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Questions for the Texas Low-Level Radioactive Waste Disposal Compact Commission

January 22, 2010

1. The Compact was formed to manage low-level radioactive waste generated in the Compact states, Texas and Vermont, so why is the Commission developing rules to import waste from around the country?
2. How does the Commission reconcile the discrepancy between Texas and Vermont's estimated disposal needs with the stated capacity of site?
3. If the Commission develops a rule for import, isn't the Commission making the explicit assumption that the capacity of the site will be expanded and that the license will be amended for expansion?
4. Why is the proposed export/import rule not considered a "Major Environmental Rule" under Section 2001.0225 of the Texas Government Code?
5. Considering the increased environmental impacts that would result from importation, why does the Commission not discuss the liability implications for Texas resulting from the import rule?
6. Why has the Commission not limited import in the proposed rule to exclude international waste?
7. Why are the export and import issues not dealt with in separate rules?
8. How is the Compact Commission going to oversee, account for, and regulate the waste that is sent out of the Compact for processing and then returned to Texas for disposal?
9. Why did the Texas Compact Commission choose to redraft the export/import rule in a manner inconsistent with the Open Meetings Act?
10. Does the Commission have the financial resources to adequately protect and promote the "health, safety, and welfare of the citizens and the environment of the party states," as the Compact's Article 1 states?