

**MINUTES OF THE REGULAR MEETING OF THE
ROCKY MOUNTAIN LOW-LEVEL RADIOACTIVE WASTE BOARD**

Embassy Suites Hotel & Athletic Club
1881 Curtis Street
Denver, Colorado

June 8, 2004

ATTENDANTS

Board Members:

Larry Boschult, Acting Chair, Nevada
Matthew Knoedler, Colorado

Barbara Green, Legal Counsel
Leonard Slosky, Executive Director
Vicki Green, Recording Secretary

Others:

Brenda Fredrickson, Wells Fargo Brokerage Services
John Gabriele, Shaw Environmental, Inc.
James Grice, University of Colorado Health Sciences Center
James Hanley, U.S. EPA – Denver
Jay Hodges, U.S. Army Corps of Engineers – Omaha
Bob Matthys, U.S. Department of Defense
Riad Safadi, University of Colorado Health Sciences Center
Andrew Winslow, U.S. Army Corps of Engineers – Omaha

REGULAR MEETING

Mr. Boschult, Acting Chair, called the meeting to order at 9:40 a.m.

The first item on the agenda was the approval of the minutes of the November 14, 2003 Regular Meeting and the February 25, 2004 and March 22, 2004 Telephonic Meetings. Mr. Boschult asked if there were comments or corrections to the minutes. As there were none, Mr. Boschult moved to approve the minutes of the Regular Meeting dated November 14, 2003, and the February 25, 2004 and March 22, 2004 Telephonic Meetings as submitted. Mr. Knoedler seconded; the motion carried unanimously.

EXECUTIVE DIRECTOR'S REPORT

Mr. Slosky reviewed the Board's fiscal status. As of April 30, 2004 the Board had over \$200,000 in cash, which is more than normal. He suggested that the Board invest \$50,000 in higher yielding investment instruments.

Mr. Slosky directed the Board to the Investment Summary. He explained that the Board had numerous investments ranging from federal agency notes to Certificates of Deposit. He suggested that the Board look at this summary, in more detail later in the meeting, with the Board's investment advisor.

Mr. Slosky explained that the Permit Fee Revenue table summarized the Board's revenue from application fees over the last five years. He noted that the Board's permit fee revenue was higher than normal due to a fee from the City and County of Denver. Through May 2004, the Board had received double the amount of export fees usually expected.

Following this was the Budget versus Expenditure Comparison. Mr. Slosky asked the Board to refer to the updated version that was provided at the meeting through May 31, 2004 showing eleven months, or 92% of the fiscal year. Mr. Slosky reported that the Board continues to run significantly under budget and anticipates no change at fiscal year end.

Mr. Slosky noted that the Board had replaced the seven-year-old laser jet with a new one. He reminded the Board of their approval to replace the six-year-old server. Mr. Slosky anticipated that the cost of the replacement would be split between this year and next year. Mr. Boschult asked the cost of replacing the server. Mr. Slosky stated that he was waiting on final numbers and would provide the Board with a breakdown later this week.

Mr. Knoedler asked Mr. Slosky to clarify how the application fees are determined. Mr. Slosky gave a brief history of how the fee structure came about. There was some discussion regarding a future reevaluation of fees. Ms. Green noted that the Board's fees were inconsequential as compared to other disposal costs.

Mr. Slosky then referred the Board to the final export/disposal table for 2003. He explained that of the 1.8 million cubic feet of waste exported, 1,500 went to the US Ecology-Washington facility.

To date, the 2004 export/disposal table shows approximately 1,200 cubic feet has been authorized for disposed at the US Ecology-Washington facility out of the approximate 12,000 cubic foot allowance. Mr. Slosky reiterated that the volume disposed of at the US Ecology-Washington facility

continues to decline as more waste goes to other facilities. Ms. Green stated that the Board has the power to direct where waste is disposed if this becomes necessary in the future. Mr. Slosky agreed.

Mr. Slosky also related some changes in dates to the September 2005 Forum Meeting that the Board was hosting in Las Vegas.

PRESENTATION BY BRENDA FREDRICKSON, WELLS FARGO INVESTMENT ADVISOR

Mr. Slosky introduced Brenda Fredrickson, who has been the Board's investment advisor for over eleven years. Ms. Fredrickson provided the Board with an overview of alternatives and rates, both short and long term. She explained that the Board had originally developed a five-year ladder, where the money was divided equally at much higher interest rates than we are currently experiencing in the safest securities (treasury notes or federal agency securities). In a lower interest environment, the Board has shortened the ladder and invested in Certificates of Deposit (CDs) in order to obtain higher returns.

After some discussion regarding the various investment options that are available, Ms. Fredrickson suggested that the Board continue to ladder its investments but decrease the investment period to three years.

With Mr. Slosky's suggestion of investing \$50,000, Ms. Fredrickson suggested investing the funds in the five-year CD with Bank Direct because a 5% yield is high in the current market. For the upcoming maturity of \$100,000, she advised a shorter term of investment.

After some discussion regarding investment options, Mr. Knoedler made a motion to invest \$50,000 in a five-year CD with Bank Direct at a yield of 5%. Mr. Boschult seconded; the motion carried unanimously.

Mr. Knoedler asked Ms. Fredrickson to prepare three or four options for the \$100,000 July maturity and her recommendation.

Mr. Boschult asked if there were any questions or comments. As there were none, he called for a 10-minute recess at 11:06 a.m. The meeting resumed at 11:18 a.m.

BRIEFING BY THE U.S. ARMY CORPS OF ENGINEERS ON THE SHATTUCK WASTE EXPORT

Andy Winslow, U.S. Army Corps of Engineers (USACE) gave a brief overview of the project. The USACE was hired by the U.S. Environmental Protection Agency (USEPA) to carry out project. The waste is a large concrete monolith. The process includes breaking up, loading, and shipping the large concrete monolith to the US Ecology facility in Idaho (USE-ID). The objective of the project is the unrestricted reuse of the property. Mr. Winslow then introduced the onsite manager for Shaw Environmental, John Gabriele. Mr. Gabriele then explained the engineering challenges and safety concerns that the project entails. He presented a virtual tour the mobile mining structure and rail load out structure. There will be ten set ups of the mining structure to complete the remediation through November 2005.

There was some discussion regarding costs and time lines. Mr. Hanley explained that the original cost was underestimated. Mr. Winslow confirmed that projected completion is estimated to be mid 2005. There was discussion regarding the potential need for the USACE to obtain a permit amendment. Mr. Slosky indicated that until the freeze on permit for the U.S. Department of Defense (DoD) is lifted it would not be possible to amend the permit for the Shattuck waste.

NATIONAL COMPACT DEVELOPMENTS

Mr. Slosky directed the Board to tab K. He explained that he had hoped the U.S. Government Accounting Office (GAO) report would be available prior to the meeting. However, he expects it to come out very shortly. There have been recent reports to the LLW Forum and DoD which have indicated that the GAO might not be as critical of the current system as had been originally indicated.

He briefly summarized the Washington State Initiative. He reported that this citizen's initiative could have implications for the US Ecology-Washington facility by prohibiting additional waste going to the Hanford site until the site is in compliance.

He noted that the State of Texas was proceeding with the new siting program. In addition, he referred the Board to the Forum update regarding the South Carolina litigation.

With no further issues, Mr. Knoedler moved to adjourn the Regular Meeting. Mr. Boschult seconded; the motion carried unanimously. The Regular Board meeting adjourned at 11:57 a.m.