

APPROVED MINUTES
(verified with meeting transcript)

**CENTRAL INTERSTATE LLRW COMMISSION
MID-YEAR MEETING
WEDNESDAY, JANUARY 23, 2002 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 January 9, 2002.

The Mid-Year Meeting of the Central Interstate LLRW Commission was held Wednesday, January 23, 2002, for the purpose of taking necessary action on export applications; meeting minutes; KPMG 2000-2001 Commission Audit; LLW Forum Membership; Financial Consultant Contract 2002; Commission Budget Adjustments; Central Midwest Compact Interregional Agreement. To hear §5.04 Review of Options and Alternatives, and reports, and to take necessary action on all other business to come before the Commission.

Chairman O'Connell called the meeting to order at approximately 9:07 a.m. and roll was called. Responding to the roll call were: Kansas Commissioner and Commission Chair, James J. O'Connell; Oklahoma Commissioner, Catherine Sharp; Nebraska Commissioner, Dr. F. Gregory Hayden; Arkansas Commissioner, Laura Gilson; and Louisiana Commissioner, Michael Henry.

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

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

No formal panel assembled to discuss the §5.04 US Ecology Contract Review of Options and Alternatives. The Nebraska Commissioner made a statement indicating that the "current system is not working." That information on isotope volumes is needed with regard to a study of assured storage. The Nebraska Commissioner presented to the Commission two handouts; one being a portion of a graduate student's doctoral dissertation on a computer model and the second relating to the kinds of legislation that can be expected in the future.

The Commission received oral reports by the Commission Administrator, Legal Counsel, and US Ecology. No reports were heard from the Village of Butte, the Host State, the Boyd County Local Monitoring Committee or the Litigation Committee.

Motion (*Resolution 1*) by Louisiana, second by Oklahoma, **to approve the June 13, 2001 Annual Meeting minutes.**

Motion **passed** 5-0

Motion (*Resolution 2*) by Louisiana, second by Oklahoma, **to approve the July 11, 2001 Special Telephone Meeting minutes.**

Motion **passed** 5-0

Motion (*Resolution 3*) by Louisiana, second by Arkansas, **to approve the December 19, 2001 Emergency Telephone Meeting minutes.**

Motion **passed** 4-0-1 (Nebraska abstaining)

The Arkansas Commissioner suggested that the non-federal export applications be voted on collectively. There were no objections.

Motion (Resolution 4) by Louisiana, second by Arkansas, **to approve three non-federal export applications.**

The Nebraska Commissioner asked for information on what was being exported, where was it being exported to, and if the export is for disposal, storage or treatment. The Louisiana Commissioner responded with information on the exporter from Louisiana. The Commission's Administrator responded that two were going to Envirocare for permanent disposal.

Motion **passed** 5-0

The Chair called for a brief recess at 10:20 a.m. At approximately 10:45 a.m. the Chair called the meeting back to order.

The Chair introduced the next agenda item pertaining to the Central Midwest Interregional Facility Access Agreement. The Chair indicated that he had just learned of an early 90's agreement of a similar nature and that action on the item would be premature until a reconstruction of history could be made along with further communication and investigation on the matter. The Commissioners agreed and took no action.

Upon the Chair's introduction of the next agenda item pertaining to the KPMG Audit of the Commission for fiscal year 2000-2001, the Nebraska Commissioner asked that action on this agenda item be postponed as well. The Commissioner indicated that he had questions on the audit and no KPMG representative was available at this meeting of the Commission. Discussion among the Commissioners followed and agreement was reached to take no action.

The Chair asked the Commission's Administrator to provide information on the next agenda item pertaining to the LLW Forum membership dues. The Commissioners held a discussion on the pros and cons of remaining a member of the LLW Forum. One Major Generator commented. The Chair asked for a motion to take action.

Motion (Resolution 7) by Arkansas, second by Oklahoma, **to approve the continuation of membership to the LLW Forum by payment of dues (contingent on approval of Budget Adjustments).**

Motion **passed** 5-0

Motion (Resolution 8) by Arkansas, second by Louisiana, **to approve the contractual agreement retaining Rich Kuzelka as Financial Consultant for calendar year 2002.**

Discussion followed the motion. The Arkansas Commissioner provided some background on the Financial Consultant to the newest Commissioner from Oklahoma.

Motion **passed** 5-0

The Chair asked the Commission's Administrator to provide background on the recommended Administrative Budget Adjustments. The Commissioners asked questions relating to the

Administrator's wish to offer a permanent part-time position to one of the temporary employees used in the document production. The second adjustment related to the LLW Forum Membership that was discussed earlier.

Motion (*Resolution 9*) by Louisiana, second by Oklahoma, **to approve Administrative Budget Adjustments.**

Motion **passed** 5-0

The Commissioners set the date for the Annual Meeting as June 4, 2002 with a subsequent telephone meeting to be held on July 2, 2002, for the purpose of taking action on Export Applications for fiscal year 2003.

The Chair asked if there was any other business to come before the Commission. With no new business being brought forth, the Chair recessed the meeting at approximately 11:25 a.m. to go into executive session for administrative review. The Chair called the meeting back to order at 11:45 a.m. and announced that the review of the administrator was complete and the Commission approved adjustment to her compensation. No other actions or business was addressed during the executive session.

Motion by Arkansas, seconded by Oklahoma, **to adjourn the meeting.**

Motion **passed** 5-0

The meeting was adjourned at approximately 12:45 p.m.