

## **SECTION C** **PERFORMANCE WORK STATEMENT**

### **C.01 PURPOSE**

The purpose of this contract is to provide support to the U.S. Department of Energy (DOE) and the New York State Energy Research and Development Authority (NYSERDA) in preparing documents to support Phase 2 decision making for the DOE West Valley Demonstration Project (WVDP), the Western New York Nuclear Service Center (WNYNSC), and the State-Licensed Disposal Area (SDA).

The scope of this contract includes the following elements:

1. Development of a project management schedule that integrates the completion of all work scope activities identified in this performance work statement by the required Phase 2 decision completion date of May 12, 2020.
2. Development of the public scoping process for the Supplemental Environmental Impact Statement (SEIS) for the WVDP, WNYNSC, and the SDA.
3. Development of reasonable (as defined in both the National Environmental Policy Act (NEPA) and the New York State Environmental Quality Act (SEQRA)) Phase 2 alternatives, including (but not limited to) modifications to existing alternatives, for the WVDP, WNYNSC, and the SDA to be evaluated in a Supplemental Environmental Impact Statement (SEIS).
4. Preparation of conceptual engineering design reports that will provide input data for the evaluation of the Phase 2 alternatives to be evaluated in the SEIS.
5. Preparation of a SEIS that incorporates an existing long-term Probabilistic Performance Assessment (PPA) currently being prepared by a separate contractor and evaluates the potential short-term and long-term environmental impacts associated with the reasonable Phase 2 alternatives, including potential impacts due to erosion and climate change.
6. Preparation of Decommissioning Plan(s) to be submitted to the U.S. Nuclear Regulatory Commission (NRC) to: fulfill DOE requirements under the West Valley Demonstration Project Act of 1980 (Public Law 96-368), for NYSEERDA's potential termination of its NRC 10 CFR Part 50 operating license (CSF-1) should NYSEERDA pursue termination of the license, and to evaluate the SDA.
7. Preparation of a decommissioning plan or other regulatory documents such as permit or license modifications for the SDA needed to implement NYSEERDA's Phase 2 decision for the SDA.

DOE and NYSEERDA (the agencies) intend to conduct this work jointly, using a tripartite contract structure and sharing in oversight and cost of the work. The duration of this contract is 4 years with a completion date in 2020.

## **C.02 BACKGROUND**

In 2010, DOE and NYSERDA selected the Phased Decisionmaking Alternative as the preferred alternative for the WVDP, the WNYNSC, and the SDA. The Phased Decisionmaking Alternative is described in the “*Final Environmental Impact Statement for Decommissioning and/or Long-Term Stewardship at the West Valley Demonstration Project and Western New York Nuclear Service Center (DOE/EIS-0226)*” (FEIS). During Phase 1 of the Phased Decisionmaking Alternative, a number of highly contaminated facilities will be removed. In addition, DOE and NYSERDA will perform additional scientific studies to facilitate interagency consensus to support the Phase 2 decision.

DOE and NYSERDA anticipate arriving at Phase 2 decisions for the WVDP, WNYNSC, and the SDA by 2020. Decisions will be made for WVDP and WNYNSC facilities and areas remaining after the conclusion of Phase 1 decommissioning including the Waste Tank Farm, the U.S. Nuclear Regulatory Commission (NRC)-licensed disposal area, the non-source area of the North Plateau Groundwater Plume, the Construction and Demolition Debris Landfill (CDDL), the Cesium Prong, the balance of the WNYNSC property, and the SDA. These decisions will be informed by (1) the Phase 1 Studies and other scientific studies being performed at the WVDP, WNYNSC, and the SDA, (2) a probabilistic performance assessment (PPA) currently being prepared by another contractor to evaluate potential radiological doses associated with Phase 2 alternatives proposed for the WVDP, WNYNSC, and the SDA, and, (3) an SEIS that will consider the scientific studies and incorporate the aforementioned PPA as part of the evaluation of potential environmental impacts associated with reasonable Phase 2 alternatives proposed for the WVDP, WNYNSC, and the SDA.

## **C.03 PERFORMANCE REQUIREMENTS**

The Contractor shall furnish all services, materials, supplies, equipment, and travel required in connection with this performance work statement (PWS). The Contractor shall furnish sufficient technical, supervisory, and administrative personnel to ensure the expeditious accomplishment of the work specified in this contract.

