

<b>AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT</b>		1. CONTRACT ID CODE	PAGE OF PAGES 1   4
2. AMENDMENT/MODIFICATION NO. 0027	3. EFFECTIVE DATE See Block 16C	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.	9B. DATED (SEE ITEM 11)
CODE 968993910	FACILITY CODE	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 43.103 - Supplemental Agreement of the Parties i/a/w DEAR 970.5204-2

E. IMPORTANT: Contractor  is not,  is required to sign this document and return 2 copies to the issuing office.

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

The purposes of this modification are to:

(1) Update Section J, Attachment A, Laws, Regulations, and Directives. Introductory language in Attachment A is revised. List B is updated in accordance with contract clause I.130 - DEAR 970.5204-2. A crosswalk of changes to Orders is provided on Page 3. Revised Attachment A is attached to the contract modification.

(2) Revise language in Section C Performance Work Statement, Part 3.3.2 of the contract to revise reference from "WP15-PA3000" to new procedure "WP-15PA1002."

Continued ...

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) M. F. Sharif, Project Manager	16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) Vicki D. Snow
15B. CONTRACTOR/PREPEROR Exemption 6	16B. UNITED STATES OF AMERICA Exemption 6
15C. DATE SIGNED 7-8-2013	16C. DATE SIGNED 7/9/2013

**UPDATE SECTION J, ATTACHMENT A – LAWS REGULATIONS, AND DIRECTIVES**

**Change to Introductory Language in Attachment A:**

In the award document, the introduction on Page 1 of Attachment A is copied directly from DEAR Clause 970.5204-2, Laws, Regulations, and DOE Directives. Since the clause is already in Section I, the duplicated language from 970.5204-2 is deleted in Attachment A and replaced with the following:

**This document is “List B” as required by Contract Clause I.130, DEAR 970.5204-2, Laws, Regulations, and DOE Directives (DEC 2000). The Contractor shall review and formally assess requirements documents as directed by the Contracting Officer and shall initiate any necessary actions to implement the requirements, including changes to contract terms and conditions (e.g., budget, schedule), to ensure that work will continue to be performed to the latest revision of the requirements documents as reflected in the Prime Contract. “List B” shall be reviewed and physically updated on a regular basis to incorporate any necessary changes or updates to the existing list of requirements documents shown in this part of the contract.**

**As an additional part of the review and update, any new requirements documents that have been determined to be applicable shall also be added to “List B.” The effective date of this list is as contained in Block 3 on the SF30 for the current contract modification. The parties also agree that all new/revised directives will be implemented within the timelines stated on associated Contractor-prepared impact assessments.**

**Changes to List B:**

The following DOE Orders are updated from List B in Modification 8. The contractor prepared impact assessments for each revision. Programmatic Change Order CBFO 13-043 (NWP 13-052) was approved to add funding of \$31,725 for the implementation of DOE Order 420.1C.

**REVISIONS TO DOE ORDERS IN MODIFICATION 27**

<b>FROM: Modification 8</b>	<b>TO: Modification 27</b>
DOE O 205.1B - Department of Energy Cyber Security Program	DOE O 205.1B, <b>Admin. Change 2</b> – Department of Energy Cyber Security Program
N/A. DOE O 206.2 was not in contract prior to Modification 27	DOE O 206.2 – Identity, Credential, and Access Management (ICAM)
DOE O 231.1B – Environment, Safety and Health Reporting	DOE O 231.1B, <b>Admin. Change 1</b> – Environment, Safety and Health Reporting
DOE O 243.1A – Records Management Program	DOE O 243.1B – Records Management Program
DOE O 420.1B, Change 1 – Facility Safety	DOE O 420.1C – Facility Safety
DOE O 458.1, Change 2 – Radiation Protection of the Public and the Environment	DOE O 458.1, <b>Admin. Change 3</b> – Radiation Protection of the Public and the Environment
DOE O 470.4B – Safeguards and Security Program Operations	DOE O 470.4B, <b>Admin. Change 1</b> – Safeguards and Security Program Operations
DOE O 471.6 – Information Security	DOE O 471.6, <b>Admin Change 1</b> – Information Security
DOE O 5670.1A – Management and Control of Foreign Intelligence	<b>Deleted</b> from the contract in Modification 27

**REVISE SECTION C, PART 3.3.2 – PERFORMANCE WORK STATEMENT:**

In the Performance Work Statement, Part 3.3.2, the award document referenced WIPP Procedure WP15-PA3000. The procedure has been superseded by WIPP Procedure WP15-PA1002. The statement in Part 3.3.2 is revised to incorporate the change as follows:

