

**Draft MINUTES**  
*(Verified with meeting transcript)*

**CENTRAL INTERSTATE LLRW COMMISSION  
ANNUAL MEETING  
JUNE 20, 2017, 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 20, 2017.

The Annual Meeting of the Central Interstate LLRW Commission was held Tuesday, June 20, 2017, in Little Rock, Arkansas, to take necessary action and discussion on proposed changes to the Commission Rules, reports, meeting minutes, export applications, administrative budget, and all other business to come before the Commission.

The meeting was called to order at approximately 9:00 a.m., and roll was called. Responding to the roll call was: Oklahoma Commissioner and Chair, Jon Roberts; Arkansas Commissioner, George Overbey; Kansas Commissioner, John Mitchell; and Louisiana Commissioner, Scott Blackwell. The Alternate Commissioner from Oklahoma was scheduled to participate, however, had been called away unexpectedly the previous night.

The Administrative Consultant, Rita Houskie, was present. The court reporter and Outside Legal Counsel, Shawn Renner, participated via telephone as did one member of the public.

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

The Chair called on the Administrative Consultant to give the Administrative Report. Ms. Houskie indicated that her last day as an employee of the Commission was January 31, 2017 and since that date she has been active with the transition of duties to the Administrator.

The Chairman's Report confirmed that Kristie Valtierra had assumed the majority of the administrative responsibilities with only a few things left to train on. He also stated that one big item left was the disposition of the physical files at the Lincoln location. These will be gone through and, files not needed, will be disposed of. The permanent files will then be moved to Oklahoma. He stated that the bank accounts would be moved sometime in the future.

The reporting of activities as related to low-level radioactive waste in the member states was next. Kansas gave a brief report on their efforts in developing NORM and TENORM regulations.

**Motion** by Arkansas, second by Kansas **to approve the minutes for the special teleconference meeting held on November 17, 2016.**

Motion **passed** 4-0

**Motion** by Louisiana, second by Kansas, **to ratify the previously approved export applications for December 2016 through June 2017.**

Motion **passed** 4-0

The Chair introduced the next agenda item by giving a brief history of the Commission's activities over the past several years. It was in 2010 when the Louisiana Chair alerted the commission of the need to take a hard look at its financial future. A committee was formed to review the Commission's future activities and to suggest cost-saving options. One option called for the relocation of the Commission's office that would include the retirement of the Administrator, Ms. Houskie. Along with the relocation, it was suggested to scale back operations to the minimum necessary to remain a functioning entity. In 2015 and 2016, the Commission agreed to house the office within the Oklahoma Department of Environmental Quality and would be billed quarterly for the use of a DEQ employee, Kristie Valtierra. In the Commission's efforts to scale back operations the Export Authorization process (Rule 1) had been a topic of discussion at previous meetings that resulted in the Kansas **Motion, seconded** by Louisiana, to adopt the following **Resolution**:

## **AUTHORIZATION TO EXPORT LOW-LEVEL RADIOACTIVE WASTE FROM THE CENTRAL INTERSTATE LOW-LEVEL RADIOACTIVE WASTE COMPACT**

**WHEREAS**, the Central Interstate Low-Level Radioactive Waste Commission ("Commission") was established in 1984 pursuant to the Central Interstate Low-Level Radioactive Waste Compact ("Compact") (Public Law 99-240) and has, as current member states, Arkansas, Kansas, Louisiana, and Oklahoma, and

**WHEREAS**, Article III.g. of the Compact provides that, unless authorized by the Commission, it shall be unlawful after January 1, 1986 for any person to export from the region, low-level radioactive waste ("LLRW") generated within the region, and to transport LLRW from the site at which it is generated except to a regional facility, and

**WHEREAS**, in 2006, the Commission adopted a resolution to not actively pursue siting a regional facility in one of the member states, and

**WHEREAS**, by not having a regional facility in one of the member states, all LLRW generators in the member states have exported their LLRW wastes from the region to a non-Compact disposal facility after having applied to, and obtained authorization from, the Commission, as required by Article III.g., and

**WHEREAS**, the Commission has determined there is no further need to require each LLRW generator to apply to the Commission for export authorization,

### **BE IT NOW THEREFORE RESOLVED THAT:**

A. This Resolution shall take effect July 1, 2017 and shall serve as authorization for export required under Article III.g. of the Compact.

