

## Penelope Kinney

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**From:** Penelope Kinney  
**Sent:** Tuesday, May 26, 2009 4:18 PM  
**To:** Rickie Seltzer  
**Subject:** FW: Please review 'J5546ChairmanNotification'  
**Attachments:** J5546ChairmanNotificationGlenny.doc; J5546OGCnotif.htm

Good Afternoon Rickie,

The attached Chairman notification memo to increase the ceiling of a DOE agreement by more than 20% was finalized and passed on for concurrence after DC kindly reviewed it. NMSS received comments (attached) from OGC which I also forwarded to DC for input since samples of notification memos provided by DC did not reference any background documents or include a summary resource review. DC informed me that there haven't been any notification memos which include a background section or a summary review & suggested that I follow up with you regarding notification content. Should offices now include a resource summary section and attach background documents to the memos? If prior documents are to be provided, which ones would you want included?

Any guidance that you provide would be appreciated because we do not know how we should proceed.

Thanks,  
Penny

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**From:** Beverly Anker  
**Sent:** Friday, May 01, 2009 12:54 PM  
**To:** Penelope Kinney  
**Subject:** RE: Please review 'J5546ChairmanNotification'

This looks fine to me. The only thing is to add your office director's concurrence before it comes to Phyllis and then another before it goes to the POC.

Sorry it took so long to look at it - I just got back to my desk.

Have a good weekend and wish the "A" student a good one too, if she's not too embarrassed!

Bev

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**From:** Penelope Kinney  
**Sent:** Friday, May 01, 2009 11:00 AM  
**To:** Beverly Anker  
**Subject:** Please review 'J5546ChairmanNotification'

Hi Bev,

I hate to bother you, but it appears that a template will not be available anytime soon. Can you let me know if I'm on the right track or if we need to provide something else. The 3 samples that I have are all different so I'm not sure about the concurrence chain either.

Thanks

MEMORANDUM TO: Chairman Klein *JACKO*  
FROM: R. W. Borchardt  
Executive Director for Operations

~~J. E. Dyer~~  
~~Chief Financial Officer~~

SUBJECT: NOTIFICATION OF A SIGNIFICANT INTERAGENCY  
AGREEMENT CHANGE - JOB CODE J5546, "SPENT FUEL  
TRANSPORT RISK ASSESSMENT"

*to \$1,475,000*  
In accordance with the delegation of contractual authority memorandum dated January 24, 2005, this memorandum provides notification of a significant change to the Spent Fuel Transport Risk Assessment laboratory agreement that the Office of Nuclear Material Safety and Safeguards (NMSS) entered into with the U.S. Department of Energy (DOE) on June 23, 2005. On May 5, 2006, the Chairman granted authorization to increase the ceiling of this agreement above ~~\$1,000,000~~. NMSS now intends to issue a modification which will increase the ceiling of the agreement by \$335,300, and will result in a cost variance exceeding the 20 percent threshold for informing the Chairman. Therefore, the ceiling of the agreement will be increased from \$1,475,000 to \$1,810,300 and the period of performance will be extended from June 10, 2010 to April 30, 2011. *NMSS has funding.*

*This is not a result*  
Under the agreement, Sandia National Laboratory (SNL) is responsible for preparing a NUREG document that summarizes spent fuel transportation safety. It will be used by NMSS staff in the review of environmental assessments and impact statements related to interim spent fuel storage facilities. ~~The modification is necessary since the analyses of spent fuel risk estimates and the modeling of spent fuel canisters and package impact limiters is more complex than initially estimated.~~ SNL will require additional time and effort to complete the NUREG and to resolve peer and public comments on the document.

*As a result,*  
CONTACTS: John Cook, NMSS/SFST  
(301) 492-3318

Penelope Kinney, NMSS/PBPA  
(301) 492-3248

*copy of Chairman.  
5/5/06 memo in  
background.*

Deleted:

The Office of the General Counsel has reviewed this memorandum and has no legal objection.

The Office of the Chief Financial Officer has reviewed this memorandum for resource implications and concurs. The Office of Administration has reviewed this paper and concurred.

cc: Commissioner Jaczko  
Commissioner Lyons  
Commissioner Svinicki  
SECY  
OGC  
OCA  
OPA  
OCFO

The Office of the General Counsel has reviewed this memorandum and has no legal objection.

The Office of the Chief Financial Officer has reviewed this memorandum for resource implications and concurs. The Office of Administration has reviewed this paper and concurred.

cc: Commissioner Jaczko  
Commissioner Lyons  
Commissioner Svinicki  
SECY  
OGC  
OCA  
OPA  
OCFO

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<b>Office</b>	NMSS/ PBPA	NMSS/SFST	NMSS/SFST	NMSS/SFST	NMSS/SFST
<b>Name</b>	PKinney	JGlenny JCook	DPstrak	NMamish/RLorson	EWBrach
<b>Date</b>	/ /09	/ /09		/ /09	/ /09
<b>Office</b>	NMSS/PBPA	NMSS/PBPA	OGC	OCFO	NMSS
<b>Name</b>	KFitch	MJFlynn	RBaum	RMitchell	CHaney
<b>Date</b>	/ /09	/ /09	/ /09	/ /09	/ /09
<b>Office</b>	ADM/DC	NMSS	POC	OEDO	OCFO
<b>Name</b>	PBower	CHaney	MVirgilio	RWBorchardt	JEDyer
<b>Date</b>	/ /09	/ /09	/ /09	/ /09	/ /09

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**From:** Robin Baum

**Sent:** Wednesday, May 20, 2009 12:01 PM

**To:** Penelope Kinney; John Cook

**Cc:** Mark Flynn

**Subject:** ChPaperJob Code J5546

Colleagues:

This notification Memo should be readdressed to Ch. Jaczko.

I have no legal objection to the contents, but in my opinion, the Paper is not set up properly, and does not provide enough information for the new Chairman's staff to process this efficiently. After your two paragraphs on the first page, I recommend adding a summary review of resources for Chairman Jaczko's staff:

**Resources:**

Period of Performance: Mention original period of performance and changes if any, to date.

Original Estimated Cost:

May 5, 2006 Change in Cost:

Current Estimated Cost:

Budget Availability: Ex: Due to the complexity of the analyses, the funding ceiling of this agreement is nearing the \$\_\_\_\_ threshold which NMSS expects will be reached in \_\_\_\_\_, 2009. NMSS is increasing the level of effort by \_\_\_\_\_ to result in a new total of \_\_\_\_\_. NMSS has \_\_\_\_\_ in the FY09 budget to support the proposed increase in the level of effort for this contract.

Also in my view, the original 2005 Agreement and May 5, 2006 ceiling increase authorization should be included for the new Chairman behind a Background tab.

Robin A. Baum

Special Counsel for Acquisition

Office of the General Counsel

U.S. Nuclear Regulatory Commission

(301) 415-2202

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