

# MINUTES

(Verified with meeting transcript)

## CENTRAL INTERSTATE LLRW COMMISSION ANNUAL MEETING JUNE 16, 2015, 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 16, 2015.

The Annual Meeting of the Central Interstate LLRW Commission was held Tuesday, June 16, 2015, in Overland Park, Kansas, to take necessary action on reports, meeting minutes, export applications, export fee schedule (Rule 1), Resolution for Relocation of Commission Headquarters to Oklahoma, administrative budget, election of Chairman for fiscal year 2015-2016, 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 Administrator, Rita Houskie; Kansas Alternate Commissioner, Rick Brunetti, and the court reporter were also present. Outside Legal Counsel, Shawn Renner, participated via telephone. No members of the public were present.

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

The Chair began the meeting by giving a bit of background on the first Agenda item relating to the relocation of the Commission's office to a member state. It was at the November 2014 meeting that the Chair had informed the Commission that the Oklahoma DEQ was still amiable to that possibility. The Chair offered the following Resolution:

### **RELOCATION OF COMMISSION HEADQUARTERS TO THE OFFICES OF THE OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY**

**WHEREAS**, the Central Interstate Low-Level Radioactive Waste Compact Commission was established in 1984 with its headquarters in the State of Nebraska, and

**WHEREAS**, the original member states of the Compact were Nebraska as "host state" (as defined in Article II of the Central Interstate Low-Level Radioactive Waste Compact), Arkansas, Kansas, Louisiana, and Oklahoma, and

**WHEREAS**, in 1999, the State of Nebraska passed legislation withdrawing from the Compact and, pursuant to Article VIII.D. of the Central Interstate Low-Level Radioactive Waste Compact, Nebraska's withdrawal became effective in 2004, and

**WHEREAS**, the remaining member states of the Compact passed a resolution in 2006 to not actively pursue siting a low-level radioactive waste disposal site in one of the other member states, and

**WHEREAS**, in 2014 the Commission surveyed the low-level radioactive waste generators in the member states in part to evaluate the future of the Compact and the Commission, and

**WHEREAS**, based on the results of the survey, the Commission determined it was in the best interest of the member states and the low-level radioactive waste generators within the member states to retain the Compact and the Commission, and to relocate the Commission headquarters from the State of Nebraska to a member state,

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

The Commission approves relocation of its headquarters to the offices of the Oklahoma Department of Environmental Quality (ODEQ) at such time that the Commission has determined: (1) all necessary arrangements are in place and (2) the relocation will have minimal impact to the Commission, member states, and the low-level radioactive waste generators in the member states, and

The Commissioner from Oklahoma is authorized to work directly with ODEQ to develop an appropriate contractual arrangement, hereafter referred to as “the Agreement,” to memorialize the arrangements necessary to establish and maintain the Commission headquarters within the offices of ODEQ, and

The Agreement shall not be binding until it has been approved by a majority vote during a regular or special meeting of the Commission and signed by the Executive Director of the ODEQ, or his designee, and the Commission Chair, and

The Agreement may be modified from time to time as agreed upon by a majority vote during a regular or special meeting of the Commission and signed by the Executive Director of ODEQ, or his designee, and the Commission Chair, and

Prior to the relocation, the Commissioner from Oklahoma is authorized to research other services that may be needed when the Commission headquarters is relocated, such as but not limited to banking, legal services, and post office box, and report his findings to the Commission.

**Motion by Kansas, second by Louisiana, to adopt the Resolution relating to the relocation of the Commission’s office to Oklahoma**

Motion **passed** 4-0

The Chair asked the Commissioners to review and comment, in the near future, on the MOA template handout. He stated that he felt the items listed were a good start on the type of things that should be included in the official agreement with the Oklahoma DEQ to facilitate as smooth of a transition as possible. The Administrator recommended that the Commission continue to use the ISP provider that hosts the Commission’s webpage and email address.

The Commissioners heard brief reports from the Administrator and Outside Legal Counsel. (Mr. Renner left the meeting at this point.)

The Chair introduced the next item on the Agenda – the Export Applications. He asked the Administrator to explain the situation with one of the generators that had been approved in May 2015. Ms. Houskie indicated that the generator actually had been applying for export authorization for fiscal year 2015-2016 and due to the timing of the receipt of the application it had been mistakenly approved for fiscal year 2014-2015.

**Motion by Louisiana, second by Kansas to rescind the American Airlines, Maintenance and Engineering Center, Tulsa International Airport export authorization approval for fiscal year 2014-2015.**

Motion **passed** 4-0

**Motion by Arkansas, second by Louisiana, to ratify the previously approved export applications for November 2014 through May 2015.**

Motion **passed** 4-0

**Motion by Kansas, second by Arkansas to approve the minutes for the special teleconference meeting held on November 18, 2014.**

Motion **passed** 4-0

The Chair introduced the next agenda item that was the adjustments to fiscal year 2014-2015 budget and the proposed budget for fiscal year 2015-2016. The Administrator explained there were two adjustments to fiscal year 2014-2015 that did not affect the bottom line. The adjustments were made to ensure an adequate amount in the line item that accommodates travel and meeting expense.

**Motion by Louisiana, second by Arkansas to adopt the proposed Administrative Budget adjustments for fiscal year 2014-2015.**

Motion **passed** 4-0

**Motion** by Kansas, second by Louisiana **to approve Export Fee Schedule (Rule 1) for fiscal year 2015-2016.**

Motion **passed** 4-0

The Administrator went on to address the proposed budget for fiscal year 2015-2016. She pointed out the with the adoption of the proposed budget the Commission is in agreement that the state members' due would remain the same and would continue membership to the LLW Forum group. There was a reduction to the accounting and salaries line items producing an overall budgetary reduction of 3.1%. She also stressed the fact that the coming year would be the last year where the Settlement funds would not be needed to fund the Commission's budget.

**Motion** by Louisiana, second by Kansas **to adopt the proposed Administrative Budget for fiscal year 2015-2016.**

Motion **passed** 4-0

**Motion** by Kansas, second by Arkansas **to elect the Commissioner from Oklahoma to serve as Chair for fiscal year 2015-2016.**

Motion **passed** 4-0

The Commissioners tentatively set the dates for the next two meetings – November 17, 2015, at 10:00 a.m. and June 14, 2016, in Shreveport, Louisiana, at 9:00 a.m..

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

Motion **passed** 4-0

The Commissioners entered into executive session at approximately 9:38 a.m.

The meeting was called back to order at approximately 9:53 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 Louisiana **to adjourn the meeting.**

Motion **passed** by acclamation

The meeting was adjourned at 9:54 a.m.