The Contractor shall conduct this work under a tripartite contract issued by DOE and jointly managed by the DOE and NYSERDA. The Contractor shall be responsive to each agency equally.

### **C.03.1 Phase 2 Decisionmaking for the WVDP and WNYNSC**

The Contractor shall implement all activities identified in this PWS. It is anticipated that this work may include, but will not be limited to, literature searches, research efforts, and modeling (erosion, groundwater, surface water, slope stability, dose assessment, contaminant release, contaminant transport) to support the development of reasonable Phase 2 alternatives, conceptual engineering design reports, the SEIS, the Decommissioning Plan(s), and other necessary regulatory submittals.

The Contractor shall ensure that cost and schedule estimates are developed for all tasks and are coordinated with the agencies prior to the commencement of work.

### **C.03.1.1 Phase 2 Decisionmaking Schedule for the WVDP, WNYNSC, and SDA**

The contractor will develop a detailed project management schedule that shall integrate the completion of all work scope activities described in this performance work statement by the DOE and NYSERDA planned completion date of May 12, 2020 for the Phase 2 decision for the WVDP, WNYNSC, and the SDA. The May 12, 2020 Phase 2 decision date is specified in the DOE April 14, 2010 Record of Decision and the NYSERDA May 12, 2010 SEQR Findings Statement for the Final Environmental Impact Statement for Decommissioning and/or Long-Term Stewardship at the West Valley Demonstration Project and Western New York Nuclear Service Center. The project management schedule shall include, but not be limited to the following work scopes required to reach a Phase 2 decision for the WVDP, WNYNSC, and the SDA:

- Support of SEIS scoping activities
- Development of Phase 2 decision making alternatives for the WVDP, WNYNSC, and the SDA
- Preparation of the draft and final conceptual engineering design reports for the WVDP, WNYNSC, and the SDA
- Preparation of the draft and final SEIS for the WVDP, WNYNSC, and the SDA
- Preparation of the draft and final Decommissioning Plan(s) for the WVDP, WNYNSC, and potentially the SDA<sup>1</sup>, and
- Preparation of applications for permitting or licensing modifications for the SDA

The contractor will work with both of the agencies as required to identify when technical inputs, analyses, data, etc. used to address issues identified in the NYSERDA View are needed in the SEIS preparation process.

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<sup>1</sup> It is unclear at this time whether the regulatory framework for the SDA would require a Decommissioning Plan for the implementation of NYSERDA's Phase 2 decision.

The contractor shall submit a draft schedule for DOE and NYSERDA review and comment within one month of the issuance of the notice to proceed (NTP) from the DOE Contracting Officer. The contractor shall submit a final integrated Phase 2 Decision Making Schedule for the WVDP, WNYNSC, and the SDA within one month of receipt of final comments and schedule approval from DOE and NYSERDA.

### **C.03.1.2 Phase 2 Supplemental Environmental Impact Statement Scoping Activities**

The contractor will work closely with the agencies and the agencies' PPA contractor to support the public scoping process for the Phase 2 SEIS for the WVDP, WNYNSC, and the SDA in accordance with applicable National Environmental Policy Act (NEPA) and State Environmental Quality Review Act (SEQRA) requirements. The contractor will be expected to assist the agencies in completing the following tasks including but not limited to:

- Assisting the agencies in preparing and submitting the Notice of Intent (NOI) to prepare the Phase 2 SEIS for the WVDP, WNYNSC, and the SDA to the Federal Register and the State Environmental Notice Bulletin
- Assisting the agencies in planning, holding, and facilitating two public meetings for the cooperating regulatory agencies and interested stakeholders during the public comment period of the NOI. The contractor will be expected to complete the following tasks to support the successful completion of the public meetings including but not limited to:
  - Arranging the logistics of the public meetings including the date, time, location, venues, and technical staffing appropriate for the public meetings
  - Preparing and submitting notifications for the public meetings to local newspapers and radio and television stations including possibly preparing media kits and conducting media briefings prior to the public meeting
  - Preparing all meeting materials including agendas, sign-in sheets, meeting handouts, presentations, and display boards, comment registration forms for public comment submission
  - Obtaining the services of a court recorder to prepare transcripts for each of the public meeting minutes
  - Assisting the agencies by contributing to technical presentations during the public meetings
  - Developing a project mailing list for future project meetings
  - Reviewing, compiling, and categorizing the written and verbal comments received during the public meetings and presenting these to the agencies for consideration

The timeframe for completion of C.03.1.2 is to be determined by the contractor and shall allow DOE and NYSERDA to make a Phase 2 decision for the WVDP, WNYNSC, and the SDA by

May 12, 2020. The Contractor will develop quarterly interim reports and a final report to detail results of this work.

