

Draft MINUTES
(Verified with meeting transcript)

**CENTRAL INTERSTATE LLRW COMMISSION
ANNUAL MEETING
JUNE 14, 2011, TUESDAY, 9:00 A.M.**

In compliance with Commission By-Laws and Rules, a meeting notice announcing the date, time, location and agenda availability was mailed to the interested public May 14, 2011.

The Annual Meeting of the Central Interstate LLRW Commission was held Tuesday, June 14, 2011, in Overland Park, Kansas, to take necessary action on reports, meeting minutes, export applications, export fee schedule (Rule 1), KPMG audit, financial consultant contract, future administrative funding, administrative budget, election of Chairman for fiscal year 2011-2012, and all other business to come before the Commission.

The meeting was called to order at approximately 9:02 a.m. and roll was called. Responding to the roll call was: Oklahoma Commissioner, Jon Roberts; Kansas Commissioner, Shari Albrecht; Louisiana Commissioner and Chair, Jeffrey Meyers; and Arkansas Commissioner, Laura Gilson.

The Arkansas Commissioner and the Arkansas Alternate Commissioner were present by teleconference.

The Administrator, Rita Houskie; Outside Legal Counsel, Shawn Renner; State of Louisiana, Richard Blackwell; the court reporter and interested members of the public were also present.

No members of the public spoke during the public comment period.

The Commission received an oral report from the Commission Administrator. Ms. Houskie reported on her administrative duties, involvement with the LLW Forum group, and the archiving of the Commission records.

The Administrator responded to questions from the Commissioners.

The Commission received an oral report from Outside Legal Counsel. Mr. Renner reported that the Commission had had minimal need of his services during the past year.

The Commission asked the Entergy representative, Mr. Carver, if he would report on the activities in the Texas Compact. Mr. Carver reported that the Texas Legislature passed Bill 1504 that, in part, addressed the importation of llrw into the state of Texas and becomes effective on September 1, 2011. Mr. Carver indicated that there were ongoing contract negotiations for disposal space by utilities and organizations.

The Chair introduced the next agenda item relating to the ratification of actions taken on export applications that had been previously approved using the electronic voting method.

Motion by Kansas, second by Oklahoma, to ratify the previously approved export applications for Fiscal Year 2010-2011.

The Oklahoma Commissioner noted for the record that a documentation error on the vote count had been made on the two export applications approved in October 2010. The vote count had been corrected on the information posted to the Commission's website but had not been corrected on the meeting handout. The correct vote count was: Oklahoma DEQ 4-0-0 and Kansas Department of Health and Environment 3-0-1.

Motion **passed** 4-0

Motion by Oklahoma, second by Arkansas **to approve the minutes for the annual meeting held on June 22, 2010.**

Motion **passed** 4-0

Motion by Oklahoma, second by Kansas **to accept into the record as written the KPMG Audit of the Commission for fiscal year 2009-2010.**

Motion **passed** 4-0

Motion by Arkansas, second by Oklahoma, **to approve the financial consulting agreement for fiscal year 2011-2012.**

Motion **passed** 4-0

The Chair introduced the next agenda item regarding future administrative funding. The Chair indicated that the funds supporting the administrative activities come from State Membership Dues, export application fees, and interest from the Rebate funds. With the lower interest rates and current Dues and fee levels the Commission will deplete their accounts in three to five years.

Three options were offered for discussion. (1) Increase State Membership Dues; (2) increase export application fees; and (3) use the Settlement funds interest.

Outside Legal Counsel responded to the Oklahoma Commissioner's question regarding the restrictions on the Rebate funds and the use of the interest earned. Counsel continued with additional background on the Settlement funds and the possible use of the interest accrued on those funds.

The Kansas Commissioner asked about a fourth option – reduction of expenses. She pointed out that two thirds of the budget was for audit expense and employee salary.

General Counsel for Wolf Creek, Mr. Wood, commented that a relatively large amount was spent on auditing services for the small amount of cash flowing in and out of the Commission. He also commented on the Administrator's salary and felt it would be a good time to look at not only increasing revenue sources but also look at decreasing expenses. Mr. Carver commented that the Southeast Compact is dealing with similar issues and has appointed an administrative committee to look at their pending shortfall and suggested the Commission might benefit from such a committee. Mr. Wood mentioned a presentation by the Midwest Compact at a previous Commission meeting and that they were in a 'mothball' status. Outside Legal Counsel, Mr. Renner, replied that the Commission, ratified by Congress, has legal obligations and duties and did not speculate on the potential liabilities of a 'mothball' status. The Commissioners from Arkansas and Louisiana agreed with Mr. Renner.

The Chair brought the discussion to a close.

Motion by Arkansas, second by Oklahoma **to form an administrative committee to look into options for future administrative funding.**

Motion **passed** 4-0

The Chair appointed the Kansas Commissioner to the administrative committee.

Motion by Kansas, second by Oklahoma **to approve Export Fee Schedule (Rule 1) for fiscal year 2011-2012.**

Motion **passed** 4-0

Motion by Arkansas, second by Oklahoma **to adopt the proposed Administrative Budget for fiscal year 2011-2012 pending the results of the Administrator Review during Executive Session that will determine the selection of Option 1 or Option 2.**

Motion **passed** 4-0

The Louisiana Commissioner nominated the Oklahoma Commissioner to serve as chair for the coming fiscal year.

Motion by Louisiana, second by Arkansas **to elect the Commissioner from Oklahoma to serve as Chair for fiscal year 2011-2012**

Motion **passed** 4-0

The Commissioners discussed dates for the next meeting. A meeting date for the next annual meeting was tentatively set for June 12, 2012 in Louisiana. The Commission decided to act on export applications for fiscal year 2011-2012 through the electronic vote method.

Motion by Oklahoma, second by Arkansas **to enter into executive session for the purpose of discussing personnel matters.**

Motion **passed** 4-0

The meeting was called back to order at approximately 10:42 A.M. and it was announced that no business had been conducted during the executive session other than personnel matters.

Motion by Oklahoma, second by Kansas **to adopt Option 1 of the previously approved budget for fiscal year 2011-2012.**

Motion **passed** 4-0

Motion by Kansas, second by Oklahoma **to adjourn the meeting.**

Motion **passed** 4-0

The meeting was adjourned at 10:44 A.M.