**SOUTHEAST COMPACT COMMISSION**

**ANNUAL MEETING**

**JUNE 20, 2019**

### DRAFT MINUTES

The 111th meeting of the Southeast Compact Commission was held at the Marriott Courtyard Nashville Vanderbilt/West End, Nashville, TN. Chairman Steve Harrison called the meeting to order at 9:00 a.m. A quorum of the Commission was established by John Williamson, Chairman-Elect.

**Members participating:**

Steve Harrison (Chairman)

John Williamson (Chairman-Elect)

Paul Burks (Secretary-Treasurer)

Les Foldesi

Karl Frost

Donna Hodges

John Lanza

Michael Mobley

B.J. Smith

Jack Storton

Debra Shults

David Turberville

**Staff participating:**

Ted Buckner

**Others participating:**

Joe Heckman, Energy*Solutions*

**Change in the Order of the Agenda**

**Donna Hodges moved to change the order of the agenda to hear a report on the operations of the nuclear waste processing industry that was scheduled under New Business. John Lanza seconded the motion and the motion passed unanimously.**

**Report on the Operations of the Nuclear Waste Processing Industry**

Joe Heckman, Vice President of Processing Operations with Energy*Solutions*, provided a report on the operations of EnergySolutions and the nuclear waste processing industry. His presentation is attached to the minutes.

**Approval of Minutes**

**Donna Hodges moved that the Commission approve the minutes of the June 22, 2017 meeting. The minutes were approved as drafted.**

**Public Comment**

There were no members of the public present.

**Executive Director’s Report**

Ted Buckner, Executive Director, reported on the following activities and events:

* The final rule on the Part 61 Revisions is scheduled to be published in late summer or early fall, but may be subject to additional delays.
* The Texas Legislature finished the session without passing any legislation to provide financial relief to WCS, the operator of the Texas disposal facility.
* The Commission is soliciting nominations for the 2020 Hodes Award. The Waste Management Symposium will assist the Commission to publicize the award to conference attendees. Staff will work with an ad hoc group of commissioners to review the nominations and letters of support. Staff will notify the Commission once this group has made its decision. So far, no nominations have been received.
* Recent activities of the Disused Sources Working Group of the LLW Forum.
* Past activities and upcoming meetings of the other Compact Commissions.

**Treasurer’s Report**

Paul Burks reviewed the Treasurer’s Report and noted that the annual expenditures are still less than revenues. The report is attached.

**State and Liaison Reports**

**Alabama** – David Turberville reported on the operations, exercises, evaluations and drills at the nuclear power plants in the state.

**Florida** – John Williamson reported that the Crystal River plant is proceeding with accelerated decommissioning and is expected to be placed in safe store by 2027. The St. Lucie power plant will have an ingestion pathway drill in 2020.

The State is still involved in planning for the Mars 2020 space launch because it involves radio-isotope thermoelectric generators that contain plutonium 238. Contingency planning is also underway for major events including a Super Bowl and possibly a national political convention.

**Georgia** - Paul Burks reported that Georgia Power continues to work toward completing construction of the additional two reactors at Vogtle.

**Mississippi** – B.J. Smith reported on exercises and drills at nuclear power plants in the State.

**Tennessee** – Debra Shults reported that the NRC has completed the safety review on the TVA small modular reactor near Oak Ridge on the Clinch River.

The number if nuclear waste processors in the State has declined from 16 to seven. Energy*Solutions* is the main player in waste processing. Waste processing volumes are down, indicating that more waste is going straight to disposal without processing. TVA continues to store waste on site but it is shipping some waste to WCS.

**Virginia –** Steve Harrison reported that Virginia has approved fee increases for the radiation program which is critical since there are no general funds for available for support of the program.

The U.S. Supreme Court ruled on a case involving a moratorium on uranium mining in the State, finding that the US AEA does not preempt Virginia law from banning mining in the State. Virginia does have the power to regulate uranium licensing.

Les Foldesi reported on the effort of the manufacturer of a device that measures bone density using low amounts of radiation to be exempt from medical supervision and licensing requirements in Virginia.

**CRCPD** – David Turberville reported on radioactive waste management topics at the recent CRCPD meeting in Anchorage, AL.

**OAS** – Debra Shults gave an update on upcoming OAS meetings and on OAS comments submitted to the NRC on ongoing rulemaking projects.