**FROM:**

**3.3.2** This system will include principles of the International Organization for Standardization (ISO) 14001 Program, the Voluntary Protection Program (or approved equivalent) and the Standards and Requirements Identification Document (S/RID), **Document No. WP15-PA3000.**

**TO:**

**3.3.2** This system will include principles of the International Organization for Standardization (ISO) 14001 Program, the Voluntary Protection Program (or approved equivalent) and the Standards and Requirements Identification Document (S/RID), **Document No. WP15-PA1002.**

**ATTACHMENT A**

**PART III – LIST OF DOCUMENTS, EXHIBITS AND OTHER ATTACHMENTS**

**SECTION J, ATTACHMENT A**

**LAWS, REGULATIONS, AND DIRECTIVES (DEC 2000)**

This document is “List B” as required by Contract Clause I.130, DEAR 970.5204-2, Laws, Regulations, and DOE Directives (DEC 2000). The Contractor shall review and formally assess requirements documents as directed by the Contracting Officer and shall initiate any necessary actions to implement the requirements, including changes to contract terms and conditions (e.g., budget, schedule), to ensure that work will continue to be performed to the latest revision of the requirements documents as reflected in the Prime Contract. “List B” shall be reviewed and physically updated on a regular basis to incorporate any necessary changes or updates to the existing list of requirements documents shown in this part of the contract.

As an additional part of the review and update, any new requirements documents that have been determined to be applicable shall also be added to “List B.” The effective date of this list is as contained in Block 3 on the SF30 for the current contract modification. The parties also agree that all new/revised directives will be implemented within the timelines stated on associated Contractor-prepared impact assessments.

**\*Standards/Requirements Identification Document (S/RID)** – An “X” in the S/RID column identifies the standards/requirements that are clear, necessary and sufficient nuclear requirements that are specifically applicable to WIPP and provide adequate environmental, safety and health protection for and ensure the safety of the workers, general public, and environment.

**LIST B:**

<b>DOE Order</b>	<b>Title</b>	<b>*S/RID</b>
DOE O 130.1	Budget Formulation	
DOE O 142.3A	Unclassified Foreign Visits and Assignments Program	
DOE O 150.1	Continuity Programs	X
DOE O 151.1C	Comprehensive Emergency Management System	X
DOE O 153.1	Departmental Radiological Emergency Response Assets	X
DOE O 200.1A	Information Technology Management	
DOE O 203.1	Limited Personal use of Government Office Equipment including Information Technology	
DOE O 205.1B, Admin. Change 2	Department of Energy Cyber Security Program	
DOE O 206.1	DOE Privacy Program	
DOE O 206.2	Identity, Credential, and Access Management (ICAM)	

DOE Order	Title	*S/RID
DOE O 210.2A	DOE Corporate Operating Experience Program	X
DOE O 221.1A	Reporting Fraud, Waste and Abuse to the Office of Inspector General	
DOE O 221.2A	Cooperation with the Office of Inspector General	
DOE O 225.1B	Accident Investigations	X
DOE O 226.1B	Implementation of Department of Energy Oversight Policy	X
DOE O 227.1	Independent Oversight Program	X
DOE O 231.1B, Admin. Change 1	Environment, Safety and Health Reporting	
DOE O 232.2	Occurrence Reporting and Processing of Operations Information	X
DOE O 241.1B	Scientific and Technical Information Management	
DOE O 243.1B	Records Management Program	
DOE O 243.2	Vital Records	X
DOE O 252.1A,	Technical Standards Program	
DOE O 350.1, Change 3	Contractor Human Resource Management Programs	
DOE O 350.2B	Use of Management and Operating or Other Facility Management Contractor Employees for Services to DOE in the Washington, D.C., Area	
DOE O 413.1B	Internal Control Program	
DOE O 413.3B	Program and Project Management for the Acquisition of Capital Assets See Tracy Mustin Memo dated 3/15/12 titled Policy and Protocol for Office of Environmental Management Operations Activities.	
DOE O 414.1D	Quality Assurance	X
DOE O 420.1C	Facility Safety	X
DOE O 422.1	Conduct of Operations	X
DOE O 425.1D	Verification of Readiness to Startup or Restart Nuclear Facilities	X
DOE O 426.2	Personnel Selection, Training, Qualification, and Certification Requirements for DOE Nuclear Facilities	X
DOE O 430.1B, Change 2	Real Property Asset Management	
DOE O 433.1B	Maintenance Management Program for DOE Nuclear Facilities	X
DOE O 435.1, Change 1	Radioactive Waste Management	X
DOE O 436.1	Departmental Sustainability	X
DOE O 442.1A	Department of Energy Employee Concerns Program	
DOE O 442.2	Differing Professional Opinions for Technical Issues Involving Environment, Safety, and Health	

