

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT		1. CONTRACT ID CODE	PAGE OF PAGES 1 3
2. AMENDMENT/MODIFICATION NO. 0059	3. EFFECTIVE DATE 03/11/2014	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicable)
6. ISSUED BY EMCBC - Carlsbad U.S. Department of Energy Carlsbad Project Office P.O. Box 3090 Carlsbad NM 88221	CODE 03003	7. ADMINISTERED BY (If other than Item 6) EMCBC - Carlsbad U.S. Department of Energy Carlsbad Project Office P.O. Box 3090 Carlsbad NM 88221	CODE 03003
8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code) NUCLEAR WASTE PARTNERSHIP LLC Attn: Marty Gonzales Nuclear Waste Partnership 106 Newberry Street SW Aiken SC 29801		(x) 9A. AMENDMENT OF SOLICITATION NO.	
CODE 968993910 FACILITY CODE		9B. DATED (SEE ITEM 11)	
		X 10A. MODIFICATION OF CONTRACT/ORDER NO. DE-EM0001971	
		10B. DATED (SEE ITEM 13) 04/20/2012	
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 ACKNOWLEDGEMENT 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)
See Schedule

13. THIS ITEM ONLY APPLIES TO MODIFICATION OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

CHECK ONE	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) FAR 52.243-2 Changes - Cost Reimbursement (AUG 1987) Alt II (APR 1984)

E. IMPORTANT: Contractor is not. is required to sign this document and return _____ 0 _____ copies to the issuing office.

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

The purpose for this modification to the contract is to revise Part 4.2 National Transuranic Waste Program in Section C, Performance Work Statement. The revision authorizes the contractor to use a temporary waste holding facility in accordance with Contracting Officer direction provided on March 11, 2014 in Letter 14:0701.

LIST OF CHANGES:

Reason for Modification : Change Order

Period of Performance: 10/01/2012 to 09/30/2017

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)	16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) Vicki D. Snow
15B. CONTRACTOR/OFFEROR (Signature of person authorized to sign)	15C. DATE SIGNED
16B. UNITED STATES OF AMERICA Exemption 6	16C. DATE SIGNED 03/19/2014

BACKGROUND:

On February 5, 2014 there was a salt haul truck fire in the underground. On February 14, 2014, there was a radiation release. Consequently, DOE has been conducting investigations and the WIPP underground has been closed. The incidents at the site have stopped all waste operations at the WIPP Site.

On March 11, 2014, the Carlsbad Field Office directed the contractor to identify and procure a temporary waste holding facility until the WIPP underground is reopened. A temporary holding facility could take waste from Los Alamos National Laboratory (LANL) to be removed from LANL by June 30, 2014 under the agreement with the State of New Mexico.

Since a temporary holding facility is not currently in the contract Performance Work Statement, this modification adds that requirement in accordance with the direction letter referenced above.

The following changes are made to add "temporary waste holding" site to the Performance Work Statement:

FROM (Mod 000):

4.2 NATIONAL TRANSURANIC WASTE PROGRAM

The National Transuranic Waste Program (NTP) develops and manages a comprehensive waste management strategy for all TRU waste under the responsibility of the DOE. The Contractor is responsible for the integration of all NTP activities. Key elements of the NTP include: 1) disposal of TRU waste at the WIPP as described in C.4.1.2; 2) CCP activities supporting generator/storage site waste retrieval and characterization applicable to the specific generator site's needs as described in C.4.2.1; and 3) TRU waste transportation activities, as described in C.4.2.2 and C.4.2.3. The Contractor shall receive Government-provided TRU waste packages for shipment to WIPP at generator sites and, in selected cases, may retrieve waste or accelerate retrieval to develop a backlog of waste. With CBFO approval, the Contractor is fully authorized as the DOE-designated Contract integrator to conduct activities necessary to complete applicable characterization for shipping to a characterization site or WIPP, and disposal at WIPP.

4.2.3 Transportation Management

4.2.3.1 The Contractor shall be responsible for coordinating and ensuring an integrated approach with the transportation Contractor(s) for transportation of TRU waste from generator sites to WIPP and from generator sites to characterization sites, including scheduling and dispatching shipments, coordinating empty shipments, and providing for non-routine maintenance on truck trailers and packagings.

TO: (Mod 59)

4.2 NATIONAL TRANSURANIC WASTE PROGRAM

The National Transuranic Waste Program (NTP) develops and manages a comprehensive waste management strategy for all TRU waste under the responsibility of the DOE. The Contractor is responsible for the integration of all NTP activities. Key elements of the NTP include: 1) disposal of TRU waste at the WIPP as described in C.4.1.2; 2) CCP activities supporting generator/storage site waste retrieval and characterization applicable to the specific generator site's needs as described in C.4.2.1; and 3) TRU waste transportation activities, as described in C.4.2.2 and C.4.2.3. The Contractor shall receive Government-provided TRU waste packages for shipment to WIPP at generator sites and, in

selected cases, may retrieve waste or accelerate retrieval to develop a backlog of waste. With CBFO approval, the Contractor is fully authorized as the DOE-designated Contract integrator to conduct activities necessary to complete applicable characterization for shipping to a characterization **and/or temporary waste holding** site or WIPP, and disposal at WIPP.

