MEMORANDUM OF UNDERSTANDING (MOU)
BETWEEN
THE UNITED STATES DEPARTMENT OF ENERGY (DOE)
SAVANNAH RIVER OPERATIONS OFFICE (SR)
AND
THE BARNWELL COUNTY SHERIFF'S OFFICE (BCSO)

1. **BACKGROUND.** The DOE-SR is located within an approximate 300 square mile area known as the Savannah River Site (SRS), which encompasses the following counties: Aiken, Allendale, and Barnwell. The responsibility for safeguarding and ensuring that effective security services are maintained consistent with the nature of site operations rests with private firms (contractors) in direct support of DOE-SR. Law enforcement personnel, provided by the Security Services Contractor, are Federal Security Police Officers and South Carolina Special State Constables charged with the responsibility of enforcing Federal and State statutes including:

   1.1 Department of Energy Organization Act, 1977, 42 U.S.C. 7101.
   1.2 Atomic Energy Act, 1954, 42 U.S.C. 2201, et, seq.
   1.3 Atomic Energy Act, 1954, 42 U.S.C. 2201(k).
   1.4 South Carolina Code Annotated Title 23, Chapter 7.

2. **PURPOSE.** The purpose of this document is to establish an MOU between the DOE-SR and the BCSO regarding assistance and coordination in the event of a terrorist threat/attack, other security incidents at SRS, and offsite special security activities support. Provisions of responsibilities contained in the document apply to DOE-SR.

3. **AUTHORITY.** DOE Orders are specific in their requirements for facilities to maintain documented agreements with the FBI, state, and local law enforcement agencies (LLEA) for the protection of security interests.

   3.1 DOE Order 473.3A, *Protection Program Operations*, Attachment 2, Section A, 2.e. states: "If local, state, or Federal LEAs are used to protect security interests and/or to respond to security incidents, site must establish cooperative agreements, e.g., MOUs outlining the specific support to be provided. These agreements must be documented in the appropriate security plan and reviewed annually.

   3.2 Public Law 95-91, section 102 (2), (10), and (11), DOE Organization Act of 8-4-77, which envisions consultation and cooperation with government agencies and other Federal, state, and local entities.

4. **POLICY.** DOE policy is to protect Special Nuclear Material (SNM), classified matter, and the physical protection of personnel, facilities, and Government property. DOE accomplishes this policy by maintaining security programs and procedures which deter, detect, and ensure the prompt reporting of actual or suspected criminal violations, losses of classified matter, Nuclear Material (NM), or SNM, and incidents of security concern.

It is the policy of DOE-SR to utilize resources of its contractors in responding to security incidents occurring on or affecting SRS; maintain documented MOUs with the FBI and LLEA for the protection of security interests; and, test the support to be expected from the FBI and LLEA in response to security interests.

5. MANAGEMENT AND REVIEW:

5.1. DOE-SR agrees to:

5.1.1. Maintain a DOE point of contact (POC) within the Office of Safeguards, Security and Emergency Services (OSSES), for criminal activities, security and emergency response planning, coordination and liaison with the BCSO;

5.1.2. Establish a protocol in cooperation with BCSO for requesting/coordinating responses to a security incident, criminal activities, investigations, pursuit/recovery tactics, and conducting emergency operations within the scope of the MOU;

5.1.3. Provide a 24-hour POC for emergency coordination and communication through the SRS Operations Center (SRSOC) with the BCSO to support implementation of this MOU;

5.1.4. Provide appropriate resources to support the BCSO response under the MOU;

5.1.5. Provide support to BCSO on security incidents and law enforcement requests when feasible;

5.1.6. Agrees to make available photo identification badges if necessary;

5.1.7. Participate with the BCSO in appropriate exercises to test and evaluate the effectiveness of plans, procedures, facilities, and equipment developed to support this MOU;

5.1.8. Use the DOE classification guide for classification of security incident information and coordinate with BCSO for the preservation of information on criminal investigations and/or security incidents.

5.1.9. Coordinate, through the DOE-SR Office of External Affairs (OEA), all news releases relating to the conduct of the BCSO and LLEA support operations under this MOU; and

5.1.10. Review this MOU at least annually and revise/update as necessary.

5.2. BCSO agrees to:

5.2.1. Maintain a POC with OSSES for criminal activities, security and emergency response planning, coordination, and liaison;

5.2.2. Facilitate effective and appropriate support in cooperation with the OSSES for requesting/coordinating responses to criminal activities, security incidents, pursuit/recovery tactics, and conducting emergency operations within the scope of this MOU;

5.2.3. Provide a 24-hour POC for emergency coordination and communication with the SRSOC to support implementation of this MOU;

5.2.4. Provide assistance to SRS for responding to traffic accidents and establishing traffic control in support of security and operational emergencies at SRS on the public roadways/highways that route through SRS property.

5.2.5. Provide, upon request of the OSSES, personnel in support of response to criminal activity and other security incidents at SRS.

5.2.6. Coordinate all news releases with the DOE-SR OEA relating to the conduct of the BCSO and LLEA responses under this MOU;

5.2.7. Participate with the OSSES in appropriate exercises to test and evaluate the effectiveness of plans, procedures, facilities, and equipment developed to support this MOU; and,

5.2.8. Coordinate annually with OSSES to review this MOU and revise operating procedures as required.

6. **PROGRAM FUNDING.** DOE-SR and the BCSO will each fund for costs incurred in providing required assistance to meet defined responsibilities.

7. **MANAGEMENT ARRANGEMENTS.** This MOU envisages direct communication between DOE-SR and the BCSO officials involved in managing the work to be performed.

7.1. The Director, OSSES, will have oversight of all matters reported and acted upon consistent with this MOU reference to security and criminal activities applicable to SRS in cooperation with the BCSO. The BCSO law enforcement officers will remain under the direction and command of the BCSO management while in the conduct of activities supporting this MOU.

7.2. The OSSES, Security Programs Division (SPD) will represent the Director, OSSES in day-to-day interfaces with the BCSO. The SPD members will participate as DOE-SR

representatives to any joint working group the BCSO requests DOE-SR participation.

7.3. The OSSES will coordinate requests for support in security incident matters and criminal activities and arrange for meetings between the FBI, state, and LLEA officials.

8. **PUBLIC INFORMATION COORDINATION.** Subject to the Freedom of Information Act (5 U.S.C. 552), decisions on disclosure of information to the public regarding projects and programs implemented under this MOU will be made following consultation between DOE-SR and the BCSO representatives.

9. **AMENDMENT AND TERMINATION.** This MOU may be modified or amended by written agreement between DOE-SR and the BCSO and terminated by mutual agreement of DOE-SR and the BCSO or by either party upon 30 days written notice to the other.

10. **EFFECTIVE DATE.** This MOU is effective when signed by both parties.

RT Bartholomew 3/21/17

R. T. Bartholomew, Director
Office of Safeguards, Security
and Emergency Services
U.S. Department of Energy
Savannah River Operations Office

Date

Ed Carroll 3-20-17

Ed Carroll, Sheriff
Barnwell County Sheriff's Office
Barnwell, SC

Date