

1                   RULES OF THE COMMISSION RELATING TO REQUESTS FOR  
2                   AUTHORIZATION TO EXPORT WASTE  
3                   POLICY STATEMENT  
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6 To fulfill its duties and responsibilities as established by the Compact Law and  
7 the Low-Level Radioactive Waste Policy Amendments of the 1985  
8 (Public law 99-240), the Commission requires a funding level greater than that  
9 provided by the annual State appropriations to the Commission as established in  
10 Article IV, Section h of Compact Law. While this provisions discusses State  
11 funding for the Commission, it does not limit the Commission in pursuing  
12 methods of funding other than that established in Article IV, Section h. Article  
13 IV, Section m.9., authorizes the Commission to, "Take such action as may be  
14 necessary to perform its duties and functions as provided in this compact."  
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16 In order to generate funds sufficient to meet the administrative responsibilities of  
17 the Commission to provide within this region a regional disposal facility with  
18 sufficient capacity to manage all the waste generated within the region, the  
19 Commission under the authority granted it by Article III, Article IV, Article V  
20 and Article VI of the Compact, hereby establishes the policy that there shall be an  
21 application fee for any person making application to the Commission for  
22 authorization to export waste generated within this region for disposal.  
23

24 For the purpose of this policy and during the time that this Commission does not  
25 have its own regional disposal facility, Commission authorization does not affect  
26 the low-level radioactive waste generators ability or responsibility to adhere to  
27 and follow Federal or State laws, rules or regulations regarding low-level  
28 radioactive waste management, packaging and shipping.

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Funds received for such application fees shall be used for the purpose of processing the applications, issuing certificates and conducting various and necessary programs as identified and approved in the Annual Budget of the Commission by the Commissioners at the Annual Meeting of the Commission, and as modified as necessary by the Commission. The amount of such application fee shall be set by the Commission each year and assessed on a fiscal year basis.

In order to carry out its responsibilities relating to Articles III, IV and VI of the Act, the Commission adopts the following rule of the Commission relating to the request for authorization to export waste.

Adopted June 21, 1994

1 RULE 1

2 APPLICATION FOR EXPORTATION OF WASTE

3 FROM THE REGION

4 1.1 FILING OF APPLICATION TO EXPORT WASTE

5 Any person seeking the authorization of the Commission pursuant to  
6 Article III, Section g., of the Compact to export waste which was generated  
7 within the region to a location outside the region shall submit an  
8 application to export waste to the Commission's Executive Director.

9  
10 1.2 CONTENTS OF APPLICATION TO EXPORT WASTE

11 The application for permission to export waste shall be that adopted by  
12 the Commission (Forms A & B) and shall contain the information deemed  
13 necessary by the Commission to assess each request. Such an application  
14 form can be obtained from the Commission's office.

15  
16 1.3 TRANSMISSION OF APPLICATION TO EXPORT WASTE

17 Each application to export shall be transmitted to the Commission's office  
18 with the applicable fee subject to the exception in this paragraph.

19 Applications shall not be considered for approval until the applicable fee  
20 has been paid or one-half the applicable fee if a MAJOR GENERATOR  
21 applicant seeks approval of a split payment as provided for herein. Upon  
22 request and the approval of the Commission, a MAJOR GENERATOR  
23 which is subject to the maximum fee may postpone payment of one-half of  
24 the applicable fee until January 15 of the year following the date of the  
25 application, provided that such application includes a contractual  
26 commitment that the applicant will pay the second half of the fee by that  
27 due date. Further, in the event the payment of the second half of the  
28 required application fee is not paid by January 15 of the year following the

1 date of the application, the Commission will issue a notice of revocation of  
2 the export permit to the applicant and to each of the known low-level  
3 radioactive waste disposal and processing facilities, and will neither  
4 reinstate the export permit nor consider granting the applicant any new  
5 export permit until all obligations of the applicant are fully satisfied.

6

7 1.4 APPROVAL

8 The Commission shall approve or deny at any Annual meeting, Regular  
9 Meeting, Special Meeting, Emergency Meeting or Telephone Conference,  
10 any application for the exportation of low-level radioactive waste from the  
11 Compact region.

12 Each application shall be considered utilizing the following standards:

13

14 (1) Eligibility of the llrw is determinable from the representation on the  
15 Application form.

16

17 (2) All information requested on the Application form is provided.

18

19 (3) Any other relevant information in addition to the application  
20 requested by the Commission has been provided and resolves any  
21 issues of eligibility of waste.

22

23 1.5 AGREEMENTS TO EXPORT

24 Nothing in this Rule shall limit the authority of the Commission to enter  
25 into agreements with the United States, other regional Compacts, or  
26 individual states for the exportation or management of waste.

27

28 Adopted 1/31/86, Amended 6/8/87, 6/30/92, 6/29/93, 6/21/94, June 13, 2001.

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FORM A

APPLICATION FOR **NON-FEDERAL FACILITIES** TO EXPORT LOW-LEVEL  
RADIOACTIVE WASTE FROM THE CENTRAL INTERSTATE LOW-  
LEVEL RADIOACTIVE WASTE COMPACT REGION

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1. Name of Company, \_\_\_\_\_.  
Facility  
or Agency: \_\_\_\_\_.

2. Mailing Address: \_\_\_\_\_.  
\_\_\_\_\_  
\_\_\_\_\_.

3. Person to be  
contacted \_\_\_\_\_.  
concerning  
this application: Title \_\_\_\_\_.  
Telephone Number: \_\_\_\_\_.