### **C.03.1.3 Development of Phase 2 Alternatives**

The Contractor will closely work with the agencies and the agencies' PPA contractor to develop reasonable Phase 2 alternatives, including (but not limited to) modifications to the existing Sitewide Close-In-Place Alternative, Sitewide Removal Alternative, and No Action Alternatives, for those facilities remaining at the WVDP and WNYNSC including the SDA. Evaluation of the No Action Alternative is required by the National Environmental Policy Act (NEPA) and the New York State Environmental Quality Review Act (SEQRA).

The development of reasonable Phase 2 alternatives is expected to be an iterative process that may include alternate approaches for in-place closure, various partial source term removals, variations in engineered barrier designs, and alternate approaches for full exhumation for each of the Phase 2 facilities and areas. This process will be supported by the agencies' PPA contractor who will evaluate the long-term radiological dose impacts associated with the reasonable Phase 2 alternatives. The long-term dose impacts for the Phase 2 alternatives for all facilities and areas within the WVDP, WNYNSC, and the SDA, will be evaluated against the NRC License Termination Criteria (10 CFR 20, Subpart E) as prescribed in the NRC Final Policy Statement for the WVDP (67 FR 5003).

The reasonable Phase 2 alternatives will be evaluated by the Contractor during their preparation of the SEIS as described in Section C.03.1.5.

The timeframe for completion of C.03.1.3 is to be determined by the contractor and shall allow DOE and NYSERDA to make a Phase 2 decision for the WVDP, WNYNSC, and the SDA by May 12, 2020. The Contractor will develop quarterly interim reports and a final report to detail results of this work.

### **C.03.1.4 Preparation of Conceptual Engineering Design Reports**

For each of the reasonable alternatives developed in C.03.1.3 that will be evaluated in the SEIS in C.03.1.5, the Contractor will prepare conceptual engineering design reports that will serve as data inputs to the analysis to be performed in the SEIS. These conceptual engineering design reports will describe a potential engineering approach to be implemented for each proposed Phase 2 alternative at the WVDP, WNYNSC, and the SDA. In addition to the potential engineering approach, these design reports will provide estimates of the resources, materials, and environmental releases associated with the implementation of the proposed Phase 2 alternative including but not limited to:

- Capital purchases and construction costs

- Consumable materials required including waste containers
- Utility usage
- Labor personnel, hours, and costs required by job category and activity
- Personnel injuries, fatalities, and radiation exposure
- Airborne and aqueous environmental radiological releases
- Non-radiological environmental releases
- Volumes of packaged radiological and non-radiological waste generated by waste classification and waste disposal facility
- Total costs associated with the alternative, including labor, materials, and waste disposal costs
- Post closure costs, resource requirements, and environmental releases associated with environmental monitoring, facility maintenance, and site security

The Contractor shall deliver a detailed engineering report for each reasonable alternative to be evaluated in the SEIS in accordance with Section J-X, Deliverables. Each report will provide detailed estimates of the resources and materials required to complete the alternative at the WVDP, WNYNSC, and the SDA and will also provide detailed estimates of the environmental releases associated with each alternative. All components of the engineering reports will be fully documented, including all calculation packages prepared to support the engineering designs and required resources, materials, and environmental releases, in a proper archival format for the agencies' records as required in Section C.03.3 Records Management.

The timeframe for completion of C.03.1.4 is to be determined by the contractor and shall allow DOE and NYSERDA to make a Phase 2 decision for the WVDP, WNYNSC, and the SDA by May 12, 2020. Task-specific deliverables for C.03.1.4 include draft Conceptual Engineering Design Reports for DOE and NYSERDA review, responses to DOE and NYSERDA review comments on the draft reports, and final Conceptual Engineering Design Reports incorporating DOE and NYSERDA review comments. Task-specific deliverables will also include all proper supporting documents, files, and analyses including all references used during the preparation of the Conceptual Engineering Design Reports in a proper archival format for the agencies' records as required in Section C.03.3 Records Management. The Contractor will develop quarterly interim reports and a final report to detail results of this work.

