

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT		1. CONTRACT ID CODE	PAGE OF PAGES 1 8
2. AMENDMENT/MODIFICATION NO. 599	3. EFFECTIVE DATE See Block 16C	4. REQUISITION/PURCHASE REQ. NO. 12EE006706	5. PROJECT NO. (If applicable)
6. ISSUED BY Golden Field Office U.S. Department of Energy Golden Field Office 1617 Cole Blvd. Golden CO 80401-3393	CODE 03601	7. ADMINISTERED BY (If other than Item 6) Golden Field Office U.S. Department of Energy Golden Field Office 1617 Cole Blvd. Golden CO 80401-3393	CODE 03601
8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code) ALLIANCE FOR SUSTAINABLE ENERGY, LLC Attn: RONALD D. TOWNSEND 1617 COLE BLVD. MS 1715 GOLDEN CO 804013393		(X) 9A. AMENDMENT OF SOLICITATION NO.	9B. DATED (SEE ITEM 11)
CODE 805948051 FACILITY CODE		X 10A. MODIFICATION OF CONTRACT/ORDER NO. DE-AC36-08GO28308	10B. DATED (SEE ITEM 13) 07/29/2008

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)

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) Clause I.149 970.5243-1 Changes (Dec. 2000)

E. IMPORTANT: Contractor is not, is required to sign this document and return 1 copies to the issuing office.

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

DUNS Number: 805948051

Administrative modification 599 provides the following significant revisions to Contract #DE-AC36-08GO28308:

Reason for Modification : Other Administrative Action
 Total Amount for this Modification: \$0.00
 New Total Amount for this Version: \$0.00
 New Total Amount for this Award: \$2,183,244,623.06

I. Deletes and replaces Section J, Attachment E, Applicable Laws and Regulations (List A)

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) Steven A. Silbergleid Interim Deputy Chief Operating Officer	15B. CONTRACTOR/OFFEROR Steven Silbergleid (Signature of person authorized to sign)	15C. DATE SIGNED 9/28/12	16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) Jean M. Siekerka	16B. UNITED STATES OF AMERICA Signature on File (Signature of Contracting Officer)	16C. DATE SIGNED 09/27/2012
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CONTINUATION SHEET

REFERENCE NO. OF DOCUMENT BEING CONTINUED
DE-AC36-08GO28308/599

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NAME OF OFFEROR OR CONTRACTOR
ALLIANCE FOR SUSTAINABLE ENERGY, LLC

ITEM NO. (A)	SUPPLIES/SERVICES (B)	QUANTITY (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)
10018	<p>II. Modification 574 SF 30 FY2012 Performance Evaluation And Measurement Plan date is corrected from July 25, 2012 to July 27, 2012</p> <p>III. Incorporates Section J, Attachment J, FY2013 Performance Evaluation And Measurement Plan dated September 1, 2012</p> <p>IV. Incorporates Section J, Attachment O, FY2013 Commercialization Plan dated September 1, 2012</p> <p>V. Incorporates Section J, Attachment P, FY2013 Five-Year Plan dated September 1, 2012</p> <p>This Contract is to operate and manage the National Renewable Energy Laboratory.</p> <p>Delivery: 05/02/2011 Delivery Location Code: 03601 Golden Field Office U.S. Department of Energy Golden Field Office 1617 Cole Blvd. Golden CO 80401-3393</p> <p>Mark For: Golden Field Office U.S. Department of Energy Golden Field Office 1617 Cole Blvd. Golden CO 80401-3393</p> <p>FOB: Destination Period of Performance: 07/29/2008 to 09/30/2013</p> <p>Add Item 10018 as follows:</p> <p>Administrative Modification - Modifying Contract Clauses Obligated Amount: \$0.00</p>				0.00

September 27, 2012

VIA STRIPES

The Office of Chief Operating Officer
National Renewable Energy Laboratory (NREL)
15013 Denver West Parkway
Golden, CO 80401

SUBJECT: Contract No. DE-AC36-08GO28308-- Modification No. 599

To Whom it May Concern:

Subject Modification is hereby submitted for your review and execution. The purpose of this Modification is to:

- I. Deletes and replaces Section J, Attachment E, Applicable Laws and Regulations (List A)
- II. Modification 574 SF 30 FY2012 Performance Evaluation And Measurement Plan date is corrected from July 25, 2012 to July 27, 2012
- III. Incorporates as Section J, Attachment J, FY2013 Performance Evaluation And Measurement Plan dated September 1, 2012
- IV. Incorporates as Section J, Attachment O, FY2013 Commercialization Plan dated September 1, 2012
- V. Incorporates as Section J, Attachment P, FY2013 Five-Year Plan dated September 1, 2012

Please return one signed copy of the Modification to the Golden Field Office, attention Jessica Finley, by close-of-business, **October 4, 2012**.

