

Draft MINUTES
(*Verified with meeting transcript*)

**CENTRAL INTERSTATE LLRW COMMISSION
ANNUAL MEETING
JUNE 22, 2010, 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 25, 2010.

The Annual Meeting of the Central Interstate LLRW Commission was held Tuesday, June 22, 2010, in Oklahoma City, Oklahoma, to take necessary action on reports, meeting minutes, export applications, export fee schedule (Rule 1), draft investment policy, financial consultant contract, administrative budget, election of Chairman for fiscal year 2010-2011, 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 Alternate Commissioner, Bernie Bevill.

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

The Administrator, Rita Houskie; Outside Legal Counsel, Shawn Renner; the court reporter and interested members of the public were also present in person and via teleconference.

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. She also responded to a question asked by the Kansas Commissioner at the January 2010 teleconference regarding an amount listed in *Operating Revenues: Other* category in the KPMG audit of fiscal year 2008-2009. Ms. Houskie reported that the amount listed in the *Other* category was the result of a reimbursement to the Commission for a travel expenditure that fell outside the generally accepted definition of meeting expense and that the Commission had received payments from the District Court for the Peery restitution.

The Administrator responded to questions from the Commissioners.

The Commission received an oral report from Outside Legal Counsel. Mr. Renner updated the Commission on the Amicus Briefs filed in the Southeast Compact's litigation and the Northwest Compact's litigation. He reported that the Supreme Court issued a decision in part on the Southeast Compact litigation in North Carolina's favor. Some issues are still before the Special Master. Mr. Renner also reported on the progress of the Texas Compact's rule making, specifically as it relates to importation of low level radioactive waste into their region. He stated that the initial proposed rule had been withdrawn and is in the process of being reissued.

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 Schumberger Technology Corporation, University of Oklahoma Health Sciences Center, and PETNET Solutions, Inc.

Motion **passed** 4-0

Motion by Oklahoma, second by Arkansas **to approve the minutes for meetings held on June 23, 2009, July 21, 2009, January 6, 2010 and February 18, 2010.**

The Kansas Commissioner made a suggestion on the January 6, 2010 minutes regarding the identity of 'respondents'. The maker of the motion and seconder accepted the suggestion resulting in the following amendment to the motion:

(amended) **with a change to the January 6, 2010 minutes to identify 'respondents' as being the Administrator and Louisiana Commissioner.** *(verified with transcript)*

Motion **passed** 4-0

Motion by Louisiana, second by Arkansas, **to approve the financial consulting agreement for fiscal year 2010-2011.**

Motion **passed** 4-0

The Chair asked the Administrator to introduce the next item on the agenda relating to the Draft Investment Policy. Ms. Houskie indicated that the issue of a formal investment policy had come up several times and the investment statement was an attempt to formalize the investment practices the Commission has used over the years.

Motion by Kansas, second by Oklahoma **to adopt the Investment Policy Statement.**

Motion **passed** 4-0

Motion by Louisiana, second by Arkansas **to approve fiscal year 2009-2010 budget adjustments to expense line items to increase the Legal Fees line item.**

Motion **passed** 4-0

Motion by Kansas, second by Arkansas **to approve Export Fee Schedule (Rule 1) for fiscal year 2010-2011.**

Motion **passed** 4-0

Motion by Oklahoma, second by Arkansas **to adopt the proposed Administrative Budget for fiscal year 2010-2011 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 Chair brought to the Commission's attention that based on the proposed budget amount, anticipated income, and reserve funds currently available the Commission has approximately four years of operating funds left. He indicated that now might be a good time to begin to look at the Commission's revenue streams and begin to develop options or proposals to offset the coming shortfall if the Commission is to be maintained. The Chair pointed out that the Commission is a legitimate entity mandated by Federal law and legislative acts by each of the member states. He suggested communication with the generators regarding the possible use of the accrued interest of the funds held from the settlement with Nebraska. He also mentioned an increase in export fees and membership dues as options. The other Commissioners were in agreement with the Chair and a tentative timetable was established.

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

Motion by Oklahoma, second by Kansas **to elect the Commissioner from Louisiana to serve as Chair for fiscal year 2010-2011**

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 14, 2011 in Kansas. A telephone meeting date was not scheduled for July 2010 to review export applications. The Commission decided to act on export applications for fiscal year 2010-2011 through the electronic vote method.

Motion by Arkansas, second by Oklahoma **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 10:14 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 Arkansas **to adopt Option 2 of the previously approved budget for fiscal year 2010-2011.**

Motion **passed** 4-0

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

Motion **passed** 4-0

The meeting was adjourned at 10:15 A.M.