4. Person responsible \_\_\_\_\_.  
for waste  
Management: Title \_\_\_\_\_.  
Telephone Number \_\_\_\_\_.

5. Location of facility \_\_\_\_\_.  
where waste  
is generated: \_\_\_\_\_.

6. Year for which application is made: July 1, \_\_\_\_\_ to June 30, \_\_\_\_\_.  
\_\_\_\_\_ not applicable.

7. Total volume of llrw projected to be exported for disposal during the  
time for which this application is made: \_\_\_\_\_ ft<sup>3</sup>.

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8. The Commission has adopted the following application fee schedule for the fiscal year 2007 - 2008:

<b><u>MAJOR GENERATOR -</u></b>	
Utility Company or 1001 Cubic Feet or greater	\$ 4,000.00
<b><u>LARGE GENERATOR -</u></b>	
501 - 1000 Cubic Feet	\$ 1,050.00
<b><u>SMALL GENERATOR -</u></b>	
500 Cubic Feet or less	\$ 75.00
<b><u>VERY SMALL GENERATOR / Occasional Shipper-</u></b>	
50 Cubic Feet or less, and only once every three years	\$ 50.00

9. The amount of fee to be submitted with this application \$\_\_\_\_\_. Checks should be made payable to "Central Interstate Low-Level Radioactive Waste Commission

The requirements of this application and any authorization issued as a result of this application relate only to the requirements of and authority of the Central Interstate Low-Level Radioactive Waste Commission established by the Central Interstate Low-Level Radioactive Waste Compact. Applicants are not relieved of any other responsibilities or liabilities arising under any state and federal laws and regulations.

\_\_\_\_\_ I hereby certify that to the best of my knowledge the information provided herein is accurate and correct and that the low-level radioactive waste for which this export authorization is expected will be packaged and shipped in accordance with applicable state and federal regulations and is acceptable for disposal at the intended facilities.

\_\_\_\_\_ I hereby certify to the best of my knowledge, this company/facility or agency will not export radioactive wastes which are subject to Central Interstate Compact export authorization requirements without obtaining such authorization.

\_\_\_\_\_ I hereby certify that I am authorized by my company, facility, or agency to commit it to each and every obligation and condition set forth herein.

Date:\_\_\_\_\_ By:\_\_\_\_\_.

Title:\_\_\_\_\_.

**For Commission use:**                      Approved                      Disapproved

Reason:

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By: \_\_\_\_\_ Date: \_\_\_\_\_.

Title: \_\_\_\_\_.

Adopted 6/21/94, Amended 6/15/95, 6/26/96, 6/25/97, 6/17/98, 6/9/99, 6/7/00,  
6/13/01, 6/4/02, 6/25/03, 6/8/04, 6/29/05, 6/21/06, June 20,2007

FORM B

APPLICATION FOR **FEDERAL FACILITIES** TO EXPORT LOW-LEVEL  
RADIOACTIVE WASTE FROM THE CENTRAL INTERSTATE LOW-  
LEVEL RADIOACTIVE WASTE COMPACT REGION

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1. Name of Company, \_\_\_\_\_.  
Facility  
or Agency: \_\_\_\_\_.

2. Mailing Address: \_\_\_\_\_  
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3. Person to be  
contacted \_\_\_\_\_.  
concerning  
this application: Title \_\_\_\_\_.  
Telephone Number: \_\_\_\_\_.

4. Person responsible \_\_\_\_\_  
for waste  
Management: Title \_\_\_\_\_.  
Telephone Number \_\_\_\_\_.

5. Location of facility \_\_\_\_\_  
where waste  
is generated: \_\_\_\_\_.

6. Year for which application is made: July 1, \_\_\_\_\_ to June 30, \_\_\_\_\_.  
\_\_\_\_\_ not applicable.

7. Total volume of llrw projected to be exported for disposal during the  
time for which this application is made: \_\_\_\_\_ ft<sup>3</sup>.

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8. The Commission has adopted the following application fee schedule for the fiscal year 2007-2008:

<b><u>MAJOR GENERATOR -</u></b>	
Utility Company or 1001 Cubic Feet or greater	\$ 4,000.00
<b><u>LARGE GENERATOR -</u></b>	
501 - 1000 Cubic Feet	\$ 1,050.00
<b><u>SMALL GENERATOR -</u></b>	
500 Cubic Feet or less	\$ 75.00
<b><u>VERY SMALL GENERATOR / Occasional Shipper-</u></b>	
50 Cubic Feet or less, and only once every three years	\$ 50.00

9. The amount of fee to be submitted with this application \$\_\_\_\_\_. Checks should be made payable to "Central Interstate Low-Level Radioactive Waste Commission".

The requirements of this application and any authorization issued as a result of this application relate only to the requirements of and authority of the Central Interstate Low-Level Radioactive Waste Commission established by the Central Interstate Low-Level Radioactive Waste Compact. Applicants are not relieved of any other responsibilities or liabilities arising under any state and federal laws and regulations.

\_\_\_\_\_ I hereby certify that to the best of my knowledge the information provided herein is accurate and correct and that the low-level radioactive waste for which this export authorization is expected will be packaged and shipped in accordance with applicable state and federal regulations and is acceptable for disposal at the intended facilities. I also certify that the waste for which export authorization is requested is not:

1. **owned or generated by the U.S. Department of Energy;**
2. **owned or generated by the U.S. Navy as a result of the decommission of vessels of the U.S. Navy or**
3. **owned or generated as a result of any research, development testing or production of any atomic weapon.**

\_\_\_\_\_ I hereby certify to the best of my knowledge, this company/facility or agency will not export radioactive wastes which are subject to Central Interstate Compact export authorization requirements without obtaining such authorization.

