

RECORD GROUP 141 (RG141)

Span Dates For Collection: 1983-2006

Central Interstate Low-Level Radioactive Waste Compact Commission (LLRW), Nebraska

Location: K St (Government Records); KS41/03/03

#### History:

In 1989 the federal government, five state governments, and two multi-national corporations approached representatives from Boyd County, Nebraska with a proposal that would cause an economic revival in the county. In exchange for permission to build a low-level nuclear waste dump on an abandoned farm, they would pay the county \$3 million per year for the next forty years. However, Boyd County residents fought Bechtel International /US Ecology and both the state and federal government entities to prevent the building of the nuclear dump in their agricultural community. The farmers in the county then throw their support behind Democrat Ben Nelson in his bid for governor. Eventually Nelson was elected. During his term, the governor's office delayed the project, but could not stop construction at the site. In the midst of the controversy, Governor Nelson appointed Dr. Greg Hayden, a University of Nebraska-Lincoln Professor of Economics, as the Nebraska Commissioner to the Central Interstate Low-Level Radioactive Waste Compact Commission in 1994. The compact commission's charge was to assisting to find a place to store the low-level radioactive waste that would be generated at the site. Boyd County residents proceeded emerged as environmentalists who provided the evidence that would trump the corporations' engineers. The license to build and operate the low-level radioactive waste site was denied by the State of Nebraska to US Ecology in 1998. The compact sued Nebraska, alleging that state officials acted "in bad faith." U.S District Court Judge Richard Kopf agreed and awarded the compact a settlement. The State of Nebraska finally paid \$145.8 million in late July 2005 to officially stop the 18 year litigation struggle over the nuclear waste site. The payment also ended Nebraska's role in the compact.

#### Bibliography of Sources

Cragin, Susan. *Nuclear Nebraska: The Remarkable Story of the Little County That Couldn't Be Bought*. AMACOM: American Management Association, 2007.

Laukaitis, Algis J. "Call Finally Ends Nuke Waste Dispute," 1 August 2005, *Lincoln Journal Star*

Inventory of Holdings:

SERIES ONE

RESEARCH FILES

BOX 1

NEWSPAPER CLIPPINGS

- f. 1 1983 (Original Clipping)
- f. 2 1990 (Original Clipping)
- f. 3 1994 (Original Clipping)
- f. 4 1995 (Original Clipping)
- f. 5 1996 (Original Clipping)
- f. 6 1997 (Original Clipping)
- f. 7 1998 (Original Clipping)
- f. 8 1999 (Original Clipping)
- f. 9 2000 (Original Clipping)
- f. 10 2001 (Original Clipping)
- f. 11 2002 (Original Clipping)
- f. 12 2003 (Original Clipping)
- f. 13 2004 (Original Clipping)
- f. 14 2005 (Original Clipping)
- f. 15 2006 (Original Clipping)
- f. 16 2011 (Original Clipping)
- f. 17 1971-1995 (Printed Copy)
- f. 18 1996 (Printed Copy)
- f. 19 1997 (Printed Copy)
- f. 20 1998 (Printed Copy)
- f. 21 1999 (Printed Copy)
- f. 22 2000 (Printed Copy)
- f. 23 2001 (Printed Copy)
- f. 24 2002 (Printed Copy)
- f. 25 2003 (Printed Copy)
- f. 26 2004-2006 (Printed Copy)
- f. 27 No Dates (Original Clippings & Printed Copies)
- f. 28 1997-1999 Cartoons (Printed Copy)

BOX 2

ARTICLES

- f. 1 Book Publications (1961-2000)
- f. 2 Environmental Groups/Organizations (1996-2003)
- f. 3 News Releases (1990-1996)
- f. 4 Journal/Magazine Articles (No Dates)
- f. 5 Journal/Magazine Articles (1951)
- f. 6 Journal/Magazine Articles (1981-1989)
- f. 7 Journal/Magazine Articles (1991-1994)
- f. 8 Journal/Magazine Articles (1995-1996)
- f. 9 Journal/Magazine Articles (1997)
- f. 10 Journal/Magazine Articles (1998)
- f. 11 Journal/Magazine Articles (1999)

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### Box 2 Continued

- f. 12 Journal/Magazine Articles (2000)
- f. 13 Journal/Magazine Articles (2001)
- f. 14 Journal/Magazine Articles (2002)
- f. 15 Journal/Magazine Articles (2003)
- f. 16 Journal/Magazine Articles (2004-2006)

