

**MEMORANDUM OF UNDERSTANDING**  
**BETWEEN**  
**SHERIFF'S OFFICE, CARSON COUNTY, TEXAS**  
**AND**  
**THE UNITED STATES DEPARTMENT OF ENERGY**  
**NATIONAL NUCLEAR SECURITY ADMINISTRATION**  
**DE-GM04-94AL94714 (2008 EXTENSION)**

This Memorandum of Understanding (hereinafter called "MOU") is between the Sheriff's Office, Carson County, Texas and the United States of America, acting through the Pantex Site Office, United States Department of Energy, National Nuclear Security Administration (hereinafter called "DOE/NNSA" or "PANTEX").

**I. INTRODUCTION**

- A. **BACKGROUND.** Both parties have a mutual interest and responsibility for the planning, preparedness and response to protect people, property and the environment and to minimize the consequences of emergencies.
- B. **PURPOSE.** The purpose of this MOU is to recognize the need for cooperation in securing incident scenes, safety or security, and protecting personnel on the state and county roads when a joint Carson County/Pantex response to such an incident occurs.
- C. **AUTHORITY**
1. **DOE/NNSA.** The DOE/NNSA's authority for entering into this MOU is Section 161 (f) of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2201(f), and Section 646(a) of the Department of Energy Organization Act (42 U.S.C. 7256(a)).
  2. **SHERIFF'S OFFICE, CARSON COUNTY, TEXAS.** The authorities for Sheriff's Office, Carson County, Texas entering into this MOU are:
    - a. Carson County Court Order, April 4, 1961.
    - b. Texas Disaster Act of 1975, 64<sup>th</sup> Legislature, Article 6889-7, Vernon's Texas Civil Statutes, as amended.
    - c. Executive Order of the Governor.
    - d. Federal Civil Defense Act of 1950, as amended, (Public Law 920, 81 U.S. Congress).

- e. Disaster Relief Act of 1974, as amended. (Public Law 93-288, 93<sup>rd</sup> U.S. Congress).

## II. MANAGEMENT AND PROGRAM GUIDELINES

### A. MANAGEMENT AND REVIEW

#### I. Responsibilities

- a. In the event of an incident on the roads near the Pantex Plant where site personnel respond, the Pantex Security Force will dispatch a Lieutenant and a measured security police officer response to assist local law enforcement. The security personnel will report to and assist the local law enforcement on scene commander as requested.
- b. In the event of an emergency at Pantex Plant, the Sheriff's Office of Carson County, Texas agrees to cooperate with DOE/NNSA when possible to respond to various security incidents.

Examples of local law enforcement support include, but are not limited to:

- pursuit of suspects fleeing from the Pantex Plant
  - arrest of personnel as required by federal or state law
  - demonstrations
- c. The DOE/NNSA will make available, within mission constraints, certain equipment to the Sheriff's Office of Carson County, Texas. A separate loan agreement will specify types and describe available equipment. All such equipment shall remain the property of the DOE/NNSA to be inventoried annually.
  - d. Each party waives all claims against the other party for compensation for any loss, damage, personal injury or death occurring as a consequence in the performance of this agreement.
  - e. Primary Carson County Number: 537-3511  
Alternate Carson County Number: 537-2200  
Primary Pantex Number: 477-3927  
Alternate Pantex Number: 477-5000

2. Review and Implementation. This MOU will be implemented on behalf of DOE/NNSA by the Manager, Pantex Site Office. Implementation on behalf of the Sheriff's Office, Carson County, Texas will be by the Sheriff of Carson County. This MOU will be reviewed annually.

B. GUIDELINES

1. Plans and Procedures. Both parties will develop any plans or procedures deemed necessary to execute this MOU. Such plans will specify the coordination interfaces between the Sheriff of Carson County and Pantex, and will include, but not be limited to, the assigned responsibilities within each organization, together with a description of its response resources and capabilities.
2. Exercises, Drills, and Training. Both parties will support and participate in joint exercises, drills, and training sessions as deemed necessary to:
  - a. develop and maintain a high state of readiness for coordinated response to situations that are of mutual concern and
  - b. exercise communication systems.