#### **C.03.1.5 Preparation of a Supplemental Environmental Impact Statement**

The Contractor will prepare a draft and final SEIS that will allow DOE and NYSERDA to make a Phase 2 decision for the WVDP, WNYNSC, and the SDA by May 12, 2020. The SEIS will evaluate the potential short-term and long-term environmental impacts associated with the reasonable Phase 2 alternatives developed in C.03.1.3, including potential impacts due to erosion and climate change, and the information from the conceptual engineering design reports prepared

in Section C.03.1.4 for those facilities remaining at the WVDP, WNYNSC, and the SDA following the completion of Phase 1 decommissioning, including the No Action alternative as required by NEPA and SEQRA. .

The SEIS will include but not be limited to:

- Any supplementation to the FEIS purpose and need for the proposed action
- Description of the reasonable Phase 2 alternatives (developed in C.03.1.3), including modification to the existing alternatives, to be evaluated in the SEIS
- A description of how the issues raised in the NYSERDA View as presented in the Foreword of the 2010 FEIS were addressed (to be provided by the agencies).
- The “agencies' preferred alternative,” which is the alternative that the agencies believe would fulfill their statutory mission and responsibilities, giving consideration to economic, environmental, technical and other factors.
- Any supplementation to the descriptions of the affected environment at the WVDP, WNYNSC, and the SDA within the FEIS, including but not limited to: land use, site infrastructure, site geology, soils, and hydrology, ecological and cultural resources, and socioeconomics.
- Any supplementation to the evaluation of the potential environmental impacts from the reasonable Phase 2 alternatives evaluated in the SEIS including:
  - Potential impacts to: land use, site geology and hydrogeology, air and water quality, threatened or endangered species, historic and cultural sites, and social and economic impacts to local communities
  - Evaluation of environmental processes will include evaluation of potential impacts due to erosion and climate change.
- An evaluation of the short- and long-term impacts on human health and safety associated with normal and accidental releases of radioactivity and non-radiological emissions during the implementation of reasonable Phase 2 alternatives
- Any supplementation to the evaluation of transportation impacts associated with shipping radioactive and non-radioactive waste generated during the reasonable Phase 2 alternatives evaluated in the SEIS
- Use of the NRC’s License Termination Rule as described in the NRC Policy Statement as the framework for evaluating all of the facilities at the Center, including the SDA.
- Any supplementation to the evaluation of potential mitigation measures to minimize impacts to the environment and to human health and safety
- Evaluation of alternatives against 10 CFR Part 61.50 and 61.51, per the Stipulation of Compromise Settlement with the Coalition on West Valley Nuclear Wastes
- Any supplementation to the evaluation of costs associated with each reasonable Phase 2 alternative including costs to mitigate expected impacts
- Any supplementation to evaluation of laws, regulations, and requirements applicable to the proposed action

- Any supplementation to the evaluation of uncertainties in the analysis

The Contractor will utilize information developed in the FEIS, the conceptual engineering design reports completed in C.03.1.4, available site-specific environmental monitoring, radiological inventory data, Phase 1 Studies, other technical studies, and a long-term probabilistic performance assessment to develop the SEIS.

The potential long-term radiological doses associated with the reasonable Phase 2 alternatives will be evaluated by the agencies' PPA contractor during its development of the long-term PPA. The agencies' PPA contractor is currently transitioning the deterministic performance assessment approach used in the FEIS to a probabilistic modeling approach that shall be sufficiently robust to support the development of a long-term PPA for use in the Phase 2 decision making process for the WVDP, WNYNSC, and the SDA. The agencies' PPA contractor will have refined the probabilistic model through multiple iterations of sensitivity analysis and uncertainty analysis to evaluate the relative importance of the model components and the nature and magnitude of uncertainty in the analysis and the extent to which uncertainty may be reduced. A probabilistic model framework is expected to be available by the award of this contract.