If you have questions regarding this modification, please contact me at 720-356-1778.

Sincerely,

Jean M. Siekerka
Contracting Officer

This Modification incorporates the following significant changes to contract DE-AC36-08GO28308:

- I. Section J, Attachment E, Applicable Laws and Regulations (List A) is hereby deleted and replaced as follows

Attachment E
Applicable Laws And Regulations (List A)

**Necessary and Sufficient Environmental,
Safety and Health Standards**
Revised: 09/13/2012

CODE OF FEDERAL REGULATIONS (CFR)
7 CFR 340-Biotechnology Permits
10 CFR 8.4 - Interpretation by the General Counsel: AEC Jurisdiction
10 CFR 707 Workplace Substance Abuse Programs at DOE Sites
10 CFR 835 - Occupational Radiation Protection
10 CFR 851 - Worker Safety and Health Program
10 CFR 1008 Records Maintained on Individuals (Privacy Act)
10 CFR Part 1022 Department of Energy Floodplain and Wetland Regulations
10 CFR 1046.11 Medical and Physical Fitness Qualification Standards
14 CFR 77; Objects Affecting Navigable Airspace
27 CFR Part 19; Distilled Spirits Plants
27 CFR Part 22; Distribution and Use of Tax-Free Alcohol
33 CFR 320 - General Regulatory Policies
33 CFR 323 - Permits for Discharges of Dredged or Fill Material into Waters of the United States
33 CFR 325 - Processing of Department of the Army Permits
33 CFR 328 - Definition of Waters of the United States
33 CFR 330 - Nationwide Permits
36 CFR 63 - Determination of Eligibility for Inclusion in the National Register of Historic Places
36 CFR 65 - National Historic Landmarks Program
36 CFR 78 - Waiver of Federal agency responsibilities under section 110 of the National Historic Preservation Act
36 CFR 79 - Curation of Federally-Owned and Administered Archaeological Collections.
36 CFR 800 - Protection of Historic and Cultural Properties
40 CFR 50 - National Primary and Secondary Ambient Air Quality Standards

40 CFR Parts 51, 52, 70, and 71 – Prevention of Significant Deterioration and Title V Greenhouse Gas Tailoring Rule
40 CFR 60 – Standards of Performance for New Stationary Sources
40 CFR 61- National Emission Standards for Hazardous Air Pollutants
40 CFR 66 - Assessment and Collection of Noncompliance Penalties by EPA
40 CFR 79 - Registration of Fuels and Fuel Additives
40 CFR 82 - Protection of Stratospheric Ozone
40 CFR Parts 86, 87, 89, 90, 94, 98, 1033, 1039, 1042, 1045, 1051, 1054, and 1065 - Mandatory Reporting of Greenhouse Gas
40 CFR 88 - Clean-Fuel Vehicles
40 CFR 110 - Discharge of Oil
40 CFR 112 - Oil Pollution Prevention
40 CFR 113 - Liability Limits for Small Onshore Storage Facilities
40 CFR 116 - Designation of Hazardous Substances
40 CFR 117 - Determination of Reportable Quantities for Hazardous Substances
40 CFR 122 - EPA Administered Permit Programs: The National Pollutant Discharge Elimination System (NPDES)
40 CFR 131 - Water Quality Standards
40 CFR 141 - National Primary Drinking Water Regulations
40 CFR 142 - National Primary Drinking Water Regulations Implementation
40 CFR 166 - Exemption of Federal and State Agencies for use of Pesticides under Emergency Conditions
40 CFR 171 - Certification of Pesticide Applicators
40 CFR 260-270 - Resource Conservation and Recovery Act (RCRA)
40 CFR 273 - Standards for Universal Waste Management
40 CFR 279 - Standards for the Management of Used Oil
40 CFR 302 - Designation, Reportable Quantities, and Notification (CERCLA)
40 CFR 355 - Emergency Planning and Notification (CERCLA)
40 CFR 370 - Hazardous Chemical Reporting: Community Right -To-Know
40 CFR 401 - General Provisions - Effluent Guideline and Standards
40 CFR 403 - General Pretreatment Regulations for Existing and New Sources of Pollution
40 CFR Parts 1500-1508 – Council on Environmental Quality Regulations for Implementing NEPA
48 CFR 970.5223 – Integration of Environment, Safety and Health into Work Planning and Execution
49 CFR 107-199 - Transportation - Hazardous Materials Regulations
49 CFR 382-399 - Transportation - Federal Motor Carrier Safety Regulations
50 CFR 17 - Endangered and Threatened Wildlife and Plants
50 CFR 402 - Interagency Cooperation - Endangered Species Act of 1973
50 CFR 450 - General Provisions - Endangered Species Exemption Process
50 CFR 451 - Application Process