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Date: \_\_\_\_\_ By: \_\_\_\_\_.

Title: \_\_\_\_\_.

\_\_\_\_\_.

**For Commission use:**                      **Approved**                      **Disapproved**

Reason:

By: \_\_\_\_\_ Date: \_\_\_\_\_.

Title: \_\_\_\_\_.

Adopted 6/21/94, Amended 6/15/95, 6/26/96, 6/25/97, 6/17/98, 6/9/99, 6/7/00,  
6/13/01, 6/4/02, 6/25/03, 6/8/04, 6/29/05, 6/21/06, June 20,2007

RULE 2

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Adopted June 30, 1992, Amended 6/30/92, 6/29/93  
**Repealed June 21, 1994**



1 3.4 CONSIDERATION OF VOLUNTEER APPLICATION BY THE  
2 COMMISSION

3 Applications to volunteer shall be transmitted to the Commission's  
4 Executive Director. Upon receipt of an application to volunteer, the  
5 Executive Director shall transmit a copy of the application to each  
6 Commission member. The Chairman shall designate a time period for a  
7 review of the application and shall call a meeting to consider the state's  
8 application. In no event shall the review period for the application be less  
9 than 45 days.

10  
11 The Commission shall review the application to volunteer in the same  
12 manner as it would review any application to develop a regional facility.

13  
14 The Commission shall determine the sufficiency of the application, and  
15 may request further information from the state prior to rendering a  
16 decision on the application.

17  
18 If the Commission receives an application to volunteer from a party state  
19 during the time the Commission is reviewing proposals to develop a  
20 regional facility pursuant to Article V, section b. of the Compact, the  
21 Commission may suspend the consideration of such proposals until a  
22 determination has been made regarding the application to volunteer. If  
23 the Commission acts favorably on an application to volunteer under these  
24 circumstances, the Commission may continue with the public bid process  
25 if the volunteer state so desires, or may determine that public bids are not  
26 required and abandon the selection of a private developer and return any  
27 application fee paid to the Commission, or take such other action as it  
28 deems appropriate to fulfill its responsibilities.

1 3.5 FAILURE TO VOLUNTEER OR APPLICATION TO VOLUNTEER  
2 UNACCEPTABLE

3 If no state volunteers to serve as a host for a regional facility prior to the  
4 date set by the Commission for the closing of the public bid process, the  
5 Commission shall proceed with the selection of a developer for the  
6 regional facility pursuant to Article V of the Compact.

7  
8 If the Commission receives an application to volunteer from a party state  
9 or states and such application or applications are determined to be  
10 unacceptable by the Commission, the Commission shall pursuant to  
11 Article V, section b. of the Compact, publicly seek applicants to develop  
12 and operate a regional facility.

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28 Adopted: November 18, 1986



1 the Host State surcharge funds held by the Commission if the Commission  
2 finds that the proposed expenditure(s) of the Host State meet the purposes  
3 described in this rule. The initial disbursement on or about July 1 shall be  
4 for 25% of the annual amount approved. The remainder of the  
5 disbursement shall be transferred on a quarterly basis to the host state  
6 commencing October 1. In deciding whether or not to approve any such  
7 Host State request, the Commission may consider:

- 8 (1) the adequacy and completeness of prior accounting for and actual  
9 expenditures of such surcharge rebate funds;
- 10 (2) the amount of surcharge rebate funds still held and unspent by the  
11 member state from prior disbursement of such funds;
- 12 (3) the availability to the member state of funding for proposed uses  
13 through alternative sources, including reimbursements, fees, or  
14 surcharges collected by the Host State from license applicants, State  
15 appropriations, or federal funds;
- 16 (4) the consistency of the proposed uses with the limitations and  
17 requirements of this rule and federal law; and
- 18 (5) any competing needs of the Commission consistent with said  
19 federal statutory requirements, those being the following purposes:
  - 20 (i) to establish low-level radioactive waste disposal facilities;
  - 21 (ii) to mitigate the impact of low-level radioactive waste  
22 disposal facilities on the host state;
  - 23 (iii) to regulate low-level radioactive waste disposal facilities; or
  - 24 (iv) to insure the decommissioning, closure and care during the  
25 period of institutional control of low-level radioactive waste  
26 disposal facilities.

1           A.1       USES OF FUNDS BY MEMBER STATE

2           Any member state requesting funds from the Commission pursuant to  
3           this Rule, shall request and, if granted, use such funds only for the  
4           purposes associated with locating and licensing a regional waste  
5           management facility and/or a regional waste minimization program.  
6           Such use of funds may include, but not be limited to, the conduct of  
7           geological and technical studies relating to the siting of such a facility,  
8           the employment of technical staff and/or contractors for the purpose  
9           of reviewing a license application, a public outreach program related  
10          to the location of such a facility and those tasks associated with the  
11          review of a license application.

12  
13          B.       ACCOUNTING, REPORTING AND AUDITING

14          The Host State shall keep separate financial records to account for all  
15          receipts, expenditures, and all other transactions involving use of the  
16          surcharge rebate funds. Such records together with all contracts and  
17          documentation supporting the accounting transactions, shall at all times  
18          be subject to inspection by the Commission with 5 business days advance  
19          notice.

