

# Central Midwest Interstate

## Low-Level Radioactive Waste Compact Commission

### Annual Meeting

September 23<sup>rd</sup>, 2015

10:00 am CST/11:00 pm EST

1. Call to Order-
  - Chairman Klinger called the meeting to order.
  - In attendance: Chairman Joe Klinger, Commissioner Dewey Crawford, Commissioner Gary McCandless, Lori Beagles, Adnan Khayyat, Mike Klebe, Kelly Horn, Kelly Grahn
  - In attendance by phone- Curt Pendergrass, Matt McKinley – Kentucky Rad Control.
  - Chairman Klinger acknowledged attendees.
2. Adoption or Modification of the Agenda-
  - No modifications to the agenda were needed. Commissioner McCandless motioned to adopt and Commissioner Crawford seconded.
3. Election of Officers -
  - Officers shall remain the same.
4. Adoption of Minutes from the Previous Meeting for April 7, 2015 -
  - Commissioner Crawford motioned to adopt the minutes, Commissioner McCandless seconded.
5. Executive Session-
  - The Commissioners held a brief 15-minutes executive session to discuss personnel.
6. First Public Comment Period-
  - No public comments
7. Reports –
  - Host State/Chairman
    - Chairman Klinger reported that Ray Flemming – Texas has proposed a rule amendment that would require a 2-year limit on disused sources in storage. Security of sources continue to be an issue on the national and international level.
    - Chairman Klinger gave an update on the Disused Source Working Group (DSWG). Chairman Klinger has been serving on the DSWG, and serves as chair of the Conference of Radiation Control Program Directors, Inc. (CRCPD) E-34 Committee. Both groups worked hard at compiling the questionnaire which was distributed to all States. Chairman Klinger attended

two DSWG meetings (Denver, Alexandria). The final results were presented at the May 18-21, 2015 Annual Conference of the CRCPD, in St. Louis, MO. Those results are available online at [www.orphansources.org](http://www.orphansources.org). One question that was presented on the survey (by the E-34 Committee) was DoD policy on accepting DoD orphan sources – this decision will affect all states.

- Chairman Klinger discussed his recent presentation “Enhanced Radioactive Material Source Security” was selected for publication in a future issue of the *Health Physics Journal*. It was quite an extensive process.
- Chairman Klinger also discussed his weeklong meeting of *Legal and Technical Experts to Develop Internationally Harmonized Guidance for Implementing the Recommendations of the Code of Conduct on the Safety and Security of Radioactive Sources in Relation to the Long Term Management of Disused Sources* at IAEA Headquarters in Vienna, Austria, in November 2014.
- Chairman Klinger also reminded everyone of the Low-Level Waste Forum – fall meeting in Chicago at Embassy Suites. October 22-23<sup>rd</sup>, 2015. The DSWG will meet the afternoon of October 21, 2015.
- More aggressive Financial Assurance for licensees is being looked at by the US NRC.
- Chairman Klinger asked Kelly Horn to provide an update on the CRCPD E-44 Committee. The Task Force to Develop a Radiological Health Safety Protocol for Orphan Sources and Radioactive Commodities Detected Upon Entry to the USA.
  - Kelly Horn - the E-44 Committee is a mirror of the E-34 Committee, but deals with foreign origin orphan sources, mostly through the scrap metal stream. The Committee is looking at how to handle foreign orphan sources, how to safely return foreign sources as to not place financial burden on States, and how to pay for sources that cannot be returned to origin. Depending on the class of source – it is possible the OSRP can accept those sources.
- Executive Assistant Report
  - i. Lori Beagles is serving as the CMCC Executive Assistant due to the resignation of Jennifer Rominger, who received a full-time job offer.
    1. Ms. Beagles has possession of the CMCC files and they are in good order. The FY15 financials were provided to the CPA firm of Estes, Bridgewater & Ogden. The audit of the CMCC financials resulted in a clean audit. The CMCC has stayed within its budget, which resulted in a net increase of funds of \$8,340.
    2. CD’s are producing a bit more interest – due to longer term investment of funds. Interest increased over \$7,000 this reporting period.
    3. The CMCC is co-hosting the LLW Forum meeting in Chicago. The proposed expenses were discussed.

#### 8. Acceptance of Auditor’s Report

- Commission McCandless motioned to accept the report, Commissioner Crawford seconded.

