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MEMORANDUM OF AGREEMENT

Office of Civilian Radioactive Waste Management (OCRWM), the Yucca Mountain Project (YMP), and the Nevada Operations Office (NV) Relationships

INTRODUCTION:

This is a Memorandum of Agreement (MOA) between the OCRWM and the NV concerning the conduct of work undertaken by the YMP in support of OCRWM. The Yucca Mountain Project Office was established to carry out work in support of the development of a mined geologic disposal system as mandated by the Nuclear Waste Policy Act, as amended. Previously, the Project Manager reported to the Manager of the NV, while receiving programmatic direction from the Director of OCRWM.

STATEMENT OF PURPOSE:

OCRWM provides policy guidance and programmatic direction for the civilian radioactive waste management program. The U.S. Department of Energy (DOE) is now establishing direct line responsibility to assure the successful accomplishment of major DOE programs. In accordance with this approach, YMP will now report directly to OCRWM for all programmatic and policy direction and is accountable to OCRWM for implementation of that direction. The purpose of this MOA is to ensure coordination and communication among OCRWM, YMP, and NV to assure integration of issues which could impact either the YMP or the Nevada Test Site (NTS).

GUIDELINES:

The Project Manager will receive concurrence and guidance from the Manager, NV, on activities and issues involving use of Weapons Program resources and relationships developed with the local community over many years. NV will provide matrix support to the YMP (e.g., contracts, finances, legal services, personnel, labor relations, information services, property management, and public affairs) as required and requested by the Project Manager. Certain NTS resources will be made available to the YMP, consistent with weapons program needs, and based on sound economic practices. All NV support services will be fully reimbursed by the Nuclear Waste Fund.

The Project Manager will continue to coordinate sensitive activities with the Manager, NV, to assure there will be no significant negative impacts to the weapons testing program. Likewise, the Manager, NV, will continue to coordinate sensitive activities with the Project Manager to assure there will be no significant negative impacts to the OCRWM program. Examples of areas requiring such coordination include, but are not limited to: land use, facility utilization, contractor evaluations, busing, public affairs, industrial relations, and labor/employee relations. This continued coordination is required because of the proximity of the YMP activities to the NTS, the present shared use of a portion of the Yucca Mountain site, and the shared use of resources, including some contractor/laboratory support. While proximity and the sharing of resources provide economic benefits to both programs, at the same time it calls for close communications between the two parties to prevent negative impacts to either program. With this in mind, close communications will continue with the Project Manager serving as if he were a member of the NV Manager's principal staff. Serving in this capacity, as an example, the Project Manager should attend the NV Manager's daily staff meetings and participate in similar activities as appropriate.

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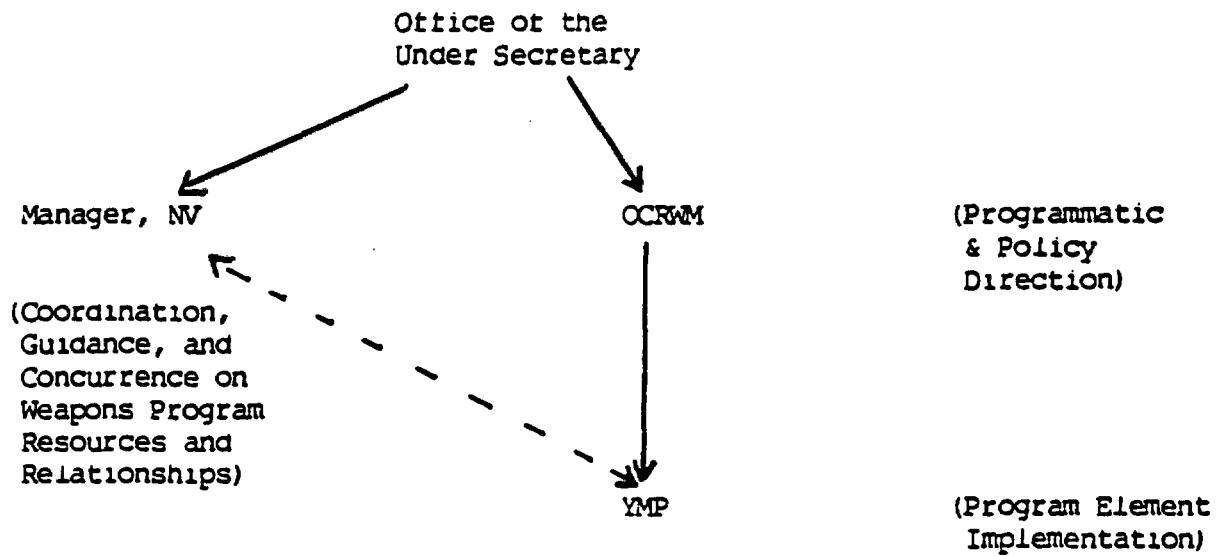
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YMP will have its own dedicated Contracting Officer and Contracting Officer Technical Representative (COTR) authority for contracts/agreements which it manages. It will maintain COTR responsibility for those YMP elements of contracts/agreements which are shared with the weapons program. All YMP participants performing YMP programmatic activities will be responsible directly to the Project Manager. The Project Manager shall serve as functional monitor and voting member of the Award Fee Board for those NV contractors supporting the Project.

A simplified chart of the Nevada relationship may be depicted as follows:



Under this operating philosophy, the Project Manager has two prime responsibilities: (1) implementation of program elements at Yucca Mountain as directed by OCRWM, and (2) coordination and concurrence of activities with the Manager, NV, to assure that the Manager, NV, has direct input to any decision which could adversely affect the weapons program. Therefore, the Project Manager's performance standard should address both these areas. His performance rating will be given by OCRWM in consultation with the Manager, NV.


The Director, OCRWM, will consult with the Manager, NV, on the selection of key project personnel (Project Manager, Deputy Project Manager, and Division Directors).

In summary, this agreement provides the benefits of a direct line of authority and responsibility for all programmatic activities between the Under Secretary; the Director, OCRWM; and the Project Manager. It enhances the use of resources at the NTS and also ensures that neither the weapons program nor YMP adversely impact one another without considered judgments by both parties.

AGREEMENT:

This MOA shall become effective when signed by all parties. It may be amended at any time by written agreement between OCRWM and NV.

Approve:

  
\_\_\_\_\_  
Samuel Rousso, Acting Director  
Office of Civilian Radioactive  
Waste Management

9/28/89  
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Date

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Nick C. Aquilina, Manager  
Nevada Operations Office

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Date

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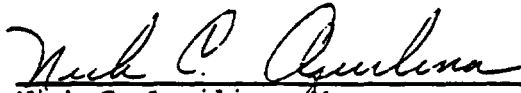
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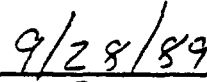
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