements described in Section 5.0. The work required is described in detail below and in Appendix A.

### 4.1 TASK 1: ASSIST IN ACCEPTANCE REVIEW OF THE APPLICATION

Upon request from the NRC Technical Project Manager (TPM), the contractor shall support the NRC in performing an acceptance review of the proposed Ross ISR project license application to ensure the application provides adequate information, in accordance with NUREG 1748, to begin the environmental review process.

The NRC TPM shall provide a copy of potentially relevant documents as they are available.

The contractor shall keep the NRC TPM informed (either via electronic mail, phone, or personal meeting) on a weekly basis and describe the status of the review, and information analyzed under this task, including but not limited to: deficiencies found in applicant-submitted information (i.e., license application/ Environmental Report (ER)).

The deliverable under this task will consist of a written evaluation documenting the acceptance review finding for the Ross ISR project with regards to its conformance with the requirements of NUREG 1748.

The final written evaluation under this task shall be submitted to the NRC as indicated in Appendix A.

Task 1 shall begin immediately upon award of the task order.

### OPTIONAL TASKS 2 THROUGH 6 (EXERCISED VIA MOD 1)

### 4.2 TASK -2- COLLECT AND REVIEW INFORMATION

#### SUBTASK 2-A – COLLECT AND REVIEW INFORMATION

The contractor shall independently collect and review information related to the proposed site and its environs. The NRC TPM will also provide relevant information, including the current license application, ER, and the Safety Analysis Report (SAR)/Technical Report (TR).

The NRC TPM shall provide a copy of potentially relevant documents as they are available. In addition to the information provided by the NRC TPM, the contractor is expected to utilize the NRC's publicly available Agency-Wide Documents Access and Management System (ADAMS) to identify other relevant documents to the project.

The contractor shall keep the NRC TPM informed (either via electronic mail, phone, or

personal meeting) on a weekly basis and describe the information collected, reviewed, and analyzed under this task, including but not limited to: deficiencies found in applicant-submitted information (i.e., license application/ER); deficiencies elsewhere; and any portions of other environmental reviews in the vicinity of the proposed project that can be adopted/tiered/incorporated by reference into the SEIS.

The contractor shall include in its SEIS development process any coordination necessary to cover laws and regulations other than NEPA. As identified by the TPM, the contractor shall provide supporting information for NRC consultations with other agencies. Information resulting from consultations with other agencies will be provided to the contractor for use in the SEIS analysis, as well as summary and referencing in the SEIS document.

No formal deliverables are required under Subtask 2-A, but a listing of all document (reports, maps, papers, etc.) will be maintained.

#### SUBTASK 2-B - SITE VISIT AND INFORMATION GATHERING MEETINGS

The contractor shall visit the site as required by the NRC TPM. The NRC TPM shall coordinate the site visit with the applicant and shall request of the contractor, the necessary security information (e.g., name of individual, citizenship) of any contractor staff that will be participating prior to the site visit. The contractor shall coordinate with the NRC TPM which contractor technical staff will participate in the site visit at Ross, located in Lance District, Crook County, Wyoming.

The site visit shall be documented in a site visit trip report that describes any information that was learned, requested, or obtained from the applicant (see Section 12.0 for format requirements). The site visit trip report shall be submitted to the NRC as indicated in Appendix A.

#### 4.3 TASK 3: PREPARE SEIS

The scope of work under this task shall involve the planning and drafting of the SEIS to evaluate the impacts of the applicant's proposed action.

As Option 1 was exercised via Modification No. 4, the contractor shall begin work on Task 3 concurrently with Task 2 of this overall task order.

The contractor shall follow the format of the GEIS to the extent practicable, and incorporate by reference portions of the GEIS when appropriate to prepare the SEIS. As well, the contractor shall also incorporate relevant information from other environmental reviews. Guidance for technical content can be found in NUREG-1748, Chapter 3.

The contractor shall develop a draft outline following the format of the GEIS for the NRC TPM's approval. Any deviations from the once-approved outline shall be approved by the NRC TPM. The contractor's goal shall be to focus the SEIS discussion on areas of true concern. The draft outline shall be submitted to the NRC prior to the site visit.

Concurrently with Subtask 5-A, the contractor shall provide a draft site description, proposed list of alternatives, and a description of the ISR cycle consistent with the format in the GEIS. The proposed action and alternatives shall be based on the NRC TPM's

input and the applicant's ER and shall include the "No Action" alternative as required by NRC regulations

The NRC TPM will provide the contractor with a draft of the introductory chapter (Chapter 1) describing the proposed action, purpose and need, and licensing ISR facilities consistent with the format in the GEIS. The contractor is expected to prepare all other chapters of the SEIS.

