

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

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## **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) and statistical decision analysis of Phase 2 options 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 NYSERDA's potential termination of its NRC 10 CFR Part 50 operating license (CSF-1) should NYSERDA 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 NYSERDA's Phase 2 decision for the SDA.

DOE and NYSERDA (the agencies) intend to conduct this work jointly, using a tripartite contract structure and sharing in oversight and cost of the work.

## **C.02 BACKGROUND**

In 2010, DOE and NYSERDA selected the Phased Decision-making Alternative as the preferred alternative for the WVDP, the WNYNSC, and the SDA. The Phased Decision-making 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 Decision-making 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 that includes 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) and statistical decision analysis of Phase 2 options 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 and statistical decision analysis 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 facilities, services, materials, supplies, equipment, and travel required in connection with this performance work statement (PWS) except as expressly set forth in this contract as furnished by the Government. 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. The Contractor shall involve both DOE and NYSERDA in all communications conducted as part of this work.

### **C.03.1 Phase 2 Decision-making for the WVDP and WNYNSC**

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

#### **C.03.1.1 Phase 2 Decision-making Schedule for the WVDP, WNYNSC, and SDA**

The Contractor shall develop a detailed project management schedule that integrates 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 Contractor's 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:

- SEIS scoping activities
- Development of reasonable 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 shall work with both of the agencies as required to identify when technical inputs, analyses, data, etc. used to address issues identified in *“The View of the New York State Energy Research and Development Authority on the Final Environmental Impact Statement for Decommissioning and/or Long-Term Stewardship at the West Valley Demonstration Project and*

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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.

*Western New York Nuclear Service Center*<sup>2</sup> (NYSERDA View) are needed in the SEIS preparation process. The NYSERDA View is found in the forward to the FEIS.

The Contractor shall submit a draft schedule for DOE and NYSERDA review and comment within 30 calendar days of the effective date of the contract. The Contractor shall submit a final integrated Phase 2 Decision Making Schedule for the WVDP, WNYNSC, and the SDA within 30 calendar days 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 shall coordinate 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 shall assist the agencies in completing the following tasks, which include, but are not limited to:

- Scoping of Phase 2 alternatives with DOE, NYSERDA, and the agencies' PPA contractor as described in C.03.1.3
- 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 as stated in the NOI. The contractor shall 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, display boards, and 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

As described in Section J-2 Deliverables, the contractor will develop and submit to the agencies for approval:

- the Notice of Intent (NOI) to prepare the Phase 2 SEIS for the WVDP, WNYNSC, and the SDA to submit to the Federal Register, and the State Environmental Notice Bulletin
- Meeting materials and transcripts for each of the public meeting minutes.

The timeframe for completion of C.03.1.2 is to be determined by the contractor and the Contractor shall allow DOE and NYSERDA to make a Phase 2 decision for the WVDP, WNYNSC, and the SDA by May 12, 2020. The Contractor shall describe the details of this work in the quarterly interim reports and in the final report.

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

The Contractor shall coordinate with the agencies and the agencies' PPA contractor to develop reasonable Phase 2 alternatives, including, but not limited to, modifications to the existing Site wide Close-In-Place Alternative, Site wide Removal Alternative, and No Action Alternative identified in the FEIS, 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 and perform a statistical decision analysis of 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, shall be evaluated by the Contractor against the NRC License Termination Criteria (10 CFR 20, Subpart E) as prescribed in the February 1, 2002 NRC Final Policy Statement for the WVDP (67 FR 5003).

The Contractor shall evaluate the impacts of the reasonable Phase 2 alternatives during its preparation of the SEIS as described in Section C.03.1.5.

As described in Section J-2 Deliverables, the contractor will develop and submit to the agencies for approval:

- A draft report detailing the results of the development of Phase 2 alternatives to be evaluated in the SEIS
- A final Phase 2 Alternative report to detail results of this within work within 30 days of receipt of final comments from DOE and NYSERDA

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 shall describe the details of this work in the quarterly interim reports and in the final report.

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

The Contractor shall prepare conceptual engineering design reports that shall serve as data inputs to the analysis to be performed in the SEIS 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 shall describe a potential engineering approach to be implemented for each proposed Phase 2 alternative at the WVDP, WNYNSC, and the SDA in these conceptual engineering reports. 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, Attachment J-2, Deliverables. The Contractor shall provide in each report a detailed estimate of the resources and materials required

to complete the alternative at the WVDP, WNYNSC, and the SDA and shall also provide detailed estimates of the environmental releases associated with each alternative. The Contractor shall document all components of the engineering reports, 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 shall 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 shall describe the details of this work in the quarterly interim reports and in the final report.