The contractor will be required to assist the agencies in planning, holding, and facilitating two public meetings for the cooperating regulatory agencies and interested stakeholders during the public comment period of the draft SEIS. The contractor will be expected to complete the following tasks to support the successful completion of the public meetings including but not limited to:

- Arranging the logistics of the public meetings including the date, time, location, venues, and technical staffing appropriate for the public meetings
- Preparing and submitting notifications for the public meetings to local newspapers and radio and television stations including possibly preparing media kits and conducting media briefings prior to the public meeting
- Preparing all meeting materials including agendas, sign-in sheets, meeting handouts, presentations, and display boards, comment registration forms for public comment submission
- Obtaining the services of a court recorder to prepare transcripts for each of the public meeting minutes
- Assisting the agencies by contributing to technical presentations during the public meetings
- Reviewing, compiling, and categorizing the written and verbal comments received during the public meetings and presenting these to the agencies for consideration

The Contractor will work closely with the agencies' PPA contractor during the development of the long-term PPA and will incorporate the results of the long-term PPA modeling in its preparation of the SEIS. The Contractor may require the agencies' PPA contractor to prepare chapters and/or appendices for inclusion in the SEIS that describe the methodology, component models, and results of the long-term probabilistic PA. The Contractor will work with the agencies' PPA contractor to ensure that the long-term probabilistic PA chapters and appendices are successfully integrated into the SEIS prepared by the Contractor.

The timeframe for completion of C.03.1.5 is to be determined by the contractor and shall allow DOE and NYSERDA to make a Phase 2 decision for the WVDP, WNYNSC, and the SDA by May 12, 2020. Task-specific deliverables for C.03.1.5 include a draft SEIS for agencies review, responses to agencies review comments on the draft SEIS, a draft SEIS for inter-agency review by cooperating agencies [NRC, U.S. Environmental Protection Agency (EPA), New York State Department of Environmental Conservation (NYSDEC) and New York State Department of Health (NYSDOH)], responses to inter-agency review comments on the draft SEIS, a draft SEIS for public review, responses to public review comments on the draft SEIS, and a Final SEIS. Task-specific deliverables will also include all proper supporting documents, files, and analyses including all references used during the preparation of the SEIS in a proper archival format for the agencies' records as required in Section C.03.3 Records Management. The Contractor will develop quarterly interim reports and a final report to detail results of this work.

#### **C.03.1.6 Preparation of Decommissioning Plan(s)**

DOE and NYSERDA committed to develop an integrated Phase 2 decision approach for all facilities at the WVDP and WNYNSC, including the SDA. The contractor shall use the NRC's License Termination Rule (LTR) criteria as prescribed in the NRC February 1, 2002 Policy Statement to evaluate all facilities at the WVDP, WNYNSC, and the SDA. The Contractor will prepare one or more Decommissioning Plan(s) to be submitted to the NRC that:

- Fulfills DOE requirements under the West Valley Demonstration Project Act of 1980 (Public Law 96-368),
- Meets requirements for NYSERDA's potential termination of its NRC 10 CFR Part 50 operating license (CSF-1) should NYSERDA decide to terminate the license

The Decommissioning Plan(s) will describe the planned decommissioning activities to be performed at the WVDP, WNYNSC, and potentially the SDA that are consistent with the agencies' preferred alternative in the SEIS. The Decommissioning Plan(s) will also contain site characterization information, dose modeling that establishes soil cleanup criteria that meet the required NRC license termination criteria, and identify required radiological surveys including

remedial action and final status surveys to be performed at the WVDP, WNYNSC, and potentially the SDA.

The Contractor will ensure that the Decommissioning Plan(s), at a minimum, contain the information identified in Appendix D of NUREG-1757 *Consolidated Decommissioning Guidance*, Vol. 2 Rev. 1, as summarized below.

- Executive Summary
- Facility Operating History
- Facility Description
- Radiological Status of the Facility
- Dose Modeling
- Environmental Information
- ALARA Analysis
- Planned Decommissioning Activities
- Project Management and Organization
- Health and Safety Program
- Environmental Monitoring and Control Program
- Radioactive Waste Management Program
- Quality Assurance Program
- Facility Radiation Surveys
- Financial Assurance
- Restricted Use/Alternate Criteria

The Contractor will be required to participate in the initial public scoping meeting(s) with the NRC, DOE, other regulatory agencies, and the public to discuss the approach and proposed content of the site Decommissioning Plan(s). The Contractor will also be required to status the progress of the development of the site Decommissioning Plan(s) in follow-on public meetings with the NRC, DOE, other regulatory agencies, and the public. The Contractor will prepare a draft Decommissioning Plan(s) that will be capable of meeting the NRC acceptance/completeness review criteria to allow detailed NRC technical review of the Decommissioning Plan(s).