### SUBTASK 3-A - DESCRIPTION OF AFFECTED ENVIRONMENT

The contractor shall provide a draft description of the affected environment (see Section 12.0 for format requirements). Consistent with 10 CFR Part 51, the GEIS, and the guidance provided in NUREG-1748, effort and attention shall be concentrated on important issues as identified in the applicant's ER, by the NRC TPM, and/or by other agencies' comments, as appropriate.

This subtask shall be coordinated and completed concurrently with Subtask 5-A, reflecting the intention that the descriptions of the affected environment emphasize information supporting analysis and understanding of impacts.

### SUBTASK 3-B - IMPACTS FROM THE PROPOSED ACTION AND ALTERNATIVES

The contractor shall provide a description of the potential impacts from the proposed action and alternatives. For each alternative described in the final description of the Proposed Action and Alternatives, the contractor shall assess the impacts of construction, operation, aquifer restoration, and decommissioning, including cumulative impacts. The assessment of impacts shall be based on the guidance provided in NUREG-1748. The contractor shall limit impact descriptions to those areas that are reasonably impacted by the proposed action. Additionally, the length and level of detail of the description of the affected environment for each resource area should be informed by the significance of the impacts to that resource area.

The contractor shall assess impacts based on the description of the proposed action and alternatives, as well as descriptions of the affected environment. The contractor shall evaluate all aspects of the proposed project to determine if its effect on a resource area is bounded by the assumption stated in the GEIS. Based on the result of this analysis, the contractor should tier from the GEIS's impact conclusion for the respective resource area. Resource areas where the conclusions of the GEIS do not present enough in-depth, site-specific detail should receive the greatest amount of attention.

The contractor shall describe the applicant's proposed mitigation and monitoring strategies, as applicable, and describe any additional mitigation and monitoring that may be necessary to ameliorate the impacts, as appropriate.

The contractor shall coordinate development of impacts from accident scenarios with the NRC TPM. Accident scenarios and their impacts will be developed by NRC staff in development of the NRC's Safety Evaluation Report (SER) and will be provided, as necessary, to the contractor for inclusion in the SEIS. The contractor shall incorporate other information and conclusions developed during the NRC SER process such as potential groundwater and public and occupational health impacts.

The contractor shall provide the NRC TPM with technical information as necessary to allow the NRC to carry out consultations under Section 7 of the Endangered Species Act (ESA) of 1973 and Section 106 of the National Historic Preservation Act (NHPA) of 1966. The NRC TPM shall provide any necessary documentation regarding consultations under Section 7 ESA and Section 106 NHPA.

The description and assessment of environmental impacts, mitigation, and monitoring strategies under this subtask shall be coordinated and completed concurrently with Subtask 5-A. Format requirements are described in Section 12.0.

#### 4.4 TASK 4 - INFORMATION REQUEST

##### SUBTASK 4-A - DRAFT RAIS

If the contractor determines that the information provided by the applicant (ER and TR - license application) and the information collected during Task 2 – Collect and Review Information is not sufficient to allow the contractor to prepare the draft SEIS, the contractor shall prepare draft requests for additional information (RAIs), and shall provide these draft RAIs to the NRC TPM. Specifically, the contractor shall identify areas of the application that require further information before the draft SEIS can be completed.

The draft RAIs shall cover all areas needed to complete the draft SEIS under Subtask 5-C. For example, mitigation measures and environmental monitoring shall be considered when developing the draft RAIs.

The draft RAIs shall be documented in a brief letter report to the NRC TPM stating what information is missing and the basis for requesting the information (i.e., the potential impact on the environmental review). RAIs shall be submitted to the NRC TPM and shall be both clear and concise to elicit the additional information from the applicant. It is noted that the applicant may not be able to provide information, thus, the contractor should be able to define what information could be developed by the contractor versus information that must come from the applicant.

The NRC TPM will provide guidance to the contractor on drafting detailed RAIs. The draft RAIs shall follow the guidance provided by the NRC TPM; deviations from the guidance should be approved by NRC TPM prior to submission. The contractor shall submit the draft RAIs to the NRC as indicated in Appendix A.

##### SUBTASK 4-B – FINAL RAIS

The contractor shall revise the draft RAIs to incorporate comments from the NRC review to produce the final RAIs. The contractor shall submit the final RAIs to the NRC as indicated in Appendix A.