## 9. Acceptance of Fiscal Year Budget

- Ms. Beagles presented the draft FY16 budget. Overall expenses and line items were discussed for the year. It was discussed to add an additional *Contractual Services* line (\$4,000) to cover expenses of a newly hired Executive Assistant. Commissioner McCandless motioned to accept the budget with the contractual line, Commissioner Crawford seconded.

## 10. Acceptance of Annual Report

- The Annual Report is still in draft form. The Annual Report is due to Kentucky and Illinois legislature within 30-days of the Annual Meeting, according to CMCC bylaws, Article XII. We recently received the 2014 LLW numbers from the IEMA; those figures will be reflected in the Annual Report. It was also discussed that we need Kentucky's reporting figures to best present the most accurate Annual Report. Commissioner McCandless is NOT in favor of releasing another yearly report without KY input. Kentucky's reporting does not necessarily need to mirror Illinois' reporting design. We need some type of tabled information showing KY's program information. Commissioner Crawford will plan a visit in the short term to discuss with Matt McKinley & Kurt Pendergrass to obtain this information for inclusion in this year's report. The Annual Report will be completed within 30 days for distribution. It will be placed on CMCC website along with letters sent to KY/IL legislatures letting them know of its availability. The Annual Report will be voted on/approved via conference call/or e-mail vote.

## 11. Maxey Flat Update

- Commissioner Crawford discussed the Maxey Flats Nuclear Disposal Site in Kentucky. He provided two documents (attached). As a Compact, it is important to understand what has happened with older sites such as Sheffield (IL) and Maxey Flats (KY), to better prepare and improve of any new sites. Part 61 was discussed, Illinois and Kentucky both provided comments on this rulemaking. We hope to provide the Maxey Flatt information in the Annual Report.

## 12. Paducah Gaseous Diffusion Plant

- Commissioner Crawford provided an update to the Paducah Gaseous Diffusion Plant- No longer enriching uranium – moving forward with decommissioning. Some efforts to use the sight.

## 13. Discussion of the Regional Management Plan

- Commissioner Crawford believes this is a good time to take a look at the plan and prepare any updates. It hasn't been updated since 1999. Chairman Klinger asked the Commissioners to review the Plan and be prepared to discuss at the next meeting.

## 14. NORM, TNORM Updates

- Commissioner Klinger noted that several activities re: NORM/TNORM are happening at the national level with a lot of important work being done. The CRCPD Committee Part N are also tackling these troubling issues. Gary Forsee (IEMA) serves as Chair on the Part N Working Group. IEMA will seek an

amendment to recently passes P.A. 99-067

<http://www.ilga.gov/legislation/publicacts/fulltext.asp?Name=099-0067>

concerning Exceptional Quality BioSolids (EQBs) to seek clarification that IEMA will not be impacted by the P.A.

15. Other Business-

- Unfinished Business
  - i. Progress of Kentucky's reporting procedures
    - 1. See item 10. – Annual Report.
- New Business
  - i. Compact Opinion on Source Manufacturing & Disposal of Sources.
    - 1. Kelly Horn, of IEMA, has become aware of what could be an issue involving a former Illinois Radioactive Material licensee and Sealed Source Manufacturer/Distributor. The former Kay-Ray, now ThermoScientific, manufactured devices in Illinois until purchased by ThermoScientific of Texas. Mr. Horn wanted to confirm the Compact opinion is consistent with Illinois Rad Control, in that the ownership of any devices; and any subsequent disposal would fall to the current owner (Thermo). The disposal of these sources, if Illinois' responsibility, could result in "out of region" disposal fees. The Compact concurred with IEMA interpretation and thanked Mr. Horn for the situational awareness. The CMCC would formally address this issue with an official letter of request.

16. Second Public Comment Period

- No comments

17. Next Scheduled Meeting or Announcement of Special Meeting-

- Calendars were discussed and the next meeting will be held in Kentucky, hopefully in Lexington at KY Rad Control, in April 13, 2016. This will give us a chance to meet with our Kentucky partners.

18. Adjournment

- Meeting adjourned at 11:55 a.m.

**Meeting Location:**

Public Outreach room

Illinois Emergency Management Agency

2200 S. Dirksen Parkway

Springfield, IL 62703