

WEST VALLEY FIRE DISTRICT 1
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LETTER OF AGREEMENT

The West Valley Fire District No. 1 (Fire District), the Department of Energy (DOE) Ohio Field Office West Valley Demonstration Project (OH/WVDP), the New York State Energy Research and Development Authority (NYSERDA), and West Valley Nuclear Services Company (WVNS), as OH/WVDP's Management and Operating Contractor, hereby agree as follows:

1. The Fire District shall ensure around-the-clock availability of emergency services to the West Valley Demonstration Project (WVDP) and associated facilities, including but not limited to, fire fighting, medical, rescue, and other such emergency services as may be available from the West Valley Fire District.
2. Emergency services shall be provided through volunteer/paid organization(s) as deemed appropriate by the Fire District, and/or as provided for by law.
3. The Fire District shall ensure that all emergency services personnel are adequately trained as mandated by applicable federal, state, and local laws to maintain required proficiency, thereby ensuring the readiness of personnel to effectively respond to and mitigate potential or actual emergency situations. All training, if required by law, shall be conducted by individuals recognized by cognizant governing agencies (federal, state, county, or industry experts).
4. The Fire District shall ensure that appropriate personnel safety equipment is provided, and that such equipment is required to be used/worn during all emergency, drill, or training situations.
5. The Fire District agrees to maintain all equipment (personnel safety, tools, vehicles, etc.) in good working order in order to ensure the safety of response personnel.
6. The Fire District agrees that all support from WVDP shall be allocated for training and safety-related equipment, thereby ensuring the highest level of safety and protection for emergency responders.
7. The WVDP agrees to support the Fire District to the extent permitted by law, subject to the annual DOE budgeting process. The amount of support is subject to change and shall be agreed upon annually. Nothing herein shall be construed to imply that the same level of funding will, at a later date, be available.
8. WVDP and NYSERDA agree to familiarize emergency responders with the properties of radioactive materials and other hazardous substances handled at the WVDP and the State Licensed Disposal Area (SDA). Emergency responders will be provided an opportunity each year for a site review, tour, and drill.

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9. The funds provided under this agreement are appropriated funds intended to benefit and serve public needs. The Fire District shall not charge any public entity, including but not limited to municipalities, state, federal, volunteer organizations for use of any equipment or services provided which were acquired/provided with these funds.
10. In the event of an incident at WVDP or the SDA resulting in a loss to the Fire District, the liability of OH/WVDP or NYSERDA hereunder is limited, assuming appropriations are available at the time such contingency arises. Nothing herein shall be construed to imply that Congress or the State Legislature will, at a later date, appropriate funds sufficient to meet deficiencies.

WVNS, Management and Operating Contractor, agrees to assist OH/WVDP in carrying out the terms of this agreement as requested by OH/WVDP and to the extent permitted by WVNS's contract with OH/WVDP.

For fiscal year 2002, WVDP agrees to a funding level for the Fire District of \$25,000 to be provided within 30 working days after the date last signed below. Upon request, the Fire District agrees to provide DOE OH/WVDP with a detailed statement of how the previous FY's funds were spent.

This agreement shall be effective on the date last signed below and remain in effect (funding level excluded) until canceled by any party giving each of the other parties at least 60 days written notice of their intent to cancel this agreement. Nothing in this agreement shall be construed to affect execution of agreements established with the West Valley Volunteer Hose Company.


Alice C. Williams, Director
West Valley Demonstration Project

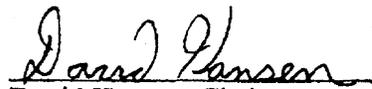
Dated: December 3, 2001


James L. Little, President
West Valley Nuclear Services Company

Dated: 12/3/01


Paul L. Piciullo, Program Director
New York State Energy Research
and Development Authority

Dated: 12/3/01


David Hansen, Chairman
Board of Fire Commissioners
West Valley Fire District No. 1

Dated: 12/3/01