20  
21          The Host State shall, within 30 days after the close of each calendar  
22          quarter, file with the Commission a financial report in reasonable detail of  
23          all receipts and expenditures of all direct and indirect use of the surcharge  
24          rebate funds and all transactions involving the surcharge rebate funds.

25          The financial report will contain sufficient detail to identify: (1) personnel  
26          costs, including the identification, the nature of the task or work  
27          performed, the number of hours worked, (2) any travel, lodging, or  
28          conference expenses of personnel using any surcharge rebate funds, (3)

1 operating expenses, (4) capital outlays, (5) the exact identification of all  
2 other expenditures or uses of the surcharge rebate funds, and (6) any  
3 contractual commitments, including a copy of the contract with all  
4 amendments, and a narrative status of each contract, including the total  
5 amount of the contract, any related contractual payments and the  
6 remaining obligation to date of the report.

7  
8 The financial report of the use of the surcharge rebate funds will present  
9 the fund balance at the beginning of the reporting period, all revenue and  
10 expenses during the reporting period, and the fund balance, at the end of  
11 the reporting period.

12  
13 The Host State may encumber sufficient surcharge rebate funds in its  
14 possession to cover incurred year-end expenses not paid by June 30 but  
15 due and payable within the next 30 days. Within 30 days after the end of  
16 the fiscal year, the Host State shall return to the Commission all surcharge  
17 rebate funds not expended nor so encumbered as an unexpended balance.

18  
19 For Commission purposes, on an annual basis, the Host State financial  
20 report will be prepared and submitted in the same level of detail  
21 described above, shall be subject to audit procedures, and reported  
22 thereon by an independent certified public accountant. The Host State  
23 shall annually, within 90 days after the close of each fiscal year, file with  
24 the Commission a copy of the Host State's annual financial report,  
25 accompanied by the audit report of the independent certified public  
26 accountant. If the Host State does not elect to use the services of an  
27 independent certified public accountant for the purposes of submitting to  
28 the Commission an annual audited financial report, then the Commission

1 shall obtain the services of an independent certified public accountant in  
2 place of the Host State's accountant for the same reporting purposes. The  
3 Commission shall use the services of an independent certified public  
4 accountant for the Host State financial report, and the cost shall first come  
5 from the Host State's surcharge rebate funds then, if necessary, from  
6 surcharge rebate funds held by the Commission.

7  
8 The certified public accountant's audit report(s) shall address the Host  
9 State's compliance with Commission Rule 4 governing the nature or  
10 purpose for which funds may be expended or applied. The Host State  
11 shall promptly, within 60 days of Commission determination, remit to the  
12 Commission from state funds (non-surcharge rebate funds) the amount of  
13 any funds expended for purposes which do not comply with Commission  
14 Rule 4, as determined by the Commission, after review and consideration  
15 of the audit report.

16  
17 For Department of Energy purposes, annually on December 31st of each  
18 year, any member state that has received surcharge rebate funds pursuant  
19 to Rule 4, shall make a full and complete reporting to the Commission on  
20 Department of Energy forms of the use of those funds during the previous  
21 calendar year. These reports shall be made for purposes of complying  
22 with U.S. Department of Energy requirements.

23  
24 4.3 IMPROPER EXPENDITURES

25 Any member may challenge the legitimacy of any expense submitted by a  
26 state receiving funds under Rule 4. If such a challenge arises, the  
27 Commission shall at a special meeting determine the sufficiency of the  
28 challenge, and issue a ruling concerning the legitimacy of the expenditure.

1 The Commission may request any documentation required to make an  
2 informed decision and any state requested to provide documentation shall  
3 submit such documentation.

4

5 If the Commission finds that an expenditure is not legitimate, the  
6 Commission may rule that the offending state must repay the entire  
7 amount of such expenditure or a portion thereof. Failure by such state to  
8 repay in accordance with a ruling of the Commission, shall place the state  
9 in a position of being found in violation of its duty to perform its  
10 obligation under the terms of the Compact.

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28 Adopted 4-24-87, Amended 6-8-87, Amended June 15, 1995





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RULE 7

RELATING TO THE ACCEPTANCE OF WASTE

7.1 URANIUM CONVERSION FACILITY WASTE

When a party state becomes the host state for a regional facility, such facility will not be designed for, nor will it accept storage, treatment, or disposal, any raffinate or calcium fluoride radioactive by-product material generated by a uranium conversion facility.





1 contribute its \$75,000 share for payment to the Nebraska Community  
2 Improvements Cash Fund.

3

4 9.3 LIMITATIONS

5 This rule shall be applicable only for the assessment of fees to pay for the  
6 costs associated with the obligation of the Commission to pay into the  
7 Nebraska Community Improvements Cash Fund.

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28 Adopted 11/4/88, Amended: 6/20/89, 7/30/90, 1/17/92, June 30, 1992

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1 Funds received for such shall be used for the purposes the Commission  
2 determines are necessary to the ultimate development of a regional disposal  
3 facility. The amount of such fees shall be set by the Commission at its annual  
4 meeting and collected on a fiscal year basis, but may be modified as necessary by  
5 the Commission.

6

7 In order to carry out its responsibilities relating to Articles III, IV V and VI of the  
8 Act, the Commission adopts the following rule of the Commission relating to the  
9 report of waste generated for disposal.

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28 Adopted June 21, 1994

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- 1           (2)    All information requested on the report form is provided.
- 2           (3)    Any other relevant information in addition to the report requested
- 3                    by the Commission has been provided and resolves any issue of
- 4                    eligibility.