4.2.3 Transportation Management

4.2.3.1 The Contractor shall be responsible for coordinating and ensuring an integrated approach with the transportation Contractor(s) for transportation of TRU waste from generator sites to WIPP and from generator sites to characterization **and/or temporary waste holding site(s)**, including scheduling and dispatching shipments, coordinating empty shipments, and providing for non-routine maintenance on truck trailers and packagings.

Revised Section 4.2 is attached.

4.2 NATIONAL TRANSURANIC WASTE PROGRAM (Mod 59)

The National Transuranic Waste Program (NTP) develops and manages a comprehensive waste management strategy for all TRU waste under the responsibility of the DOE. The Contractor is responsible for the integration of all NTP activities. Key elements of the NTP include: 1) disposal of TRU waste at the WIPP as described in C.4.1.2; 2) CCP activities supporting generator/storage site waste retrieval and characterization applicable to the specific generator site's needs as described in C.4.2.1; and 3) TRU waste transportation activities, as described in C.4.2.2 and C.4.2.3. The Contractor shall receive Government-provided TRU waste packages for shipment to WIPP at generator sites and, in selected cases, may retrieve waste or accelerate retrieval to develop a backlog of waste. With CBFO approval, the Contractor is fully authorized as the DOE-designated Contract integrator to conduct activities necessary to complete applicable characterization for shipping to a characterization **and/or temporary waste holding site** or WIPP, and disposal at WIPP.

4.2.1 Waste Characterization /Retrieval

The Contractor shall be responsible for integration of waste characterization, remediation, repackaging and retrieval at designated DOE characterization sites with DOE Contractors.

- 4.2.1.1** The Contractor, if directed by DOE, may provide and deploy to generator sites Retrieval and Characterization Teams and equipment to assist and/or perform in the management and execution of legacy TRU waste retrieval, remediation, repackaging, loading and characterization activities.
- 4.2.1.2** The Contractor shall assist generator sites as directed by CBFO in planning for the management of newly generated TRU waste.
- 4.2.1.3** The Contractor shall ensure that a certified waste characterization program is maintained at CBFO approved characterization sites in accordance with the WIPP requirements.
- 4.2.1.4** The Contractor shall ensure characterization of waste from Contractor characterization sites is in accordance with WIPP requirements.
- 4.2.1.5** The Contractor shall ensure the certified waste for shipments are in compliance with applicable laws and regulations, e.g., the manifest, transportation receipt inspection, etc. .
- 4.2.1.6** The Contractor may be required to identify disposition paths for low-level and low-level mixed wastes currently managed as TRU waste.
- 4.2.1.7** The Contractor shall arrange inter-site shipments to facilitate TRU waste disposal and consolidation.
- 4.2.1.8** At sites where waste characterization, waste packaging and/or loading services are performed by the DOE site Contractor, the Contractor shall ensure the appropriate site interface agreements are signed and enforced that address quality requirements for the above services and fully defines the responsibilities of the respective parties.
- 4.2.1.9** The Contractor shall maintain the laboratory capability to perform headspace gas and RCRA sample analysis.

4.2.2 Transportation Packaging

- 4.2.2.1** The Contractor shall maintain NRC-certified packaging (TRUPACT-II, TRUPACT-III, HalfPACT, 10-160B and 72-B cask) and DOT 7A Type A containers and records for packaging fabrication and maintenance. Other packaging and containers may be added to the existing inventory based on future program requirements.
- 4.2.2.2** The Contractor shall provide solutions to technical and regulatory issues related to NRC-certified packagings. The Contractor shall prepare draft amendments to the Certificates of Compliance to authorize new waste forms for transport and to justify modifications to the existing conditions of use.
- 4.2.2.3** The Contractor shall provide technical and quality oversight for the procurement of transportation packagings and procure if directed by DOE.
- 4.2.2.4** The Contractor shall submit NRC certification requests and Safety Analysis Report for Packaging (SARPs) for new and existing packagings.

4.2.3 Transportation Management (Mod 59)

- 4.2.3.1** The Contractor shall be responsible for coordinating and ensuring an integrated approach with the transportation Contractor(s) for transportation of TRU waste from generator sites to WIPP and from generator sites to characterization and/or temporary waste holding site(s), including scheduling and dispatching shipments, coordinating empty shipments, and providing for non-routine maintenance on truck trailers and packagings.
- 4.2.3.2** The Contractor shall assist DOE in certification of the generator/storage sites compliance with transportation requirements and shall be responsible for the approval of shipments to WIPP.
- 4.2.3.3** The Contractor shall assist shipping sites in the initial and continued use of TRU Waste shipping packages.
- 4.2.3.4** The Contractor shall utilize the DOE designated transportation monitoring system to monitor all movement of tractors performing work under this contract with the exception of movements for maintenance purposes. The Contractor shall prepare the integrated shipping schedule, which includes TRU packaging, trailers, drivers, and tractor requirements.
- 4.2.3.5** The Contractor shall conduct activities related to the opening and maintenance of shipping corridors and the provision of emergency response training along shipping corridors.
- 4.2.3.6** The Contractor shall identify, analyze and resolve issues related to waste transportation and emergency management with states, tribes and local government officials. The Contractor may be required to provide trained and qualified personnel for response to transportation incidences.