

## Memorandum of Understanding

### 1. Parties.

This Memorandum of Understanding (MOU) is made by and between the U.S. Department of Energy (DOE) and the Industrial Commission, State of Idaho (Idaho) as set forth below.

### 2. Purpose.

DOE and Idaho enter into this agreement to facilitate the efforts by DOE in processing claims before the medical panel under Subtitle D of the Energy Employees Occupational Illness Compensation Program Act of 2000 (Act) (Pub. L. 106-398).

### 3. Agreement.

DOE and Idaho agree that the MOU is necessary to facilitate operation of the DOE contractor worker assistance program. Under the program, DOE shall assist former or current contractor employees in filing claims under the Idaho workers' compensation system.

- a. Pursuant to Subtitle D, the DOE will provide assistance to DOE contractor employees in filing claims under the Idaho workers' compensation system for an illness caused by exposure to a toxic substance at a DOE facility in accordance with the process set forth at 10 CFR Part 852.
- b. A positive determination pursuant to Part 852 of the Act will have no effect on the scope of Idaho proceedings, the conditions for compensation, or the rights and obligations of the participants in the proceeding, except as provided in Subtitle D.

### 4. Cooperation.

DOE agrees to promptly notify the designated representative of Idaho of workers' compensation claims that DOE has accepted as DOE work-related illnesses caused by exposure to toxic substances. However, any such information shall only be provided after a request for such information by Idaho.

### 5. Implementation.

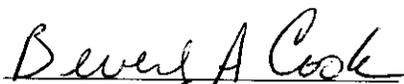
The DOE office responsible for implementation of this agreement is the office of Environment, Safety, and Health. The Idaho office responsible for the implementation of this agreement is the Idaho Industrial Commission.

### 6. Amendment and Termination.

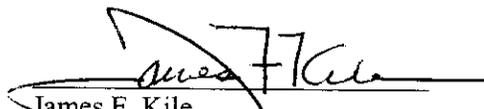
This agreement may be amended or modified upon written agreement by both parties to the agreement. The agreement may be terminated upon ninety (90) days written notice by either party.

### 7. Effective Date.

This agreement is effective when signed by both parties.

  
Beverly A. Cook  
Assistant Secretary  
Department of Energy

Dated: 10-28-02

  
James F. Kile  
Chairman, Industrial Commission  
State of Idaho

Dated: October 24, 2002