After approval of the final RAI, the NRC TPM will forward the RAIs to the applicant. Following the applicant's response to the RAI, the NRC TPM (with input from the contractor) will determine if there is still insufficient information available to prepare the draft SEIS.



## 4.5 TASK 5 - DRAFT SEIS AND SECTION 106 REVIEW

### SUBTASK 5-A – PRELIMINARY DRAFT SEIS

A copy of the preliminary draft SEIS shall be provided as an informal submittal to the NRC TPM as indicated in Appendix A. The preliminary draft SEIS shall provide all of the information described in Subtasks 3-A and 3-B as it is available at the time, noting RAIs or other information described under Task 2 of this task order, or as identified to the NRC TPM as work in progress. The NRC TPM will review the preliminary draft SEIS and provide the contractor with preliminary comments, if applicable. The contractor shall incorporate NRC TPM's comments from the preliminary draft SEIS review into the interim draft SEIS (Subtask 5-B).

### SUBTASK 5-B –INTERIM DRAFT SEIS

The contractor shall submit an interim draft SEIS for the NRC TPM to review and provide to other agencies during consultations. This interim draft SEIS shall incorporate the information received under Subtask 4-B. This interim draft SEIS shall follow the NRC TPM-approved outline under Task 3 of this task order. Deviations from the outline must be approved by the NRC TPM.

Relevant information developed during the NRC SER process shall be summarized in the draft SEIS and incorporated by reference.

This subtask shall be completed taking into consideration Task 2 and shall be completed as indicated in Appendix A.

### SUBTASK 5-C - DRAFT SEIS

The contractor shall revise the interim draft SEIS to incorporate comments from the NRC review to produce the draft SEIS. The contractor shall submit the draft SEIS to the NRC as indicated in Appendix A

### SUBTASK 5-D. – SECTION 106 REVIEW

#### SUBTASK 5-D.1 – Section 106 Support Activities

The contractor's Project Manager along with 1-2 key contractor staff members (i.e. Tribal Consultation Support and Cultural Resources Analysis experts) shall support the NRC TPM in planning, coordinating, and conducting activities relating to the Section 106 review, as needed. These activities may include conducting research, sharing expertise, and providing guidance to the NRC TPM; participating in and helping to coordinate local meetings, teleconferences, and/or webinars with Tribal representatives and other stakeholders; participating in discussions with NRC and BLM experts as well as ACHP and Strata's consultants to resolve conflicts and to help to move the Section 106 process along; and supporting documentation of the Section 106 activities. There are no formal deliverables associated with this subtask.

#### SUBTASK 5-D.2-A – Develop Ethnographic Context-Part 1

The contractor shall perform online searches (or calls) of various repositories (e.g., SHPO has an online searchable database WYCRIS), identify available information, and

conduct one focused information gathering trip. The contractor shall retain documentation of the repositories consulted and sources examined. Subtask 5-D.2-A shall be completed as indicated in Appendix A.

#### SUBTASK 5-D.2-B – Develop Ethnographic Context-Part 2

The contractor shall interview Tribes to gather information to include in the ethnographic context. The contractor shall retain documentation of communication efforts with Tribes. If Tribes are unwilling to provide information, the contractor shall document communication efforts and complete this subtask. This subtask shall be conducted concurrently with Subtask 5-D.2-C, where possible. Subtask 5-D.2-B shall be completed as indicated in Appendix A.

#### SUBTASK 5-D.2-C – Gather Tribal Input for TCP Survey Scope of Work (SOW)

The contractor shall gather input from Tribes regarding their proposed parameters for the TCP Survey (e.g. time frame, number of participants per tribe, and confidentiality concerns). The contractor shall retain documentation of communication efforts with Tribes. If Tribes are unwilling to provide information, the contractor shall document communication efforts and complete this subtask. Some of the information to be acquired during this subtask may be gathered during a consultation meeting between NRC and the Tribes to discuss the TCP Survey SOW. Subtask 5-D.2-C shall be completed as indicated in Appendix A and shall be conducted concurrently with Subtask 5-D.2-B, where possible.

#### SUBTASK 5-D.2-D – Ross Project Draft Ethnographic Study

The context shall document the results of the investigations conducted under Subtask 5-D.2-A and Subtask 5-D.2-B, as well as, to the extent possible or relevant, Subtask 5-D.2-C. If feasible, the context document shall contain predictive information, identifying potential focus areas for the TCP Survey. The context document shall be for use by NRC and shall not be provided to other parties unless authorized by NRC. The context document shall be titled "Ross Project Draft Ethnographic Study" and shall be completed as indicated in Appendix A.

