

MEMORANDUM OF AGREEMENT

THIS AGREEMENT is entered into effective July 1, 2006, between the Illinois Emergency Management Agency (IEMA) and the Office of the State Fire Marshal.

WHEREAS, the Illinois Emergency Management Agency is mandated by Section 71 C. of the Civil Administrative Code (20 ILCS 2005/71C.) to exercise, administer, and enforce all rights, powers, and duties vested in the Office of the State Fire Marshal ("State Fire Marshal") and the Board of Boiler and Pressure Vessel Rules ("Board") by the Illinois Boiler and Pressure Vessel Safety Act (430 ILCS 75/1, et seq.) to the extent the rights, powers, and duties relate to nuclear facilities; and

WHEREAS, the Department of Nuclear Safety and the State Fire Marshal entered into previous Memoranda of Agreement on September 12, 1984, and October 1, 1993; and

WHEREAS, Section 8 of the Illinois Boiler and Pressure Vessel Safety Act mandates the State Fire Marshal to issue to inspectors commissions as Special Inspectors under conditions set out in that Act (430 ILCS 75/8); and

WHEREAS, Section 2a of the Illinois Boiler and Pressure Vessel Safety Act authorizes the Illinois Emergency Management Agency to enter into such agreements with the Board or the State Fire Marshal as are necessary to carry out its duties under the Act, which agreements may provide that the Agency shall accept and recognize Special Inspector Commissions issued by the State Fire Marshal (430 ICS 75/2a);

NOW THEREFORE, the Illinois Emergency Management Agency and the Office of the State Fire Marshal agree as follows:

1. The previous Memorandum of Agreement entered into on October 1, 1993, is hereby terminated.
2. In implementing its rights, powers, and duties under the Illinois Boiler and Pressure Vessel Safety Act, the Illinois Emergency Management Agency accepts and recognizes Special Inspector Commissions issued by the State Fire Marshal under the provisions of that Act.
3. IEMA will participate as the State representative for National Board reviews of organizations requesting an 'N'-type Certificate of Authorization under the National Board Inspection Code.
4. This Memorandum of Agreement may be terminated by either party upon 15 days written notice.



William C. Burke
Director, Emergency Management Agency



David B. Foreman
State Fire Marshal