**New Business**

**Report of the Policy and Planning Committee**

John Lanza, Chairman of the Policy and Planning Committee, gave a report on the meeting, which included the following items:

* Strategic Plan
  + Goal 2.2.B - The Committee recommends that the Commission change the language to require that the Commission website be reviewed and updated “as needed.”
  + Goal 3. Objective 12. - The Committee recommends that the Commission change the language to ensure that the number of Commission meetings be in accordance with the language of the Commission Bylaws.
  + Issues in Goal 4 - Mr. Lanza noted that there are numerous issues in Goal 4 that will have to be addressed by the Finance Committee once it is established that were not discussed by the Policy and Planning Committee.
  + Other - The Committee discussed a suggestion from Paul Burks that once the transition planning is completed, perhaps in 12 to 24 months, the Commission have a facilitated session for a complete review of the Strategic Plan.
* Policy Statement on the Management of Low-Level Radioactive Waste -The Committee reviewed the policy and did not recommend any changes.
* Letter to Governors of Party States - Staff and an ad hoc group wrote a letter to the party state governors with a one-page attachment explaining the advantages of membership in the Compact. The letters were mailed in May, but there were no responses before this meeting.
* Survey of Florida Generators Regarding Services of Brokers and Processors - Staff had worked with the Florida commissioners to send a survey to Florida Generators regarding their access and use of brokers and processors in the region. It was noted that there were no major concerns reported by those who responded to the survey.
* National Directory of Brokers and Processors - In 2018, the Committee discussed whether to discontinue support of the Directory and agreed that the Commission should continue supporting the Directory and revisit the question in 2019. The Committee received an update on the website from staff and did not take any action to end support of the website.

**The Commission voted to accept the two changes to the Strategic Plan that were recommended by the Policy and Planning Committee.**

**The Commission voted to accept the report of the Policy and Planning Committee, which included.**

**Report of the Administrative Committee**

Donna Hodges, Chairman of the Administrative Committee, reported on the following items:

* Report on Financial Status of Commission - Bynum Satterwhite of Raymond James gave a detailed report to the Committee on the financial status of the Commission and its investments.
* Proposed Budget for 2019/2020 - Ted Buckner presented the proposed budget for 2019/2020 and the supporting documentation to the Committee. He explained the significant differences between the proposed budget and the 2018/2019 approved budget. The Committee discussed an addition of $5,000 to the budget to provide funding for the fall LLW Forum meeting. The Administrative Committee recommended that the proposed budget with the $5,000 addendum for 2019/20120 be considered for approval by the Commission. **The Commission voted to approve the budget as amended.**
* Establishing a New Finance Committee - The Administrative Committee discussed the need to establish a Finance Committee to assist in implementing additional internal controls and maintaining good internal controls over the Commission’s investments. The Committee voted to recommend to the Commission that it amend the Bylaws to provide for a new Finance Committee.
* Financial Policies and Procedures - The Committee reviewed a set of proposed financial policies and procedures related to internal controls and referred them to the Finance Committee to be implemented.
* Record Retention and Record Review - The Committee voted to recommend to the Commission to set up an ad hoc committee to develop a records review procedure and to review the existing record retention policy.
* Succession Planning - Need to make giant strides in succession planning. Considering changing from a salaried staff position to a part-time independent contractor. Personnel policies and operating polices will need to be revised depending on the departure of current staff.
* Discussion of Staff Compensation and Benefits for the current year **-** The Committee discussed moving forward with succession planning using a part time independent contractor rather than an employee with salary and benefits. The Committee also discussed whether to proceed for the upcoming year under the current system. The issue was deferred for discussion in today’s meeting.

The Commission then discussed how to proceed with all of the items presented by the Administrative Committee.

**Les Foldesi made a motion to go into executive session to discuss “the Administrative Committee report on the Ad Hoc Committee review of SE Compact staffing, salaries and benefits and related Commission personnel matters.” The motion was seconded by Commissioner Mobley. The motion was approved.**

The Commission went into executive session.

Upon reconvening the general session, Chairman Harrison noted that “while in executive session, the Commission discussed Commission personnel matters. During executive session, the Commission restricted its discussion solely to those matters. The Commission did not take any formal action on any matter.”

**B J Smith made a motion to accept the Administrative Committee Report, including the Bylaws amendment establishing a Finance Committee and other general Bylaws amendments. Commissioner Shults seconded the motion. The motion passed unanimously.**

**Chairman Harrison noted that he will make an appointment for additional members for the Finance Committee, one each from Alabama, Tennessee and Virginia.**

**The Commission discussed sitting up an ad hoc committee to review a record retention policy and a process for allowing public review of Commission records.**

**Chairman Harrison noted that an ad hoc transition committee would also need to be established. He asked for volunteers and stated that he would make the appointments sometime after the meeting.**

**Commissioner Hodges volunteered to develop an initial draft of the records retention revision and the records review procedure.**

The commission discussed three additional issues:

* Three CD’s in excess of the $250,000 FDIC insured limit – It was decided that those would be redeemed immediately and Ted would work with Bynum Satterwhite to make sure that no future investments in CD’s would exceed the limit.
* Exploration of what the Commission can do to support the Texas disposal facility – Are more direct efforts needed?
* Meetings with Governors’ staffs Follow-up the letters sent to the party states’ Governors and work on getting Commission vacancies filled.

There was no further new business to discuss.

**Public Comment**

There were no members of the public present.

The meeting adjourned at 11:54 a.m.