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28    Adopted: June 21, 1994

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FORM C

REPORT OF **NON-FEDERAL** LOW-LEVEL RADIOACTIVE WASTE  
GENERATED FOR DISPOSAL WITHIN THE CENTRAL INTERSTATE  
LOW-LEVEL RADIOACTIVE WASTE COMPACT REGION

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1. Name of Company, \_\_\_\_\_.  
Facility  
or Agency: \_\_\_\_\_.

2. Mailing Address: \_\_\_\_\_.  
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\_\_\_\_\_.

3. Person to be  
contacted \_\_\_\_\_.  
concerning  
this report: Title \_\_\_\_\_.  
Telephone Number: \_\_\_\_\_.

4. Person responsible \_\_\_\_\_.  
for waste  
Management: Title \_\_\_\_\_.  
Telephone Number \_\_\_\_\_.

5. Location of facility \_\_\_\_\_.  
where waste  
is generated: \_\_\_\_\_.

6. Year for which report is made: July 1, 19\_\_\_\_ to June 30, 19\_\_\_\_.  
\_\_\_\_\_ not applicable.

1 7. Actual total volume of llrw generated during previous CIC fiscal year  
2 (July 1 - June 30) which is intended for eventual disposal at a licensed llrw  
3 disposal facility: \_\_\_\_\_ft<sup>3</sup>.

4 8. Adjustments to fee paid for previous CIC fiscal year:

5

6 a. Additional fees owed: \$ \_\_\_\_\_.

7 b. Refund which the CIC owes: \$ \_\_\_\_\_.

8 9. Total volume of llrw projected to be generated during CIC fiscal year for  
9 which disposal will be required and for which this report is submitted and  
10 which is intended for eventual disposal at a licensed facility: \_\_\_\_\_ft<sup>3</sup>.

11 10. The Commission has adopted the following report administration fee  
12 schedule for the fiscal year 1995-1996:

13

<u>Cubic Feet</u>	<u>Fee</u>
less than 500	\$ 800.00
500-1000	3,400.00
1001-2000	14,000.00
Greater than 2000	90,000.00

19 Please enclose a check made payable to "Central Interstate Low-Level  
20 Radioactive Waste Commission" for the applicable fee based on the llrw  
21 volume entered in 9 above.

22

23 11. Total amount of fee due and submitted with this report \$ \_\_\_\_\_.

24

25 The requirements of this report relate only to the requirements of and the  
26 authority of the Central Interstate Low-Level Radioactive Waste Compact.  
27 Entities preparing this report are not relieved of any other responsibilities  
28 or liabilities arising under any state and federal laws and regulations.

29

1 \_\_\_\_\_ I hereby certify that to the best of my knowledge the information provided  
2 herein is accurate and correct and that the low-level radioactive waste  
3 reported herein will be managed in accordance with applicable state and  
4 federal regulations and will be acceptable for disposal at a regional  
5 disposal facility.

6  
7 \_\_\_\_\_ I hereby certify that to the best of my knowledge, this company/facility or  
8 agency will not generate radioactive wastes which are subject to Central  
9 Interstate Compact reporting requirements without making such reports.

10  
11 Date: \_\_\_\_\_ By: \_\_\_\_\_.

12  
13 Title: \_\_\_\_\_.

14  
15 \_\_\_\_\_.

16  
17 **For Commission use:**

Approved

Disapproved

18  
19 Reason: \_\_\_\_\_.

20  
21 \_\_\_\_\_.

22  
23 By: \_\_\_\_\_ Date: \_\_\_\_\_.

24  
25 Title: \_\_\_\_\_.

26  
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28  
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31  
32 Adopted 6/21/94, Amended June 15, 1995

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34

FORM D

REPORT OF **FEDERAL** LOW-LEVEL RADIOACTIVE WASTE GENERATED  
FOR DISPOSAL WITHIN THE CENTRAL INTERSTATE LOW-LEVEL  
RADIOACTIVE WASTE COMPACT REGION

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1. Name of Company, \_\_\_\_\_.  
Facility  
or Agency: \_\_\_\_\_.

2. Mailing Address: \_\_\_\_\_.  
\_\_\_\_\_  
\_\_\_\_\_.

3. Person to be  
contacted \_\_\_\_\_.  
concerning  
this report: Title \_\_\_\_\_.  
Telephone Number: \_\_\_\_\_.

4. Person responsible \_\_\_\_\_.  
for waste  
Management: Title \_\_\_\_\_.  
Telephone Number \_\_\_\_\_.

5. Location of facility \_\_\_\_\_.  
where waste  
is generated: \_\_\_\_\_.

6. Year for which report is made: July 1, 19\_\_\_\_ to June 30, 19\_\_\_\_.  
\_\_\_\_\_not applicable.

1 7. Actual total volume of llrw generated during previous CIC fiscal year  
2 (July 1 - June 30) which is intended for eventual disposal at a licensed llrw  
3 disposal facility: \_\_\_\_\_ft<sup>3</sup>.

4 8. Adjustments to fee paid for previous CIC fiscal year:

5 a. Additional fees owed: \$ \_\_\_\_\_.

6 b. Refund which the CIC owes: \$ \_\_\_\_\_.

7 9. Total volume of llrw projected to be generated during CIC fiscal year for  
8 which disposal will be required and for which this report is submitted and  
9 which is intended for eventual disposal at a licensed facility: \_\_\_\_\_ft<sup>3</sup>.