UNITED STATES CODE (USC)

7 USC 136 et seq. - Environmental Pesticide Control Act

7 USC 136 et seq. - Federal Insecticide, Fungicide, and Rodenticide Act

7 USC 7701 Plant Protection Act 2000 (as amended by the Noxious Weed Control and Eradication Act 2004)

7 USC 2814 – Federal Noxious Weed Act of 1974 as amended

16 USC 431 et seq. - Antiquities Act of 1906

16 USC 470 et seq. - Archaeological Resources Protection Act of 1979 (ARPA)

16 USC 470 et seq. - National Historic Preservation Act of 1966 (NHPA)

16 USC 661 et seq. - Fish and Wildlife Coordination Act

16 USC 668 et seq. - Bald and Golden Eagle Protection Act

16 USC 703 et seq. - Migratory Bird Treaty Act

16 USC 1531 et seq. - Endangered Species Act of 1973

26 USC Chapter 51; Distilled Spirits, Wines, and Beer

33 USC 403 – Rivers and Harbors Act

33 USC 1251, et seq. - Clean Water Act

33 USC 1321 - Oil and Hazardous Substances Liability (Clean Water Act, Section 311)

42 USC Sec. 300f et seq. - Safe Drinking Water Act, and 42 USC 201 - Safe Drinking Water Act Amendments of 1996

42 USC 4321-4347 The National Environmental Policy Act of 1969, as amended

42 USC 6901 et seq. - Resource Conservation and Recovery Act (RCRA)

42 USC 7401 et seq. - Clean Air Act & Amendments

42 USC 9602 - CERCLA, Title I, Section 102 - Reportable Quantities and Additional Designations

42 USC 9603 - CERCLA, Title I, Section 103 - Notices, Penalties

42 USC 11000-11050 - Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA)

42 USC 13101-13109 - Pollution Prevention Act of 1990

42 USC 17094 Sec 438 – Storm Water Runoff Requirements for Federal Development Projects

EXECUTIVE ORDER (EO)

EO 11593 - Protection and Enhancement of Cultural Environment 1971

EO 12114 - Environmental Effects Abroad of Major Federal Actions

EO 12898 - Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations

EO 13112 - Invasive Species 1999

EO 13186 - Responsibilities of Federal Agencies to Protect Migratory Birds

EO 13423 – Strengthening Federal Environmental, Energy, and Transportation Management

EO 13514 – Federal Leadership in Environmental, Energy, and Economic Performance

CODE OF COLORADO REGULATIONS (CCR)