Once the NRC has completed its technical review of the draft Decommissioning Plan(s), the Contractor shall prepare responses to all NRC Requests for Additional Information (RAI) and will revise the Decommissioning Plan(s) accordingly, until the agencies receive approved NRC Technical Evaluation Report(s) (TER) and the equivalent approval documentation for the SDA.

The timeframe for completion of C.03.1.6 is to be determined by the contractor and shall allow DOE and NYSERDA to make a Phase 2 decision for the WVDP, WNYNSC, and the SDA by

May 12, 2020. Task-specific deliverables for C.03.1.6 include submission of draft Decommissioning Plan(s) for agencies technical review, draft Decommissioning Plan(s) for NRC acceptance review and technical review, responses to NRC RAIs, and revised Decommissioning Plan(s) incorporating responses to NRC RAIs that results in the receipt of an approved NRC TER(s), and the equivalent approval documentation for the SDA. Task C.03.1.6 will be considered complete when the agencies receive an approved NRC TER(s), and the equivalent approval documentation for the SDA. Task-specific deliverables will also include all proper supporting documents, files, and analyses including all references used during the preparation of the Decommissioning Plan(s) in a proper archival format for the agencies' records as required in Section C.03.3 Records Management. The Contractor will develop quarterly interim reports and a final report to detail results of this work.

### **C.03.1.7 Preparation of Applications for Permitting or Licensing Modifications for the State-licensed Disposal Area**

The SDA is not licensed by the NRC but is currently regulated by the New York State Department of Environmental Conservation (NYSDEC) under the New York State 6 NYCRR 380 and 6 NYCRR 370 regulations, and by the New York State Department of Health (NYSDOH) which maintains authority over the SDA radioactive materials license.

The Contractor may be required to prepare regulatory documents such as applications for permit or license modifications to NYSDEC and NYSDOH to support NYSERDA's implementation of Phase 2 decision making for the SDA.

The work scope and timeframe for completion of C.03.1.7 is to be determined by the contractor and shall allow DOE and NYSERDA to make a Phase 2 decision for the WVDP, WNYNSC, and the SDA by May 12, 2020. Task-specific deliverables for C.03.1.7 may include preparation and submission of draft permitting and or licensing documents for NYSERDA review, preparation and submission of draft permitting and or licensing documents for NYSDEC/NYSDOH review, and revision of draft permitting and or licensing documents incorporating NYSDEC/NYSDOH review comments. Task C.03.1.7 will be considered complete when NYSERDA receives the required NYSDEC/NYSDOH regulatory approvals. Task-specific deliverables will include all proper supporting documents, files, and analyses including all references used during the preparation of the draft permitting and or licensing documents in a proper archival format NYSERDA's records as required in Section C.03.3 Records Management. The Contractor will develop quarterly interim reports and a final report to detail results of this work.

### **C.03.2 General Deliverables**

All deliverables identified in Section J, Attachment J-X will be provided to the agencies in draft form for agency technical review.

### **C.03.3 Records Management**

The Contractor shall develop and implement a Records Management Program to ensure all records (regardless of media; including, but not limited to electronic records, electronic information systems and email) generated/received in the performance of the Contract, are managed in accordance with 44 U.S.C. 21; 44 U.S.C. 29; 44 U.S.C. 31; 44 U.S.C. 33; 44 U.S.C. 36; 36 CFR Chapter XII, Subchapter B, “*Records Management*”; DOE O 243.1B, “*Records Management Program*”, and any other DOE requirements as directed by the CO. The Contractor shall be responsible for records management in support of its operation and shall generate two (2) sets of records, one of which will be turned over to DOE and the other to NYSERDA at contract completion. All records subject to the management of the Contractor are to be inventoried, scheduled and dispositioned in accordance with Federal laws, regulations, DOE Directives and an approved Records Management Plan. The Records Management Plan (see Section J, Attachment J-X, List of Deliverables) shall be submitted to the DOE and NYSERDA for approval within 60 days of the NTP, and updated thereafter when changes occur.

Except for those defined as contractor-owned (in accordance with DEAR 970.5204-3, “*Access to and Ownership of Records*” see Section I), all records (see 44 U.S.C. 3301 for statutory definition of a record) acquired or generated by the Contractor (and subcontractors) in the performance of this Contract shall be the property of the Government.