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

The Contractor shall 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 Contractor shall include in the SEIS an evaluation of 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, 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. Preparation of the SEIS shall utilize information from the conceptual engineering design reports prepared in Section C.03.1.4.

The Contractor shall include, but not be limited to, the following items in the SEIS:

- 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, but not limited to:
  - 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 shall 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 shall 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, the long-term probabilistic performance assessment, and the statistical decision analysis of Phase 2 options 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 agencies' 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 within 9 months of the award of this contract. The PPA contractor will also prepare a statistical decision analysis to assist the agencies with the evaluation of Phase 2 closure and/or long term monitoring and maintenance options for those facilities remaining at the WVDP and WNYNSC after Phase 1 decommissioning.

The Contractor shall 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 shall 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, display boards, and 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 shall coordinate with the agencies' PPA contractor during the development of the long-term PPA and shall incorporate the results of the long-term PPA modeling and statistical decision analysis of Phase 2 options in its preparation of the SEIS. The Contractor shall coordinate with 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 PPA and statistical decision analysis of Phase 2 options. The Contractor shall coordinate with the agencies' PPA contractor to ensure that the PPA Contractor's chapters and appendices are successfully integrated into the SEIS. The Contractor shall involve DOE and NYSERDA in all coordination with the PPA 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 DOE and NYSERDA review, responses to DOE and NYSERDA 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 shall also include all required notifications, 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 shall 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 utilize the NRC's License Termination Rule (LTR) criteria as prescribed in the February 1, 2002 NRC Final Policy Statement for the WVDP (67 FR 5003) to evaluate all facilities at the WVDP, WNYNSC, and the SDA. The Contractor shall 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 Contractor shall develop Decommissioning Plan(s) that 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 Contractor shall include in the Decommissioning Plan(s) site characterization information and dose modeling that establishes soil cleanup criteria that meet the required NRC license termination criteria and it will identify required radiological surveys including remedial action and final status surveys to be performed at the WVDP, WNYNSC, and potentially the SDA.

The Contractor shall 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 shall 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 shall 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 shall prepare a draft Decommissioning Plan(s) that shall 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 shall 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 Contractor shall prepare supporting documents for the Decommissioning Plan(s) such as radiological characterization survey plans and final status survey plans prepared consistent with the requirements of NUREG-1575 Multi-Agency Radiation Survey and Site Investigation Manual (MARSSIM).

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 and final decommissioning plan checklists for DOE and NYSERDA technical review and approval, draft

Decommissioning Plan(s) for DOE and NYSERDA technical review, responses to DOE and NYSERDA review comments on the draft Decommissioning Plan(s), 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 shall 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 shall 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 shall 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 and DOE review, responses to NYSERDA and DOE review comments, 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 shall 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 for NYSERDA's records as required in Section C.03.3 Records Management. The Contractor shall develop quarterly interim reports and a final report to detail results of this work.

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

The Contractor shall provide all deliverables identified in Section J, Attachment J-2 in draft form for the agencies 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 perform records management in support of its operation and shall generate two (2) sets of records, one of which shall be turned over to DOE and the other to NYSERDA at contract completion. The Contractor shall inventory, schedule and disposition all records in accordance with Federal laws, regulations, DOE Directives and an approved Records Management Plan. The Contractor shall submit the Records Management Plan (see Section J, Attachment J-2, Deliverables) to the DOE and NYSERDA for approval within 60 calendar days of the contract effective date and re-submit for approval thereafter when changes occur.

Except for those defined as contractor-owned, 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 both DOE and NYSERDA.

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, The Contractor shall maintain a NEPA Administrative Record (AR) 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-2, 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 shall 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 shall 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 including, but not limited to, preparation for briefings, public presentations, and search, review, and reproduction of documents and records.

#### **C.03.5           Travel**

Travel to the WVDP site or the Ashford Office Complex (AOC) in West Valley, New York may be necessary for Contractor personnel to conduct some elements of the scope of work for this contract. In addition, the Contractor shall 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 Officer. Travel, lodging and per diem to West Valley 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.03.6           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 Contracting Officer 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.03.7 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) in one calendar year 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.03.8 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.03.9 Information Assurance**

The Contractor shall develop an Information System Security Plan that defines the Contractor's cyber system components, operational boundaries, and roles and responsibilities for managing the system. The plan shall be submitted for agency review and approval in accordance with Section J Attachment J-2, Deliverables. A template for the Information System Security Plan is provided as Section J Attachment J-2, Information System Security Plan.