2 CCR 402-2 - Water Well Construction

2 CCR 402-4 - Rules for Small Capacity Well Permits in Designated Ground Water Basins

2 CCR 402-10 – Geothermal Walls
2 CCR 406-8 Chapter 10, Article 2 and 3 - Non-Game Wildlife
5 CCR 1001. 1-20 - Colorado Department of Public Health & Environment, Air Quality Control Commission Regulations
5 CCR 1002-31 - Basic Standards and Methodologies for Surface Water
5 CCR 1002-41 - The Basic Standards for Groundwater
5 CCR 1002-42 - Site-Specific Water Quality Classifications and Standards for Ground Water (Rocky Flats Area)
5 CCR 1002-61 - Colorado Discharge Permit System Regulations
5 CCR 1002-62 - Regulations for Effluent Limits
5 CCR 1002-63 - Pretreatment Regulations
5 CCR 1002-65 - Regulations Controlling Discharges to Storm Sewers
5 CCR 1003 -1 - Primary Drinking Water Regulations
5 CCR 1003-6 - Guidelines on Individual Sewage Disposal Systems
6 CCR 1007-1, Part 2 - Registration of Radiation Producing Machines
6 CCR 1007-1, Part 4 – Standards for Protection Against Retaliation, Sections 4.33-4.38 Waste Disposal Requirements
6 CCR 1007-1, Part 8 - Radiation Safety Requirements for Analytical X-Ray Equipment
6 CCR 1007-1, Part 17 - Transportation of Radioactive Material
6 CCR 1007-3, Colorado Hazardous Waste Regulations
7 CCR 1101-5, Colorado Boiler and Pressure Vessel Rule
7 CCR 1101-8, Conveyance Regulations
7 CCR 1101-14 – Underground Storage Tanks and Aboveground Storage Tanks
8 CCR 1507-1 – Minimum Standards for the Operation of Commercial Vehicles
8 CCR 1507-25 – Rules and Regulations Concerning the Permitting, Routing & Transportation of Hazardous and Nuclear Materials and the Intrastate Transportation of Agricultural Products in the State of Colorado
COLORADO REVISED STATUTES (CRS)
8 CRS 20.5, Parts 1-3 - Petroleum Storage Tanks
9 CRS 4 – Boiler Inspection
25 CRS 7 - Air Quality Control
25 CRS 8 - Colorado Water Quality Control Act
25 CRS 10 - Individual Sewage Disposal Systems Act
25 CRS 15, Part 1, Part 3 - State Hazardous Waste Management Program
25 CRS 15, Part 1, Part 4 - Infectious Waste
29 CRS 22 - Hazardous Substances Incidents
33 CRS 2 - Nongame and Endangered Species Conservation
33 CRS 6 - Law Enforcement and Penalties
33 CRS 6-109 – Wildlife – Illegal possession

33 CRS 6-128 – Wildlife – Damage or destruction of dens or nests – harassment of wildlife
35 CRS 5 - Pest Control Districts
35 CRS 5.5 - Colorado Weed Management Act
35 CRS 9 - Pesticide Act
35 CRS 10 - Pesticide Applicators Act
37 CRS 90 - 101, et seq. - Colorado Ground Water Management Act
INTERNATIONAL CONFERENCE OF BUILDING OFFICIALS
International Building Code (IBC) 2009
International Fire Code (IFC) 2009
INTERNATIONAL STANDARDS ORGANIZATION (ISO), OCCUPATIONAL HEALTH AND SAFETY ASSESSMENT SERIES (OHSAS)
ISO 14001:2004, Environmental Management Systems
OHSAS 18001, Health and Management Systems
OTHER LOCAL STANDARDS
Jefferson County Dept. of Health and Environment, Individual Sewage Disposal Sys. Reg.
Jefferson County Planning and Zoning Land Development Regulation, Section 18 (Drainage) and Section 20 (Floodplain) [Note: applies to offsite locations only.]
Jefferson County Planning and Zoning Storm Drainage and Technical Criteria [Note: applies to offsite locations only.]
Metropolitan Wastewater Reclamation District Rules and Regulations
Pleasant View Water and Sanitation District Rules and Regulations
West Metro Fire Rescue Amendments to the International Fire Code
West Metro Fire Protection District Hazardous Materials Regulations
Denver Fire Department Hazardous Material Regulations

- II.** The SF 30 for Modification 574 incorrectly identified the FY2012 Performance Evaluation And Measurement Plan (PEMP) date as July 25, 2012. This modification corrects the date to July 27, 2012 as indicated on the PEMP.
- III.** The FY2013 Performance Evaluation And Measurement Plan dated September 1, 2012 is hereby incorporated as Section J, Attachment J.
- IV.** The FY2013 Commercialization Plan dated September 1, 2012 is hereby incorporated as Section J, Attachment O
- V.** The FY2013 Five-Year Plan dated September 1, 2012 is hereby incorporated as Section J, Attachment P
- VI.** By bilateral signature of this modification the Parties agree to continue good faith negotiations of a final FY2013 Five-Year Plan and FY2013 Annual Plan and Performance Evaluation And Measurement Plan. The final planning documents will be incorporated upon completion of these negotiations. This process should be

completed shortly but in no case will it extend beyond December 1, 2012. Should the Parties be unable to reach an agreement regarding the FY2013 Goals, Objectives and Targets as defined in the PEMP the Government retains the right to unilaterally establish these Goals, Objectives and Targets.

VII. All other terms and conditions of the contract remain the same.