#### SUBTASK 5-D.3 – TCP Survey Report

The TCP Survey results (sites identified during the survey and eligibility information provided during the survey) shall be submitted as a report to the NRC as indicated in Appendix A and shall be accompanied by, if necessary, a final context document, titled "Ross Project Final Ethnographic Study." The final context document shall address any additional ethnographic information collected following submission of the draft as well as any comments provided on the draft.

### 4.3 TASK 6 - COMPLETION OF FINAL SEIS

#### SUBTASK 6-A - DRAFT RESPONSES TO FEDERAL, STATE, AND PUBLIC COMMENTS

##### Compilation of Comments (Comment Binning)

The contractor shall compile Federal, State, and Local agencies, and Public comments (estimated at ~600) according to the guidelines provided by the NRC TPM. The NRC TPM will review and approve the binning of the comments prior to the contractor developing the comment responses. The Contractor may have to revise the binning of

the comments based on NRC's feedback. Some comments may be submitted to the NRC prior to the end of the public comment period. Therefore, the contractor shall begin this subtask upon receipt of the first set of comments, which will be forwarded to the contractor by the NRC TPM. The contractor shall submit the binned comments to the NRC as indicated in Appendix A.

#### Draft Comment Response Report

The contractor shall provide responses to the Federal, state, and local agencies, and/or public comments on the Draft SEIS within 40 business days after the NRC TPM's approval of the binned comments. One comment response should be developed for each bin of comments. This subtask schedule may be extended for a larger number of comments received than currently estimated [e.g., 1 business day extension for every ten (unique) comments over 600 with a maximum 30 day extension] and/or for complex public comments requiring extensive revision to the Draft SEIS. The contractor shall work with the NRC TPM to determine whether comments are unique or complex.

#### Final Comment Response Report

Incorporating NRC's comments, the contractor shall revise the draft comment response report to produce the final comment response report. The contractor shall submit the final comment response report to the NRC as indicated in Appendix A.

#### SUBTASK 6-B - PRELIMINARY FINAL SEIS

The contractor shall incorporate all important issues and comments brought forth during consultation and as identified by the public, the applicant, the contractor, and NRC staff. The NRC TPM shall provide any necessary documentation regarding Section 7 consultations under ESA and Section 106 NHPA. The NRC TPM shall also provide any necessary discussion of impacts from accident scenarios.

The contractor shall submit a Preliminary Final SEIS to the NRC as indicated in Appendix A.

#### SUBTASK 6-C - FINAL SEIS

The contractor shall revise the preliminary final SEIS to incorporate comments from the NRC review to produce the final SEIS. The contractor shall submit the final SEIS to the NRC as indicated in Appendix A.

#### SUBTASK 6-D – Section 106 Support Activities

The contractor's Project Manager along with 1-2 key contractor staff members (i.e. Tribal Consultation Support and Cultural Resources Analysis experts) shall support the NRC TPM in planning, coordinating, and conducting activities relating to the Section 106 review, as needed. These activities may include conducting research, sharing expertise, and providing guidance to the NRC TPM; participating in and helping to coordinate local meetings, teleconferences, and/or webinars with Tribal representatives and other stakeholders; participating in discussions with NRC and BLM experts as well as ACHP and Strata's consultants to resolve conflicts and to help to move the Section 106 process along; and supporting documentation of the Section 106 activities. There are no formal

deliverables associated with this subtask.

## **TASK 7**

### **4.4 OPTIONAL TASK 7 - SUPPORT FOR LICENSING PROCEEDING AND LITIGATION (EXERCISED VIA MOD 4)**

The contractor shall assist in the hearing as requested. The contractor could be requested to provide information for answers to interrogatories and to provide subject matter experts to prepare written testimony and present oral testimony, as needed, or deemed advisable, and as requested.

## **5.0 PROJECT MANAGEMENT**

### **Maintain Effective Communication with NRC Staff**

The contractor shall maintain effective communication with the NRC TPM to help coordinate and integrate SEIS preparation with NRC's technical and decision-making activities. For the duration of the task order, the contractor shall participate in a weekly telephone call with the NRC's TPM to discuss the progress and spending to date. The contractor's Project Manager and NRC TPM shall participate in quarterly progress meetings either at NRC's headquarter offices in Rockville, MD, at the contractor's place of business, or by telephone call, as may be requested by the NRC TPM.

