

**Minutes of An Annual Meeting
Of the
Central Midwest Interstate Low-Level
Radioactive Waste Commission**

**September 10, 2010
Oak Brook, Illinois**

An Annual Meeting of the Central Midwest Interstate Low-Level Radioactive Waste Commission (Commission) was held on September 10, 2010 at the Oak Brook Hills Marriott Resort, 3500 Midwest Road in Oak Brook, Illinois.

Commissioner O'Brien called the meeting to order and called on Marcia Marr, Executive Director to address the Commission regarding the passing of Edward Ford, Chairman of the Commission. Dr. Ford passed away in Kentucky on July 2, 2010. Following Marcia's tribute to Dr. Ford, others in attendance shared their thoughts about Chairman Ford. Jerome Joyce, Donald Fowler, Mary K. O'Brien and Joe Klinger all had many kind words and memories to share.

Commissioner O'Brien next called on Commissioner Klinger to introduce the newest member to the Commission. Dewey F. Crawford was appointed by the Governor of Kentucky to fill the remainder of Dr. Ford's term ending March 31, 2010. Commissioner Crawford then expressed his appreciation for being appointed and is honored to serve on the Commission and represent the Commonwealth of Kentucky.

The next order of business was the adoption of the agenda. All members voted to accept the agenda as presented.

Commissioner Klinger noted that the next agenda item was the election of officers and he made a motion to nominate the following slate of officers: Mary K. O'Brien as Chair, Joseph Klinger as Secretary/Treasurer and Marcia Marr as Executive Director. Commissioner Crawford seconded the slate of officers and all members voted in favor of the motion.

Chair O'Brien made a motion to adopt the minutes from the May 26, 2010 meeting as presented and Commissioner Crawford seconded. Motion passed unanimously.

Chair O'Brien asked if anyone from the public would like to address the Commission at this time. With no one coming forward, the Chair closed the first public comment period.

The Chair had nothing to report at this time for the Chairman's Report.

The Host State Report was the next item on the agenda and the Chair asked Secretary/Treasurer Klinger to update the Commission on activities in the Host State. Mr. Klinger announced that he has been appointed to serve as Interim Director and the Governor's homeland security advisor at the Illinois Emergency Management Agency (IEMA). Governor Quinn appointed him on May 7, 2010.

Mr. Klinger updated the Commission on the accelerated decommissioning at the Zion facility. This is a significant low-level waste issue and may impact the timetable for disposal options in Illinois and the Central Midwest Compact. The Bureau of Environmental Safety at IEMA will oversee the operations of this effort by ZionSolutions. Gary McCandless of IEMA discussed in more detail the role of the Agency in monitoring, escorts of shipments, etc, that will take place during the decommissioning.

Commissioner Klinger asked Mike Klebe, IEMA to come forward and discuss IEMA's proposed exemption for licensing for certain water treatment residuals and sewage treatment sludge. This exemption will allow for the land application or landfill disposal of these residuals or sludge depending on the total radium concentration. A soil concentration increase limit is proposed that will prevent unnecessary exposure to the public and prevent the creation of contaminated sites.

Chair O'Brien asked about a news article she had read a few weeks ago regarding some lost low-level waste at Riverside Medical Center. Mr. Klinger explained that some Cesium-137 brachytherapy tubes held in a safe at the hospital. The safe was in a part of the hospital that had been demolished and the material sent to a landfill in Indiana. IEMA is working with the landfill and authorities in Indiana to resolve this situation.

The Chair asked Marcia Marr to come forward to present the Executive Director's Report. Ms. Marr discussed the Low-Level Radioactive Waste Generator/Radioactive Materials Licensee Conference that is scheduled for December 6 in Chicago. The conference will be held at the Embassy Suites Downtown on State Street. Preliminary logistics are already underway and she and Mike Klebe are working with staff in the IT bureau at IEMA to have the registration done as an online registration. The room is limited to 140 attendees and there will be space outside the room for exhibitors. Commissioner Crawford stated he would like to work with regulators in Kentucky to better determine the registered generators and licensees in Kentucky so they would be more aware of events pertaining to the Commission. Commissioner Crawford asked about scheduling the next meeting of the Commission. After discussion, it was decided to hold the next meeting the day after the Conference in Chicago. Ms. Marr will inquire about securing the meeting room for December 7 and let everyone know the details soon.

Chair O'Brien called on Sue Hurst to come forward to discuss the Annual Auditor's Report. Sue provided the financial statements and report of the annual audit that was conducted by Estes, Bridgewater and Ogden. The report was for the period of July 1, 2009-June 30, 2010. It was a clean audit with no findings by the

firm. Commissioner Klinger made a motion to accept the report and Commissioner Crawford seconded. Motion carried.

The next item on the agenda was the proposed budget for fiscal year 2011. After some discussion with no changes to the proposed budget as it was presented, Commissioner Klinger made a motion to accept the budget and Commissioner Crawford seconded. Motion carried without objection.

The Twenty-Fifth Annual Report was the next agenda item. Marcia Marr came forward to discuss the report and answer any questions. Upon approval of the report, it is sent to the governors and legislative leaders in Illinois and Kentucky. The report is also made available free of charge to the public. Commissioner Klinger made a motion to accept the report and Commissioner Crawford seconded.

Jerry Joyce next addressed the Commission regarding the *EnergySolutions* law suit against the Northwest Compact and its authority over the Clive, Utah facility. This has been ongoing since May of 2008 and in January 2010, the Court of Appeals heard oral arguments. To date, the court has made no decision on this matter.

Don Fowler was present to report on activities in the Texas Compact and the facility to be built in Andrews County, Texas. Don attended a meeting of the Compact where there was much discussion regarding importation and exportation of waste within the Texas Compact. After much discussion the Texas Commissioners moved that they would withdraw the rule pertaining to import and export. They will start over on the whole process and rewrite the rule.

Chair O'Brien asked if there were any other business to come before the Commission at this time. Hearing none, the Chair asked if anyone in attendance would like to come forward and address the Commission during the second public comment period. Seeing no one come forward, the Chair asked for a motion to adjourn. Commissioner Klinger made such motion and Commissioner Crawford seconded. The meeting was adjourned at 11:25 am.