10 10. The Commission has adopted the following report administration fee  
11 schedule for the fiscal year 1995-1996:

<u>Cubic Feet</u>	<u>Fee</u>
less than 500	\$ 800.00
500-1000	3,400.00
1001-2000	14,000.00
Greater than 2000	90,000.00

18 Please enclose a check made payable to "Central Interstate Low-Level  
19 Radioactive Waste Commission" for the applicable fee based on the llrw  
20 volume entered in 9 above.

22 11. Total amount of fee due and submitted with this report \$ \_\_\_\_\_.

23 The requirements of this report relate only to the requirements of and the  
24 authority of the Central Interstate Low-Level Radioactive Waste Compact.  
25 Entities preparing this report are not relieved of any other responsibilities  
26 or liabilities arising under any state and federal laws and regulations.

28 \_\_\_\_\_ I hereby certify that to the best of my knowledge the information provided  
29 herein is accurate and correct and that the low-level radioactive waste  
30 reported herein will be managed in accordance with applicable state and

1 federal regulations and will be acceptable for disposal at a regional  
2 disposal facility. I also certify that the waste included in this report is  
3 requested is not:

4

- 5 **1. Owned or generated by the U.S. Department of Energy;**
- 6 **2. owned or generated by the U.S. Navy as a result of the**  
7 **decommission of vessels of the U.S. Navy; or**
- 8 **3. owned or generated as a result of any research, development,**  
9 **testing or production of any atomic weapon.**

10

11 \_\_\_\_\_ I hereby certify that to the best of my knowledge, this company/facility or  
12 agency does not generate radioactive wastes which are subject to Central  
13 Interstate reporting requirements without making such reports.

14

15

16 Date: \_\_\_\_\_ By: \_\_\_\_\_.

17

18 Title: \_\_\_\_\_.

19

20 \_\_\_\_\_.

21

22 **For Commission use:**                      **Approved**                      **Disapproved**

23

24 Reason: \_\_\_\_\_.

25

26 \_\_\_\_\_.

27

28 By: \_\_\_\_\_ Date: \_\_\_\_\_.

29

30 Title: \_\_\_\_\_.

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36 Adopted 6/21/94, Amended June 15, 1995

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1 RULE 21

2 RELATING TO FILING A COURT ACTION

3 AGAINST THE COMMISSION

4 21.1 POLICY STATEMENT

5 Article IV, Section I., of the Compact provides that "Any person or party  
6 state aggrieved by a final decision of the Commission may obtain judicial  
7 review of such decisions in the United States District Court in the District  
8 wherein the Commission maintains its headquarters by filing in such  
9 court a petition for review within 60 days after the Commission's final  
10 decision. Proceedings thereafter shall be in accordance with the rules of  
11 procedure applicable in such a court." The purpose of this provision of  
12 the Compact is to specify in which federal court an action against the  
13 Commission may be brought. There is no question that jurisdiction for an  
14 action against the Commission lies in the Federal District Courts. The  
15 language contained in the Compact provides for the specific place where  
16 an action may be properly instituted and the suit determined. This is  
17 known as venue. As a matter of federal law and procedure, a court may  
18 have jurisdiction but may lack proper venue. The Compact specifically  
19 addressed venue in order to avoid what is commonly referred to as forum  
20 shopping.

21  
22 Unlike subject matter jurisdiction, venue is a privilege personal to each  
23 defendant, which can be waived. Waiver of venue may be either specific  
24 or implied by failure to timely object. The Commission recognizes that for  
25 fairness and convenience, a party challenging a decision of the  
26 Commission should be able to file such an action within each of the  
27 member states. For the purpose of ensuring fairness to each of the

1 member states, the Commission has adopted this Rule pertaining to  
2 waiver of venue.

3

4 21.2 SPECIFIC WAIVER OF VENUE

5 The Commission hereby specifically waives the right to have an action  
6 against it filed only in the federal district court wherein the Commission's  
7 headquarters is located. The Commission as a matter of policy, subjects  
8 itself to venue within the federal district court for the  
9 capital city of each of the member states in addition to the venue  
10 specified in the Compact. The Commission reserves its right to object  
11 to venue if an action is filed in any federal district court which is not  
12 the proper federal district for the city wherein the Commission's  
13 headquarters is located or the capital city of each of the member states.

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28 Adopted 6-8-87, Amended September 22, 1987

29



1 given notice in writing of the passage of such withdrawal legislation to the  
2 Chairman of the Commission and to each Governor of each party state.

3  
4 23.3 COMMISSION ACTION

5 Upon receiving notice that a party state has withdrawn from the Compact,  
6 the Chairman shall within 30 days convene a special meeting of the  
7 Commission. The withdrawing state shall be notified of the special  
8 meeting, and shall have opportunity to explain its withdrawal. At such  
9 special meeting of the Commission, the Commission may find that the  
10 withdrawing state has failed to comply with the terms of the Compact,  
11 and thereby has failed to fulfill its obligations thereunder. Upon such a  
12 finding, the Chairman shall notify the Governor of the withdrawing state  
13 that its membership in the Compact is revoked. The notification of  
14 revocation shall state the reason for the revocation, and that the effective  
15 date of the revocation is one year from the date the withdrawing state  
16 receives written notice of the Commission's action. The revocation notice  
17 shall also specify any and all penalties the Commission shall levy and  
18 enforce against the state.

19  
20 23.4 PENALTIES

21 Any party state withdrawing from the Compact or having been found to  
22 have violated the terms of the Compact, and having its membership  
23 revoked by the Commission, shall be subject to the following penalties.