### **For All Communications**

The contractor shall coordinate all necessary NRC communication for the specific task, through the NRC's TPM or designee (as may be temporarily established via electronic or hard-copy written communication from the NRC TPM or NRC PO).

### **NRC Comments**

The contractor shall resolve NRC comments through the NRC TPM when making revisions to any deliverable under each task.

### **Quality Assurance for the Project**

The contractor shall implement and maintain quality assurance requirements for the project in accordance with Section 14.0 below.

## **6.0 ACCEPTANCE CRITERIA**

The contractor shall document the preparation of the SEIS and maintain appropriate records. An inventory list or copies of such records shall be provided upon request by the NRC TPM. The draft SEIS and final SEIS shall provide sufficient detail (as outlined in NUREG 1748 and/or other guidance supplied by the NRC) for members of the public to understand the basis of the conclusions reached. The text of these documents shall be supported by appropriate tables and graphics. The SEIS shall use incorporation by reference and adoption of impact conclusions as applicable from the GEIS as identified in Task 3. Each deliverable provided by

the contractor shall include directly or be accompanied by enough technical detail so that the NRC may confirm the contractor's methodologies and calculations. The contractor shall also follow any guidance provided by the NRC, such as, RAI development guidance. At a minimum, the NRC reserves the right to reject a deliverable that fails to follow guidance provided.

## 7.0 MEETINGS AND TRAVEL

The contractor shall participate in the site visit referenced under Subtask 2-B and meet with the applicant and local, state, and federal agencies in order to collect relevant information. Upon request by the NRC TPM, the contractor's Project Manager shall meet with the NRC TPM at the NRC offices in Rockville, MD for a Planning Meeting and to discuss any RAIs. The NRC TPM may choose to periodically meet with the contractor in the contractor's offices to review progress and provide input into the project, as necessary. Alternatively, these meetings may be held by telephone/teleconference at the discretion of the NRC TPM. The contractor's Project Manager shall participate in a weekly phone call with the NRC TPM that will last an hour on average. Additionally, the contractor's Project Manager along with 1-2 key contractor staff members will potentially participate in periodic (bi-weekly or monthly) meetings via telephone to discuss technical issues related to the SEIS and application. It is also expected that the contractor's Project Manager and Historic and Cultural Resources Specialist will participate in periodic meetings via telephone to support the Section 106 process. Meetings potentially requiring contractor travel are summarized below.

<u>Topic</u>	<u>Location</u>	<u>Trips</u>	<u>Days</u>	<u>Contractor Staff</u>
Planning Meeting	Rockville, MD	1	3	1
RAI Discussion	Rockville, MD	1	3	1
Site Visit/Information Gathering	Site Location	1	5	2
Ethnographic Information Gathering	Site Location	1	3	1
Section 106 Meetings	Site Location	3	2 – 5	2
Public Comments Meeting	Rockville, MD	1	3	2

## 9.0 NRC FURNISHED MATERIAL

The NRC TPM will provide the following materials to the contractor at the beginning of Task 1 in electronic format unless otherwise specified:

- Applicant's License Application, which includes the Safety Analysis Report, Environmental Report, and any accompanying Appendices;
- Guidance on how to develop detailed RAIs
- Copies of The Class III Cultural Resource Inventory from the Ross site (non-publicly available);
- Copies of related documents from NRC's docket file;
- NRC's preferred format for RAIs;
- Copy of NUREG-1748, "Environmental Review Guidance for Licensing Actions Associated with NMSS Programs";
- Copy of NUREG-1569, "Standard Review Plan for *In-Situ* Leach Uranium Extraction License Applications-Final Report";
- Copy of NUREG-1910, "Generic Environmental Impact Statement for Uranium Milling

- Facilities"; and
- Information gained via consultations with other agencies, as it may be made available.

The NRC TPM will continue to provide related documents from the docket file throughout the completion of this task order.

## **10.0 CONTRACTOR ACQUIRED MATERIAL**

No materials are expected to be acquired.

## **11.0 PERIOD OF PERFORMANCE**

The period of performance begins on or about April 1, 2011 and shall expire on November 13, 2014 for all tasks described above. The deliverables and schedule for work conducted under this task order are summarized in Appendix A.

