

TEXAS LOW-LEVEL RADIOACTIVE WASTE DISPOSAL

COMPACT COMMISSION

AGENDA

May 10, 2012

9:00 A.M.

Texas State Capitol Extension

Hearing Room E1.028

1400 North Congress

Austin, Texas 78701

The Texas Low-Level Radioactive Waste Disposal Compact Commission

("Commission") will meet at the above-stated time, date, and location to consider and take appropriate action on the items listed in the agenda set out below.

1. Call to Order
2. Roll Call and Determination of Quorum
3. Introduction of
 - A. Commissioners
 - B. Elected Officials
 - C. Press
4. Public Comment (Note: Pursuant to Article IV, Section Two (c) of the

Commission's Bylaws, the Commission [subject to such time constraints as may be established by the Chair] also will provide an opportunity for members of the public to directly address the Commission on each item on the agenda during the Commission's discussion or consideration of the item.)

5. Consideration of and action congratulating Waste Control Specialists ("WCS") on its success in opening the Compact Low-Level Radioactive Waste Disposal facility ("Compact facility") in Andrews, Texas on April 27, 2012,
6. Discussion of and possible action on the Report of the Board's Committee that was assigned to coordinate with the Texas Commission on Environmental Quality ("TCEQ") with respect to its Rulemaking on the "comingling rule", TCEQ Rule Project No. 2011-036-336-W (Ms. Morris [Chair], Mr. Saudek and Mr. Wilson), including consideration of possible Compact Commission rulemaking after TCEQ enactment of its Rule.
7. Discussion and possible action on the following petitions for export:
 - A. R.O.V. Technologies, Inc.
8. Discussion on April 30, 2012 letter from WCS concerning The University of Texas System's April 25, 2012 letter giving the Compact Commission "Notice of Intent to Ship Waste for Treatment Out of State" including possible action requesting briefs on the issue of whether the material being shipped is within

the definition of “low level radioactive waste” subject to management by the Compact Commission..

9. Discussion of and possible action on the report of the Board’s Committee that was assigned to consider methods of processing and evaluating applications and agreements for the importation of waste for disposal in the Compact facility in accord with the Commission’s Rule adopted at its March 23, 2012 meeting to be compiled at (31 TAC § 675.23) that went into effect on May 2, 2012, and with Texas’ requirements as expressed in Chapter 401 of the Texas Health and Safety Code, including quantities of volume and curies, revenue expectations and capacity limits, and in consideration of requirements expressed in the Texas Compact (Judge Dolgener [Chair] Mr. Salsman and Mr. Saudek.).

10. For the purpose of the application of the timing requirements contained in new Rule 675.23(h), (i) and (j) (31 TAC§ 675.23((h), (i), and (j))), discussion of and possible action to designate the date of receipt of the following applications and proposed agreements for importation of low-level radioactive waste for disposal at the Compact facility:
 - A. Bionomics, Inc.
 - B. Tennessee Valley Authority (1)
 - C. Tennessee Valley Authority (2)
 - D. PerkinElmer Health Sciences, Inc.
 - E. Pacific Gas and Electric Company HBPP

F. Exelon Generation Company

G. Nebraska Public Power District

11. Consideration of and possible action on procedures and timing of processing of each of the applications and proposed agreements for importation of low-level radioactive waste identified in agenda item 10, including the designation of the role of contractors and/or the creation of one or more committees to evaluate such applications and proposed agreements and to make recommendations to the Commission on appropriate actions relating to the applications and proposed agreements.

12. Receive reports from the TCEQ on its actions related to low level waste disposal operations in Andrews County, including reports on changes in and possible introduction of agency personnel dealing with matters related to the site's licensing and operations, any pending license amendment applications filed by WCS, the determination of rates for disposal operations at the Compact site, TCEQ initiatives on contracting between generators and the site operator that were discussed on April 25, 2012, shipping expectations for in-compact and non party state waste, revenue predictions related to site operations during the remaining Texas fiscal year 2012 and for Texas fiscal year 2013, on waste acceptance and disposal operations at the disposal site, and on environmental monitoring at the disposal site.

13. Receive reports from WCS about site operations, including reports on pending license amendment applications, determinations of rates for disposal operations at the Compact site, contracting efforts between WCS, generators and small quantity generators and processors, revenue predictions related to site operations to be used for estimating funds available for operations of the Commission and for funds to be contributed to the State of Texas and to Andrews County, and on projected capacity requirements for waste disposal at the Compact facility site during the next fiscal year expressed both in curies and volume including reports on whether there are any radionuclide limits in the license that are projected to have more than 50% of capacity consumed within the next 12 months.
14. Discussion of and possible action to charge the Board's Fiscal Advisory Committee with the development of a budget for Commission operations during Texas FY 2013 within funds that may be available for Commission operations during the upcoming 2013 fiscal year.
15. Designation of members of the Legislative Committee to prepare documentation for a Legislative Appropriations request.
16. Chairman's report on Compact Commission activities including reporting on fiscal matters, activities since the March 23, 2012 meeting, on status of filling needs for staffing, and on other actions to be taken by the Compact.

17. Discussion and possible action regarding the provisions of existing Compact Commission Rule 675.21(l) (31 TAC 675.21(l)).
18. Determination of date and location of next meeting.
19. 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.