- 24 a. Such state shall pay to the Commission \$125,000, which amount  
25 shall represent the amount such state would have contributed to  
26 the Commission's budget during the five year period.
- 27 b. Such state shall pay to the Commission an amount determined by  
28 the Commission to be equal to the sum of money that such state's

1 waste generators would have contributed to the budget of the  
2 Commission during the five year period.

- 3 c. Such state shall pay to the Commission an amount equal to any  
4 rebate funds lost by the Commission for failure to meet milestones  
5 specified in Public Law 99-240, if the Commission determines that  
6 failure to meet the milestones is caused by the withdrawal and/or  
7 revocation of such state.
- 8 d. If the withdrawing state, at the time of its withdrawal, is the host  
9 for a regional facility such state shall continue to make the facility  
10 available to the region's waste generators until such time that a new  
11 regional facility is developed and operational. Under such  
12 withdrawal circumstances, the Commission may also assess any  
13 costs associated with the development of a new regional facility on  
14 the state which has withdrawn and/or had its membership  
15 revoked.
- 16 e. If the region has an operational regional waste facility at the time of  
17 withdrawal and/or revocation, such state shall forfeit the rights of  
18 its generators to use such facility.
- 19 f. If the withdrawal and/or revocation takes effect during a period  
20 the region has an operational regional facility, the withdrawing  
21 state shall pay to the Commission an amount equal to that which its  
22 waste generators would have paid to the operator of such regional  
23 facility in fees during the five year period subsequent to the  
24 withdrawal and/or revocation. Such amount shall be based on  
25 prior years use of the facility and projected waste volumes as  
26 determined by the Commission.
- 27 g. Any state withdrawing from the Compact shall not be permitted to  
28 rejoin the Compact at a later date.

1

2 Adopted 6-8-87, Amended June 30, 1992

3

1 RULE 24

2 RELATING TO THE ADMISSION OF NEW MEMBER STATES

3 24.1 GENERAL

4 The Compact provides in Article VII, b. and c., that a non-member state  
5 may petition the Commission for eligibility to join the Compact, and may  
6 become eligible to join the Compact. The purpose of this rule is to specify  
7 the procedures which apply to a state petitioning to become eligible for  
8 membership in the Compact, and the manner in which an eligible state  
9 becomes a party to the Compact.

10  
11 24.2 PETITION FOR ELIGIBILITY

12 A state seeking to become eligible for membership in the Compact shall  
13 submit a written petition to the Chairman of the Commission. Such  
14 petition shall specifically indicate that the petitioning state seeks to  
15 become a member of the Central Interstate Low-Level Radioactive Waste  
16 Compact, the reasons supporting such request, that such state recognizes  
17 and understands the legal ramifications and liabilities of such  
18 membership, that such state is not a member of any other Compact and is  
19 not pursuing membership in another Compact. The petition shall be  
20 signed by the Governor of the petitioning state.

21  
22 24.3 DOCUMENTATION TO BE FURNISHED IN CONJUNCTION  
23 WITH A PETITION

24 A state submitting a petition to become eligible to join the Compact shall  
25 provide within 30 days of submitting such petition the following  
26 information.

- 1 a. An inventory of the amounts and classifications of waste generated  
2 by the generators of such state during the period 1980 thru the date  
3 of the petition.
- 4 b. Projections of the amounts and classification of waste to be  
5 generated during the thirty years following the petition.
- 6 c. A mailing list of all current and anticipated generators of waste  
7 within the petitioning state.
- 8 d. A statement regarding the willingness of the petitioning state to  
9 serve as a host state for the Central Interstate Low-Level  
10 Radioactive Waste Compact.
- 11 e. Evidence, by way of documentation, that the petitioning state has  
12 in place all pertinent laws and regulations required to license a low-  
13 level radioactive waste facility within such state. The petitioning  
14 state must also make a showing that its laws and regulations are  
15 not inconsistent with the terms of the Compact.
- 16 f. The Commission may request such other documentation and  
17 information it determines necessary to properly consider the  
18 petition.

19

20 24.4 ACTION BY THE COMMISSION

- 21 a. Within 10 days of receipt of a petition from a non-member state to  
22 join the Compact, the Executive Director shall forward a copy of  
23 such petition to each member of the Commission. Within 60 days  
24 of receipt of the information specified in Rule 24.3, the Chairman  
25 shall convene a meeting, except that such meeting shall not be an  
26 emergency meeting, of the Commission for the purpose of  
27 considering such petition.





1                   5 days for Emergency meetings from a mailing list maintained by  
2                   the Commission's office.

3           (3)    News releases will be issued to a media mailing list maintained by  
4                   the Commission's office 14 days prior to the event.

5           (4) In the event of postponement or cancellation of a meeting or hearing, a  
6                   notice will be mailed to those receiving notice of the meeting and  
7                   posted at the entrance of the building where the hearing or meeting  
8                   was scheduled to be held.

9

10   27.3 MEETINGS

11           (1)    COMMISSION MEETINGS are those meetings held by the Central  
12                   Interstate Low-Level Radioactive Waste Commission for the  
13                   purpose of conducting Compact business. Such meetings can be  
14                   either Annual, regular (referring to mid-year and quarterly  
15                   meetings), special (referring to other meetings called for non-  
16                   emergency purposes) or emergency meetings. The agenda and  
17                   order for discussion for these meetings will be set by the Chairman.  
18                   The Commission may request testimony of any person or persons it  
19                   desires to hear from. The Commission reserves the option to  
20                   question or respond to any person commenting to or testifying  
21                   before the Commission. These meetings will be considered as  
22                   formal and will be transcribed, and a copy of the official transcript  
23                   of the proceedings will be made available to the public at regular  
24                   cost of photocopying in accordance with Commission policy.