The Contractor shall develop and implement recordkeeping requirements that reflect adequate and proper documentation of all Contractor (and subcontractor) records generated and received (regardless of media) by Federal regulations found in 36 CFR, Subchapter 12, *Records Management*.

The Contractor shall develop and maintain up-to-date inventories, file plan and systems that provide for the identification (DOE Records Disposition Schedule title and description), location, cutoff, arrangement, and disposition authority, for all Government-owned and Contractor-owned records created and received (See Section J, Attachment J-X\_ List of Deliverables).

The Contractor shall maintain a NEPA Administrative Record in accordance with DOE and SEQRA requirements. The AR is a compilation of all documents that are considered or relied on when decisions are made. Records or materials that are typically part of the project record and that have been identified for inclusion in the AR shall be duplicated in their entirety for both the project or subject record and the AR.

The Contractor shall develop and implement a Records Disposition Plan, which shall include processing records to storage, turnover to DOE and NYSERDA at contract completion or the records destruction process (See Section J, Attachment J-3, List of Deliverables). The Contractor shall disposition all records in accordance with NARA-approved DOE Records Disposition Schedules and applicable federal laws and regulations. The plan shall include a destruction certificate that requires DOE Records Management Field Officer (RMFO) DOE Legal and NYSERDA approvals prior to the destruction (DOE can provide example) of any records. This includes any contractor-owned records eligible for destruction prior to contract completion.

#### **C.03.4 Communication and Outreach Support**

The Contractor will be required to interact with the agencies, cooperating agencies, the PPA contractor, and organizations involved in scientific data collection activities at the WVDP, WNYNSC, and the SDA. The Contractor will be required to assist and support the agencies during meetings with the regulatory agencies and with the public (including the Citizen Task Force, Quarterly Public Meetings, environmental groups, and other interested parties) to discuss the progress and results of the work scope identified in this PWS.

The Contractor shall support the agencies in outreach and response to elected officials, stakeholders, regulators, and Tribal entities. Such support shall include, but shall not be limited to, preparation for briefings, public presentations, and search, review, and reproduction of documents and records.

#### **C.03.4 Travel**

Travel to the WVDP site in West Valley, New York will be necessary for Contractor personnel to conduct some elements of the scope of work for this contract. In addition, the Contractor will travel to West Valley to participate in meetings with the agencies, regulators, and members of the public, to discuss the project progress under this contract. Contractor travel required during performance of this contract is subject to approval by the Contracting Officers. Travel, lodging and per diem to the WVDP site is authorized in accordance with the Federal Travel Regulations. The Contractor shall support the development of an annual travel budget and track expenses throughout the year.

#### **C.03.5 Citizenship and Credential Requirements**

Individuals assigned to this contract shall be United States citizens or United States legal permanent residents with the appropriate work authorization. Any non-citizen or non-legal permanent resident is prohibited from working under this contract without prior Department of Energy approval,

including those individuals previously approved under any other federal contract. Individuals must provide proof of United States citizenship and/or legal work status.

Individuals working under this contract for a period of 6 months or greater, or as directed by the Department of Energy West Valley Demonstration Project, are required to comply with Homeland Security Presidential Directive 12: Policy for a Common Identification Standard for Federal Employees and Contractors (HSPD-12). Individuals must complete and submit the necessary documentation to be sponsored and enrolled in the USAccess System and successfully pass a background investigation to be issued a federal HSPD-12 credential.

### **C.03.6 Training**

Individuals working under this contract that are anticipated to be on site [West Valley Demonstration Project (WVDP) and/or Ashford Office Complex (AOC)] for a total 2 weeks (80 hours) or more (in any combination) are required to complete General Employee Training (GET) which is computer based training that should take 3 hours to complete including a pre-test review offered by the site prime contractor.

### **C.03.7 Security and Emergency Response**

While at the WVDP, WNYNSC, SDA, or AOC, individuals working under this contract shall comply with ALL established security and emergency response requirements and actions. Additionally, the Contractor shall comply with DOE Order 471.3, Identifying and Protecting Official Use Only Information and DOE Manual 471.3-1, Manual for Identifying and Protecting Official Use Only Information.

### **C.03.8 Information Assurance**

The Contractor shall submit its Corporate Cyber Security Plan for agency review and approval in accordance with Section J Attachment J-X, Deliverables.