

**TEXAS LOW-LEVEL RADIOACTIVE WASTE DISPOSAL
COMPACT COMMISSION**

AGENDA
June 12, 2010
9:00 AM

Andrews High School
Little Theater
1401 NW Avenue K
Andrews, Texas 79414

1. Call to Order
2. Roll Call
3. Introduction of Guests
4. Presentation on Compact Disposal Facility site geology
5. Presentation on Compact Disposal Facility economics
6. Public Comment regarding Subchapter B to be added to Chapter 675, Part 21, Title 31, Texas Administrative Code, including subchapter to be captioned "Exportation and Importation of Waste" (including Section 675.21 to be captioned "Exportation of Waste to a Non-Party State for Disposal," Section 675.22 to be captioned "Exportation of Waste to a Non-Party State for Management or Processing and Return to the Party States for Management or for Disposal and Return to the Party State for Management or Disposal in the Compact Facility," and Section 675.23 to be captioned "Importation of Waste from a Non-Compact Generator for Management or Disposal")

Prior to the proposal of the rule governing the import and export of low-level radioactive waste, the Compact Commission held two stakeholder meetings, on August 7 and December 10, 2009. The proposed rules were published in the February 12, 2010, issue of the Texas Register beginning at page 1028 (35 TexReg 1028). After publication of the proposed rules, the Commission held two public hearings on April 5, 2010 (in Austin) and April 6, 2010 (in Andrews), in order to allow additional comment on the proposed rule. The comment period on the rule closed on April 13, 2010.

If additional public comment is allowed at this meeting, it will be limited to two minutes for each person or organization and commenters are reminded that the sixty-day comment period established by the Compact Commission during which received comments are required to be

considered by the Compact Commission ended on April 13, 2010. The decision on whether or not to allow additional public comment will be announced at the Commission meeting when this agenda item is reached.

7. Comment from Elected Officials regarding proposed adoption of rules to be contained in a Subchapter B to be added to Chapter 675, Part 21, Title 31, Texas Administrative Code, as published in the February 12, 2010, issue of the Texas Register beginning at page 1028 (35 TexReg 1028).
8. While the Compact Commission will not at this meeting take final action on the adoption of proposed rules to be contained in a new Subchapter B to be added to Chapter 675, Part 21, Title 31, Texas Administrative Code related to the Exportation and Importation of Waste, the Compact Commission will:
 - a. Discuss and possibly take action on changes in language to the draft provided to the Compact Commission by its Rules Committee (after consideration of public comments provided during the sixty-day comment period as well as comments received during two public hearings) with respect to the proposed rules to be contained in a new Subchapter B to be added to Chapter 675, Part 21, Title 31, Texas Administrative Code relating to Exportation and Importation of Waste; and
 - b. Discuss and possibly take action on changes in language to the draft order adopting rule, including amending preamble analyses, response to comments, and any other changes suggested by the Rules Committee; changes necessary in response to comment; or any other modifications otherwise necessary to conform the order adopting rule to the revised rule text.
9. Discussion and possible action on funding, budget and Commission operations:
 - a. Status of Commission funding
 - b. Discussion and possible action to ratify expenditures of TLLRWDCC made between September 1, 2009, and May 2010
 - c. Discussion and possible action to amend Banking Resolution
10. Discussion and possible action to contract or hire for services necessary to carry out Commission duties and functions per Texas Low-Level Radioactive Waste Disposal Compact, Sec. 3.05(1) and (3), to include:
 - a. Renewal of Interim Executive Director contract, as amended for Consultant Services
 - b. Legal representation for actions of the Commission

- c. Other services as determined by the Commission
11. Discussion and possible action to amend Commission travel budget for Fiscal Years 2010 and 2011
 12. Discussion and possible action on Legislative Appropriations Request for the Commission for Fiscal Years 2012 and 2013
 13. Discussion and possible action on request for Texas Radiation Advisory Board to perform independent review and make recommendations and provide technical advice to the TCEQ and the Commission regarding Compact Disposal Facility license conditions that might be inconsistent with the Policy and Purpose of the Compact with regard to matters of adequate protection of worker and public health and safety and the environment and the economical management of the Compact Disposal Facility.
 14. Consideration of and possible vote to approve party state generator requests/petitions to dispose of low-level radioactive waste in disposal facilities outside of the Texas Compact pursuant to the Compact Commission's December 11, 2009 Resolution.
 - a. STP Nuclear Operating Company ("STPNOC"), PO Box 289, Wadsworth, Texas 77483.

The petitioner seeks to export Class A Low-level Radioactive Waste for permanent disposal in the non-compact, commercial EnergySolutions facility located near Clive, Utah pursuant to an existing life-of-plant disposal agreement with EnergySolutions, LLC for the disposal of low-level radioactive waste from the South Texas Project. The proposed expiration date is May 31, 2011 or until such later time as the Compact Waste Facility is open and accepting low-level radioactive waste for disposal. The entire petition may be reviewed on the Compact Commission's website at www.tllrdcc.org.
 - b. Petitioner: NSSI, P.O. Box 34042, Houston, Texas 77234, located at 5711 Etheridge Street, Houston, Texas. The petitioner seeks to export Class A low-level radioactive waste for permanent disposal in the non-compact, commercial, EnergySolutions facility located near Clive, Utah. The entire petition may be reviewed on the Compact Commission's website at www.tllrdcc.org.
 - c. Petitioner: NSSI, P.O. Box 34042, Houston, Texas 77234, located at 5711 Etheridge Street, Houston, Texas. The petitioner seeks a determination as to whether permission of the Compact Commission is required to export NORM and/or NARM waste. If permission is required, petitioner seeks to export NORM/NARM waste for permanent disposal in the non-compact, commercial, U.S. Ecology facility located near Grandview, Idaho. The entire petition may be reviewed on the Compact Commission's website at www.tllrdcc.org.

15. Discussion and possible action on Commission Bylaws
16. Agenda items for next meeting
17. Selection of next meeting date and location
18. Adjourn

The Texas Low-Level Radioactive Waste Disposal Compact Commission may meet in Closed Session on any item listed above if authorized by the Texas Open Meetings Act, Chapter 551, Texas Government Code.