DOE Order	Title	*S/RID
DOE O 451.1B Change 3	National Environmental Policy Act Protection Program	X
DOE O 458.1, Admin Change 3	Radiation Protection of the Public and the Environment	X
DOE O 460.1C	Packaging and Transportation Safety See attached letter dated March 29, 2012, from Stephen C. O'Connor to Jose Franco, CBFO Manager, which provides clarification for the requirements in this order. NWP will provide the documents to CBFO to forward to DOE-HQ.	X
DOE O 460.2A	Departmental Materials Transportation and Packaging Management	X
DOE O 470.3B	Graded Security Protection (GSP) Policy	
DOE O 470.4B, Admin Change 1	Safeguards and Security Program Operations	
DOE O 471.1B	Identification and Protection of Unclassified Controlled Nuclear Information	
DOE O 471.3, Admin Change 1	Identifying and Protecting Official Use Only Information	
DOE O 471.6, Admin. Change 1	Information Security	
DOE O 472.2	Personnel Security	
DOE O 473.3	Protection Program Operations	
DOE O 475.1	Counterintelligence Program	
DOE O 475.2A	Identifying Classified Information	
DOE O 483.1	DOE Cooperative Research and Developments Agreements	
DOE O 522.1	Pricing of Departmental Materials and Services	
DOE O 534.1B	Accounting	
DOE O 551.1D	Official Foreign Travel	
DOE O 580.1A Admin Change 1	Personal Property Management Program	

DOE Manual	Title	S/RID
DOE M 140.1-1B	Interface with the Defense Nuclear Facilities Safety Board	
DOE M 205.1-3	Telecommunications Security Manual	
DOE M 435.1-1 Chg 2	Radioactive Waste Management Manual	X
DOE M 460.2-1A	Radioactive Material Transportation Practices Manual	
DOE M 471.3-1, Admin Change 1	Manual for Identifying and Protecting Official Use Only Information	
DOE M 483.1-1	DOE Cooperative Research and Development Agreements Manual	

**CHANGE TO SECTION C**

required by law. The Contractor shall focus these efforts such that the EPA can render a timely completeness determination and receive EPA approval within the six month 40 CFR 194-driven timeframe. The Contractor shall assist as requested in other activities related to EPA activities under the Land Withdrawal Act.

### **3.3 SAFETY AND HEALTH**

The Contractor shall use existing system description document in accordance with the clause in Section I DEAR 970.5223-1 entitled "Integration ES&H into Work Planning and Execution." until its update is submitted in accordance with the clause in Section H entitled, "Environment, Safety and Health (ES&H)".

**3.3.1** The Contractor shall develop and execute an Integrated Safety Management System Description (ISMSD). The ISMSD shall be submitted to CBFO for approval within 60 days of contract award. The ISMSD shall be updated as required. The Contractor shall manage and perform work in accordance with the ISMSD. The Contractor shall be prepared to undergo ISMS verification and validation within one (1) year of the contract award, and subsequent certification/verifications as required.

**3.3.2** This system will include principles of the International Organization for Standardization (ISO) 14001 Program, the Voluntary Protection Program (or approved equivalent) and the Standards and Requirements Identification Document (S/RID), Document No WP15-PA1002.

The Contractor shall:

- Coordinate with other WIPP site entities to ensure a clear understanding of roles, responsibilities, and compliance with applicable environmental requirements laws, regulations, permits, orders, and agreements when work is done at other sites.
- Ensure that ES&H performance be considered in the selection of subcontracts and incorporated into subcontracts as required.

### **3.4 QUALITY ASSURANCE**

**3.4.1** The Contractor shall implement and maintain a Quality Assurance (QA) Program in accordance with the quality assurance provisions of 40 CFR 194, and that implements the quality program requirements contained in CAO-94-1012 Carlsbad Field Office Quality Assurance Program Document. The Quality Assurance Program is applicable to all programs and projects managed by the CBFO which require a QA program, including activities related to compliance application, waste characterization, repository performance assessment, waste isolation, waste transportation, nuclear safety, environmental protection, and management and operation of the WIPP facility.