## **12.0 REPORTS**

Four hard copies of the draft and final versions of all reports covering each task shall be forwarded to the NRC TPM, as well as an electronic version (via electronic mail with electronic attachments) consistent with the word processor in use at the NRC (currently Microsoft Word 2003) and in portable document format (i.e., \*.pdf). Additionally, one hard copy shall be sent to the NRC Contracting Officer (CO) as soon as the documents are required to be available.

## **13.0 TECHNICAL/PROJECT DIRECTION**

Edna Knox-Davin is the NRC PO and Johari Moore is the designated NRC TPM. The NRC PO is the focal point for all task order-related activities.

Technical direction may be provided by the NRC TPM to the contractor during the duration of this task order. Technical direction shall not constitute new assignments of work or changes of such a nature as to justify an adjustment in cost or period of performance. Directions, if any, for changes in scope of work, cost, or period of performance will be issued by the NRC CO.

## **14.0 STANDARD WORK PRACTICES**

For all draft and final reports under this agreement, the contractor shall ensure that an independent review of numerical computations, mathematical equations, and derivations is performed by qualified technical staff other than the original author(s) of the reports and other than the person who performed the original calculation. If the contractor proposes to check less than 100 percent of all computations, mathematical equations, and derivations in the report(s) (such as may be the case when there is a large number of routine, repetitive calculations), the contractor must first obtain written approval from the NRC PO. In addition, all reports, including those which do not contain numerical analyses must be reviewed by the contractor's management and approved with two signatures. One signature must be from the contractor's Project Manager, and one signature must be from a manager at a higher level than the contractor's Project Manager. Informal submittals/deliverables must be reviewed and forwarded from at least the Project Manager level.

When revisions for reports are issued, a section must be included in the revised report to document dates of, reasons for, and scope of all changes made since the issuance of the first

contractor's approved report.

NRC has the option of appointing a Peer Group to review, comment, and recommend changes to the draft and final reports. The contractor may recommend candidates for the Peer Group for approval by the NRC TPM.

In the case of dissent in the content of the final report, the dissenting party shall have the option of stating its viewpoints and findings. Such statements may appear in the report as decided by the NRC.

This section does not intend to create the development of a formal quality assurance program nor does it require formal quality assurance program documentation or review.

**APPENDIX A  
SCHEDULE AND DELIVERABLES**

The schedule of deliverables for Tasks 1, 2, 3, 4, 5, and 6 are outlined below.

<b>TASK</b>	<b>DELIVERABLE</b>	<b>SCHEDULE (business days)</b>
1-A	Acceptance review findings	40 days after the issuance of the task order
2-B	Site Visit Trip Report	7 days after site visit
3-A	Description of Affected Environment	Concurrent with completion of Subtask 5-A
3-B	Impacts of the Proposed Action and Alternatives	Concurrent with completion of Subtask 5-A
4-A	Draft RAIs	20 days after completion of the site visit
4-B	Final RAIs	5 days after receipt of the NRC's comments on Subtask 4-A
5-A	Preliminary Draft SEIS	20 days after completion of Subtask 4-B
5-B	Interim Draft SEIS	45 days after the receipt of the applicant's RAI responses from the NRC TPM
5-C	Draft SEIS	15 days after the receipt of NRC comments on Subtask 5-B
5-D	Section 106 Review <ul style="list-style-type: none"> <li>• Develop Ethnographic Context-Part 1</li> <li>• Develop Ethnographic Context-Part 2</li> <li>• Gather Tribal Input for TCP Survey SOW</li> <li>• Ross Project Draft Ethnographic Study</li> <li>• TCP Survey Report</li> </ul>	<ul style="list-style-type: none"> <li>• 15 days following completion of contract modification #6.</li> <li>• 15 days after completion of Subtask 5-D.2-A</li> <li>• Prior to TCP Survey</li> <li>• 40 days after completion of Subtask 5-C.2-B</li> <li>• 20 days after completion of TCP Survey</li> </ul>



6-A	Draft Responses to Federal/State/Public Comments: <ul style="list-style-type: none"> <li>• Bin Comments</li> <li>• Draft Comment Response Report</li> <li>• Final Comment Response Report</li> </ul>	<ul style="list-style-type: none"> <li>• 10 days after receipt of the final set of Federal/State/Public Comments from the NRC TPM</li> <li>• Concurrent with completion of Subtask 6-B</li> <li>• Concurrent with completion of Subtask 6-C</li> </ul>
6-B	Preliminary Final SEIS	40 days after close of public comment period on Draft SEIS
6-C	Final SEIS	10 days after receipt of NRC's comments on Subtask 6-B