Memorandum of Understanding (MOU) between the U.S. Department of Energy (DOE) and the State of Nevada

1. PURPOSE

The U.S. Department of Energy (DOE) and the State of Nevada (State) enter into this agreement to facilitate coordination and cooperation between the parties under subtitle D of the Energy Employees Occupational Illness Compensation Program Act of 2000 (Act) (Pub.L.106-398).

2. AGREEMENT AND UNDERSTANDING BETWEEN DOE AND THE STATE

DOE and the State of Nevada enter into this agreement to facilitate operation of the DOE contractor worker assistance program, established pursuant to subtitle D of the Act, under which DOE may assist former or current contractor employees in filing claims under the State's workers' compensation system.

1. Pursuant to subtitle D, the DOE will provide assistance to DOE contractor employees in filing claims under the State of Nevada's 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.

2. A positive determination pursuant to Part 852 has no effect on the scope of State workers' compensation proceedings, the conditions for compensation, or the rights and obligations of the participants in the proceeding; provided that consistent with subtitle D such a determination will prevent DOE and may prevent a DOE contractor from contesting an applicant's workers' compensation claim.

3. AREAS OF COOPERATION

DOE agrees to promptly notify the State's Industrial Compensation Commission (ICC) designated representative, Administrator Bremner, of workers' compensation claims that DOE has accepted as DOE work-related illnesses caused by exposure to toxic substances in response to a request for such information by the Commission.

4. IMPLEMENTATION

The DOE office responsible for implementation of this agreement is the Office of Environment, Safety and Health. The State official responsible for the implementation of this agreement is Administrator Bremner.

5. 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.

6. EFFECTIVE DATE

This Agreement is effective when signed by both parties.

STATE OF NEVADA
DEPARTMENT OF BUSINESS & INDUSTRY
DIVISION OF INDUSTRIAL RELATIONS

DATED: 10-14-2002

By: Roger Bremner
Roger Bremner, Administrator

U. S. DEPARTMENT OF ENERGY

DATED: 10-17-02

By: Beverly A. Cook
Beverly A. Cook, Assistant Secretary