

APPROVED MINUTES
(Verified with the Meeting Transcript)

**CENTRAL INTERSTATE LLRW COMMISSION
ANNUAL MEETING
JUNE 13, 2001, WEDNESDAY, 9:00 A.M.**

In compliance with Commission Bylaws and Rules, a meeting notice announcing the date, time, location and agenda availability was mailed to the interested public May 14, 2001.

The Annual Meeting of the Central Interstate LLRW Commission was held Wednesday, June 13, 2001, to take action on: meeting minutes, reports, Rule 23, export applications and fee schedule, Administrative Budget, US Ecology Funding Request and Contract Amendment, election, and to take necessary action on all business to come before the Commission.

Chairman Henry called the meeting to order at approximately 9:05 a.m. and roll was called. Responding to the roll call was: Arkansas Commissioner, Laura Gilson; Kansas Alternate Commissioner, James J. O'Connell; Louisiana Commissioner and Commission Chair, Michael Henry; Oklahoma Commissioner, Catherine Sharp, and Nebraska Commissioner, Dr. F. Gregory Hayden

Also present were Administrator, Rita Houskie; Secretary, Misty Butcher; and the court reporter.

One member of the public spoke during the general public comment period.

Motion (*Resolution 1*) by Arkansas, second by Oklahoma, **to approve the January 24, 2001 meeting minutes.**

Discussion followed the motion with the Nebraska Commissioner offering concern that the minutes did not accurately reflect the appropriate description of the action taken on the §5.04 Review of Options and Alternates. Suggestions were made resulting in the following amendment to Resolution 1

Motion by Nebraska, second by Arkansas to amend the second paragraph of the January 24, 2001 meeting minutes to read:

"The Mid-Annual Meeting of the Central Interstate LLRW Commission was held Wednesday, January 24, 2001, to review and approve export applications; meeting minutes and reports; ~~§5.04 Review of Options and Alternatives~~; KPMG 1999-2000 Commission Audit; Low-Level Waste Forum Funding; Financial Consultant Contract Calendar Year 2001; Commission Budget Adjustments; and to take necessary action on all business to come before the Commission. The Review of Options and Alternatives required by §5.04 was completed."

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Motion passed 5-0

More discussion followed the vote for the amendment to the minutes resulting in an additional amendment to the January 24, 2001 minutes.

Motion by Kansas, second by Arkansas to amend the seventh paragraph of the January 24, 2001 meeting minutes to read:

"The Commission received oral reports by the Commission Administrator, Legal Counsel, and US Ecology. The Village of Butte sent a letter to report. The Host State and the Boyd County Local Monitoring Committee did not report. No reports were given from member states. The Litigation Committee reported that it has not met. Brad Reynolds, attorney for the State of Nebraska, responded to Commission's Legal Counsel report."

Motion **passed** 5-0

The vote was called for by the Chairman on **Resolution 1**, originally motioned by Arkansas and seconded by Oklahoma, to approve the January 24, 2001 meeting minutes with amendments to paragraphs two and seven.

Motion **passed** 5-0

The Chairman gave a brief recap of the situation leading up to the exportation of waste from Corr-Pro, Corporation in Louisiana.

Motion (*Resolution 2*) by Kansas, second by Arkansas, **to Ratify action taken by the Chairman in the approval of Corr Pro, Corp, Louisiana, Export Application**

Motion **passed** 4-1 (Nebraska voting no)

Motion (*Resolution 3*) by Arkansas, second by Kansas, **to approve the export applications.**

Motion **passed** 5-0

The Commission received oral reports by the Commission Administrator and US Ecology. The Village of Butte made a statement. The Host State and the Boyd County Local Monitoring Committee did not report. No reports were given from member states. Legal Counsel presented written and oral reports on the status of current litigation. Discussion followed legal counsel's report and specific reference to the documents withheld by the State
In the Rule 23 documents production. The Chairman ordered that counsel ask for the State's explanation for withholding documents and for Commission's counsel to report the results at the next meeting. Legal Counsel made the recommendation that no additional action be taken regarding Rule 23 at this time.

The Chairman called for a brief recess at 10:40 a.m. and reconvened the meeting at 11:00 a.m.

The Nebraska Commissioner made a Point of Order regarding previous notice on Resolution 4 pertaining to agenda item - US Ecology / Commission Contract Amendment 6. The Commissioner from Arkansas suggested that the agenda item be placed on the agenda for the July 11, 2001 meeting. The Chairman ordered it so.

The Commissioners held discussion on the next agenda item: US Ecology's Funding Request for Fiscal Year 2002 and its relation to the previous agenda item. US Ecology's Funding Request will also be placed on the agenda for action at the July 11, 2001 meeting.

Motion (*Resolution 6*) by Kansas, second by Oklahoma **to approve proposed adjustments to fiscal year 2000-2001 administrative budget.**

Motion **passed** 4-1 (Nebraska voting no)

The Commissioner from Nebraska requested that Resolution 7 be separated into two parts.

Motion (*Resolution 7a*) by Arkansas, second by Oklahoma, **to approve the increases to the export fee schedule for fiscal year 2001-2002 (Commission Rule 1)**

Motion **passed** 4-1 (Nebraska voting no)

Motion (*Resolution 7b*) by Arkansas, second by Kansas, **to approve language changes to Commission Rule 1 Form A that would allow qualified applicants to pay appropriate export fees for fiscal year 2001-2002 in two payments.**

Motion **passed** 4-1 (Nebraska voting no)

Motion (*Resolution 8*) by Kansas, second by Arkansas, **to approve the fiscal year 2001-2002 Administrative Budget with 5% increase to salaries contingent on the approval of the line item "Butte Site Maintenance" pertaining to US Ecology Funding Request (USE Funding Request held over to the July 11, 2001 meeting) and the Administrator's Review.**

Motion **passed** 4-1 (Nebraska voting no)

Motion (*Resolution 9*) by Arkansas, second by Oklahoma, **to approve the election of James J. O'Connell as Chairman to the Commission for FY 2001-2002.**

Motion **passed** 4-0 (Kansas abstaining)

The Mid-Year Meeting is tentatively scheduled for will be held in Arkansas January 23, 2002.

The Chairman called for an executive session at 11:35 a.m. for the Administrator's Review. The Commissioners returned to session at 12:00 p.m. The Chairman indicated that no actions were

taken during the executive session and that the budget approved as Resolution 8 with salary increase was upheld.

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

Motion **passed** 5-0

The meeting was adjourned at approximately 12:00 noon.