- C. PROGRAM FUNDING. This MOU shall not be used to obligate or commit funds or as the basis for the transfer of funds.

III. ADMINISTRATION

- A. PUBLIC INFORMATION COORDINATION. Subject to the Freedom of Information Act (5 U.S.C. 552), decisions on disclosure of information to the public regarding projects and programs referenced in this MOU shall be made by DOE/NNSA following consultation with the Sheriff's Office of Carson County, Texas and/or its representatives.
- B. SECURITY. Nothing in this MOU authorizes access to or disclosure of classified information required to be protected in accordance with Federal law or regulation in the interest of national security. The Sheriff's Office of Carson County, Texas agrees to comply with, and to assure that all of its personnel participating in any exercises hereunder at Pantex comply with all applicable security regulations and requirements of the DOE/NNSA pertaining to their conduct while on Pantex Property.
- C. AMENDMENT AND TERMINATION. This MOU may be amended by written agreement between DOE/NNSA and the Sheriff's Office of

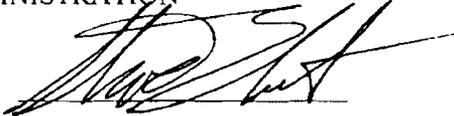
Carson County, Texas or by either party upon 90-day written notice to the other party.

- D. EFFECTIVE DATE. This MOU shall become effective upon the latter date of signature of the parties. It shall remain in effect for a 5-year term from the effective date.

IN WITNESS THEREOF, the parties hereto have executed this Memorandum of Understanding on the respective dates indicated.

UNITED STATES OF AMERICA  
U.S. DEPARTMENT OF ENERGY,  
NATIONAL NUCLEAR SECURITY  
ADMINISTRATION

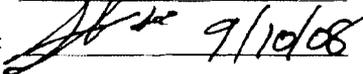
CARSON COUNTY SHERIFF'S OFFICE  
CARSON COUNTY, TEXAS

BY:   
\_\_\_\_\_  
Steven C. Erhart

BY:   
\_\_\_\_\_  
Tam Terry

TITLE: Manager, PXSO

TITLE: Sheriff, Carson County

DATE:  9/10/08

DATE: 8/19/08

Annual Review Date: \_\_\_\_\_

Pantex Carson Co.  
BY: \_\_\_\_\_ BY: \_\_\_\_\_

Annual Review Date: \_\_\_\_\_

Pantex Carson Co.  
BY: \_\_\_\_\_ BY: \_\_\_\_\_

Annual Review Date: \_\_\_\_\_

Pantex Carson Co.  
BY: \_\_\_\_\_ BY: \_\_\_\_\_

Annual Review Date: \_\_\_\_\_

Pantex Carson Co.  
BY: \_\_\_\_\_ BY: \_\_\_\_\_

NNSA PXSO/SHERIFF'S OFFICE, CARSON COUNTY, TEXAS  
 MEMORANDUM OF UNDERSTANDING  
 FOR MUTUAL ASSISTANCE

AGREEMENT	MAIN PROVISIONS	ACTIVITIES
	<ol style="list-style-type: none"> <li data-bbox="597 604 948 758">1. Both parties will develop joint emergency response procedures in areas of mutual interest as deemed necessary.</li> <li data-bbox="597 793 948 919">2. Both parties will conduct and participate in joint training exercises as deemed necessary.</li> <li data-bbox="597 955 964 1178">3. NNSA PXSO will place on loan to the Sheriff's Office, Carson County, Texas, those items enumerated in the loan agreement, Control #PCN000026.</li> <li data-bbox="597 1213 943 1556">4. Carson County Sheriff's Office authorizes Pantex mobile units to use local law enforcement radio frequencies during any incident involving a joint Carson County/Pantex response where off site Security personnel may interface with local law enforcement.</li> </ol>	<p data-bbox="1089 632 1230 663" style="text-align: center;">Executed on</p> <hr data-bbox="976 758 1344 762"/> <p data-bbox="1122 762 1198 793" style="text-align: center;">(Date)</p>