B. The Commission authorizes all LLRW generators within the member states to export LLRW generated at their facilities to any duly authorized and permitted disposal facility outside of the Compact, without application to the Commission or payment of any application fee, provided the export is done in compliance with all applicable state and federal laws and regulations and any terms or conditions required of both the disposal facility to receive the LLRW and the regional Compact in which the disposal facility is located.

C. Within 30 days of the date this Resolution is adopted, the Administrator shall ensure a copy of this Resolution is posted on the Commission's webpage and is provided to:

1. all LLRW generators who have filed Export Applications with the Commission during Fiscal Years 2015 to the present; and
2. the following LLRW disposal facilities and their associated Compact:
  - a. EnergySolutions in Barnwell, South Carolina (Atlantic Compact);
  - b. EnergySolutions in Clive, Utah (Northwest Compact);
  - c. U. S. Ecology in Richland, Washington (Northwest Compact); and
  - d. Waste Control Specialists in Andrews, Texas (Texas-Vermont Compact).

This resolution shall remain in effect until modified, suspended, or revoked by the Commission.

**Adopted by a 4 to 0 vote of the Central Interstate Low-Level Radioactive Waste Commission on June 20, 2017.**

With the adoption of the **Resolution**, the Commission continued by making necessary amendments to the Commission's Rules.

**Motion** by Arkansas, second by Louisiana, **to adopt the proposed revisions to Rules of the Commission Relating to Requests for Authorization to Export Waste – Policy Statement and Rule 1**. This action will: (1) revise the Rule 1 Policy Statement to align with the Resolution and (2) suspend Rules 1.1 through 1.4 related to export applications and payment of application fees. Rule 1.5 authorizing the Commission to enter into agreements with the United States, other Compacts, or individual states for the exportation or management of waste will not be affected.

Motion **passed** 4-0

**Motion** by Louisiana, second by Arkansas, **to adopt the proposed revisions to Rule of the Commission Relating to the "Regional Waste Disposal Administrative Fee" – Policy Statement and Rule 10.** This Policy Statement and Rule 10 establish an administrative fee for LLW disposed in a disposal facility located in the Central Interstate Compact region. This action is to insert clarifying clauses and correct a couple of scrivener's errors.

Motion **passed** 4-0

**Motion** by Kansas, second by Louisiana, **to adopt the proposed Revisions to Rule 27 – Public Notice & Announcement Procedures.** This action is to ensure alignment of Rule 27 with the Commission Bylaws.

Motion **passed** 4-0

The Chair introduced the next agenda item that was the budget. Ms. Houskie reviewed the adjustments made in April 2017 to increase the Salary line item on the current budget. Two Options were proposed for the fiscal year 2017-2018 budget. Option 1 assumed that the Export Authorization process continued and Option 2 assumed that the Authorization process was suspended.

**Motion** by Kansas, second by Arkansas, **to adopt Option 2 of the proposed administrative budget for fiscal year 2017-2018.**

Motion **passed** 4-0

The Commissioners set their next meeting for November 16, 2017 at 10:00 a.m. via teleconference and a tentative date for the Annual Meeting was scheduled for June 19, 2018 in Oklahoma. The Chair reminded the Commission that the amended By-Laws now includes the election of a Vice-Chair in even numbered years. At the next Annual Meeting the Vice-Chair, the Kansas Commissioner, will become the Chair.

The Chair suggested that due to the unexpected absence of the Administrator an executive session to discuss personnel matters was not needed. The other Commissioners agreed.

Ms. Houskie was presented with a "token of appreciation" by the Commission for her 22 years of service. The Chair listed several highlights of her years of service. Ms. Houskie said, "I served at the Commission's pleasure and it has been a pleasure."

The meeting was adjourned.