25           a.     At Annual, regular, or special meetings, opportunity shall be  
26                   given for public comments on agenda items for 1 hour  
27                   before the Commission conducts its business. This public  
28                   comment period may be increased at the discretion of the

1 Chairman. The time allocated for each commenter shall be  
2 established by the Chairman according to the number of  
3 persons desiring to speak. Persons wishing to speak will be  
4 required to complete an official registration card indicating  
5 that they want to make a public statement. Persons who  
6 have properly indicated that they wish to speak will be  
7 recognized by the Chairman. Persons desiring to present  
8 written comments to the Commission may do so at this time.

9 b. At Annual, regular, or special meetings, an additional public  
10 comment period may be allocated at the completion of the  
11 Commission's agenda as time permits at the discretion of the  
12 Chairman. Persons who have completed registration cards  
13 but were not recognized by the Chairman to speak earlier  
14 will have an opportunity to make a public statement, then  
15 those who have not completed a registration card but would  
16 like to comment will be recognized by the Chairman. The  
17 length of this comment period will be at the discretion of the  
18 Commission.

19 c. Emergency Meetings. Opportunity for public comments at  
20 Emergency Meetings are at the discretion of the Chairman  
21 and shall be dictated by the nature and time constraints of  
22 the meeting.

23 (2) PUBLIC COMMENT PROCEEDINGS are those meetings held on  
24 behalf of the Central Interstate Low-Level Radioactive Waste  
25 Commission for the purpose of soliciting public comments. The  
26 Commission's representative or delegate shall preside as the  
27 hearing officer at such proceedings. These proceedings are held to  
28 solicit comments on a particular topic or document. Commission

1 members may be present and serve as co-hearing officers, however,  
2 their presence is not necessary for this to be considered a formal  
3 proceeding of the Commission. The agenda for these meetings will  
4 be set by the Executive Director after consultation with the  
5 Commission. The time, location and duration of the meeting shall  
6 be set by the Executive Director in consultation with the  
7 Commissioner of the member state in which the meeting is held.  
8 These meetings will be transcribed. The length of the public  
9 comment period will be at the discretion of the presiding officer  
10 with the intent to last until all public comments are taken. Speakers  
11 may be limited to 5 minutes each in order to assure that all  
12 commenters have opportunity to speak. Persons may speak for  
13 additional 5 minute periods once all commenters have been heard.  
14 Persons wishing to speak will be required to complete an official  
15 registration card indicating that they wish to make a public  
16 statement. Persons who have properly indicated that they wish to  
17 speak will be recognized by the presiding officer. Written  
18 comments may also be presented. Oral statements will be limited  
19 to the subject matter of the hearing. All comments received,  
20 written or oral, will be made a part of the official record for  
21 consideration by the Commission and their technical experts.

22 (3) PUBLIC INFORMATION MEETINGS are those meetings held on  
23 behalf of the Central Interstate Low-Level Radioactive Waste  
24 Commission in any Compact State. The Commission member or  
25 Executive Director may preside at such a meeting. These meetings  
26 are held to provide the public with information on the Compact  
27 and issues associated with its functions. The agenda for these  
28 meetings may be set by either the Commissioner of the member

1 state in which the meeting is being held or the Executive Director.  
2 Opportunity for public comments will be afforded. The time,  
3 location and duration of the meeting shall be set by the appropriate  
4 state Commissioner or the Executive Director. Notice and  
5 announcement of these meetings shall be as is reasonable under the  
6 circumstances. The Commission's office will distribute a meeting  
7 notice, however, this is not a required meeting of the Commission  
8 and therefore not subject to notice and announcement procedures  
9 contained in Rule 27.2. These meetings are informal and for  
10 informational purposes only, and therefore will not be transcribed.

11 (4) (a) COMMITTEE MEETINGS, with the exception of the  
12 Litigation Committee which shall be administered separately by (4)  
13 (b) below and not by this section (4) (a), shall be held in the host  
14 state unless another location is approved in advance by the  
15 Commission. Commission and Committee members must be  
16 notified in writing at least fourteen (14) days in advance of a  
17 Committee meeting as to the date, place, time, agenda.  
18 Background materials to be considered at Committee meetings will  
19 be included in the notification mailing. Committee minutes will be  
20 kept and circulated to the Commission members within 30 days of  
21 a committee meeting. Committee chairmen or their delegates will  
22 normally be expected to review and discuss Committee activities at  
23 Annual or regular meetings of the Commission. All Committee  
24 meetings shall be open meeting with an opportunity for public  
25 comment subject to the procedures and exceptions as set forth in  
26 the By-Laws of the Commission, in Article IV.

27 (b) The LITIGATION COMMITTEE shall meet upon reasonable  
28 advance written notice by the Committee Chairman to Committee

1 members and Commissioners for the purpose of holding legal  
2 strategy sessions with respect to pending litigation or imminent  
3 litigation. The Committee shall make a report to the Commission at  
4 a duly noticed Commission Meeting on the results of its Committee  
5 Meeting for Commission consideration, response, or action.

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20 Adopted 6-8-87  
21 Amended 6-30-92  
22 Amended 6-29-93  
23 Amended September 14, 1994  
24 Amended June 26, 1996  
25 Amended June 25, 1997