MEMORANDUM OF UNDERSTANDING
BETWEEN
THE UNITED STATES DEPARTMENT OF ENERGY
NEVADA OPERATIONS OFFICE
AND
THE ARIZONA MINE EMERGENCY ASSOCIATION

DE-GM08-99NV13746

I. Introduction

The purpose of this MOU is to delineate the interface responsibilities of the U.S. Department of Energy Nevada Operations Office (DOE/NV) and the Arizona Mine Emergency Association (AMEA). This MOU is made with respect to existing and future DOE and DOE/NV support activities regarding mutual aid conducted with the AMEA. These activities consist of programs that include mutual assistance in consultation and training in mine rescue and mine safety-related programs. Regulatory guidelines, as well as good management practices, govern these mutual aid activities.

The primary purpose of this agreement is to identify the applicable types of assistance between DOE/NV and the AMEA for mutual aid in consultation and training in mine safety.

II. Management and Program Guidelines

1. Management Arrangements:

This MOU provides the mechanism for direct communication between DOE/NV and the AMEA regarding mutual aid assistance in mine rescue training and consultation.

2. Public Information Coordination:

Decisions on disclosure of information to the public regarding program activities will be coordinated by the designated point of contact (POC) of each agency.

3. DOE/NV agrees to use its best efforts to:

a. Maintain an interface with the AMEA through a single POC as designated by the DOE/NV Manager.

b. Admit association employees, who are also state or local government employees, to DOE/NV sponsored training programs established for federal and federal contractor professional, administrative, or technical personnel. Costs of training may be waived per the provisions of 42 USC 4742.

c. Interface with the AMEA on an as needed basis regarding mine safety. Assistance for non-DOE emergency incidents will be on a case-by-case basis as determined by the DOE/NV Manager.

d. Coordinate, maintain, and provide current mine safety notification listings of mine safety personnel within DOE/NV by organizational name and phone number.

e. Reevaluate this agreement on an annual basis to determine the adequacy of interface elements provided by DOE/NV and other DOE organizations.

f. Confer with the AMEA regarding activities that may have a direct and/or indirect effect on mine safety.

4. The AMEA agrees to use its best efforts to:

a. Maintain and coordinate an appropriate single POC interface, as designated by the AMEA, with the designated DOE/NV POC.

b. Maintain and provide a listing of current AMEA mine safety personnel to DOE/NV.

c. Provide consultation services to DOE/NV in mine safety-related activities.

d. Provide training resources in mine rescue to DOE/NV.

e. Provide technical assistance in mine rescue in the case of a mine emergency within the boundaries of DOE/NV.

f. Provide additional interfaces with DOE/NV on an as needed basis regarding mine safety.

g. Establish other pertinent agreements with DOE/NV as needed to document more specific issues not covered by the statutory guidelines supporting this agreement.

h. Reevaluate this agreement on an annual basis to determine the adequacy of interface elements provided by the AMEA.

i. Provide information and cooperate with DOE/NV regarding activities that may have a direct and/or indirect effect on mine safety.

III. Funding

Performance under this MOU by either party is dependent upon lawful appropriations, availability, and allocation of funds by proper authorities. Agreements regarding funding and/or property assistance will generally follow 10 C.F.R. 600.6(c)(3). The primary purpose of this agreement is to develop a mutual understanding regarding the roles of each undersigned organization and does not constitute a commitment of funds or property by either agency. This MOU shall not be used to obligate or commit funds or be used as a basis to transfer funds or property.

IV. Amendments and Termination

This MOU is effective for a period of five years from the effective date. This MOU may be amended by written agreement between DOE/NV and the AMEA and may be terminated by the mutual written agreement of both parties, or by either party, upon 30 days written notice to the other party.

V. Effective Date

The MOU will become effective upon the latter date of the signature of the parties.

Frank Montonati 11/17/00
Frank Montonati
President
Date

Kathleen A. Carlson 9/22/99
Kathleen A. Carlson
Manager
Date