### BOX 3

#### REPORTS BY DR. GREG HAYDEN, Commission Chair & UNL Prof. of Economics

- f. 1 Written Drafts by Dr. Hayden (No Dates)
- f. 2 Reports Completed by Dr. Hayden (CIC, 1998, Binder)
- f. 3 Comments on EIA, SER, RC by Dr. Hayden (DEQ, 1998, Binder)
- f. 4 Reports by Dr. Hayden (1988-1996)
- f. 5 Reports by Dr. Hayden (1997)
- f. 6 Reports by Dr. Hayden (Jan-Aug 1998)
- f. 7 Reports by Dr. Hayden (Sep-Dec 1998)
- f. 8 Reports by Dr. Hayden (1999-2003)
- f. 9 Reference Materials Compiles by Dr. Hayden (Misc. Appendices)
- f. 10 Undated Reports by Dr. Hayden
- f. 11 Dr. Hayden's Reports in JEI (1997-2002)
- f. 12 Dr. Hayden's Presentation Materials

### BOX 4

#### REPORTS/PRINTED PUBLICATIONS

- f. 1 *High Level Dollars, Low Level Sense* by Arjun Makhijani and Scott Saleska (1992)
- f. 2 *Utilities Policy: Strategies, Performance, Regulation; Vol.5 No.3/4* (1995)
- f. 3 *Toxic Sludge Is Good for You* by John Stauber and Sheldon Rampton
- f.4 Response to Comments (Draft Safety Eval. Report & Environmental Impact Assessment) (1998)
- f. 5 *Nuclear Nebraska: The Remarkable Story, Little County That Couldn't Be Bought* (cover) (2007)
- f. 6 *No M'Orr Nukes* Book (two stapled copies) (2006)
- f. 7 Reports by Misc. Authors on Misc. Topics (1982-1991)
- f. 8 Reports by Misc. Authors on Misc. Topics (1992-1995)
- f. 9 Reports by Misc. Authors on Misc. Topics (1996-1997)
- f. 10 Reports by Misc. Authors on Misc. Topics (1998)
- f. 11 Reports by Misc. Authors on Misc. Topics (1999-2001)

SERIES ONE CONTINUED

BOX 5

REPORTS BY MISC. AUTHORS & SPECIFIC COMMITTEE REPORTS

- f. 1 Reports WITHOUT Dates, Arranged by Title
- f. 2 Reports WITHOUT Authors or Dates, Arranged by Title If Applicable
- f. 3 Reports/Publication Excerpts WITHOUT Authors or Dates, Arranged by Title
- f. 4 Case Reports of the Nebraska Supreme Court, Arranged by Case #
- f. 5 Publications of Public Citizen by Misc. Authors (1990-1993)
- f. 6 Expert Reports on Hydrology (2001-2002)
- f. 7 Reports & Safety Analyses of Facility in Butte, Nebraska (1992)
- f. 8 Annual Reports of Nebraska Committees (Citizens Advisory/Nuckolls Monitoring) (1989-1990)
- f. 9 Annual Survey Reports of Illinois Emergency Mgmt. Dept. of Nuclear Safety (2000-2003)
- f. 10 Reports on California's Low Level Radioactive Waste (LLRW) Programs (1993-2002)
- f. 11 Report to New Jersey Governor (1999)
- f. 12 Reports of the Government Accounting Office (GAO) on LLRW (1999-2004)
- f. 13 Reports of the U.S. Nuclear Regulatory Commission (NRC or NUREG) (1995-1998)
- f. 14 Reports and Surveys of Omaha/Nebraska Public Power Districts (OPPD/NPPD) (1989-1997)

SERIES TWO

CENTRAL INTERSTATE LOW-LEVEL RADIOACTIVE WASTE COMPACT (CIC) COMMISSION

CIC COMMISSION FILES

BOX 1

- f. 1 Appointment/Certificate from Governor Ben Nelson to Greg Hayden, CIC Commissioner (1994)
- f. 2 Annual Reports (1986-2004)
- f. 3 Agreements, Settlements, Procedures, etc.
- f. 4 Meeting Exhibits (1996)
- f. 5 Meeting Materials: Agendas, Resolutions, Notices, etc. (1995-2004)
- f. 6 Meeting Minutes (draft versions) (1996-2004)
- f. 7 Meeting Reports (given by various internal/external individuals) (1994-2003)
- f. 8 Meeting Testimony (given by Dr. Hayden et al.) (1994-2003)
- f. 9 Meeting Transcripts (1987-1998)
- f. 10 Meeting Transcripts (Jan-Jun 1999)
- f. 11 Meeting Transcripts (Sept 1999-2003)
- f. 12 Publications, Brochures, Public Newsletters, Misc. Info (1999-2001)
- f. 13 Approval/Ratification of Commission (1983)
- f. 14 Agreements between CIC and US Ecology (1991)
- f. 15 Agreements with Other Individuals/Entities (1992-2003)
- f. 16 Misc. Files on Strategy/Planning and Reports on LLW
- f. 17 Survey on Low-Level Radioactive Waste Policy (1996)

SERIES TWO CONTINUED

BOX 2

BY-LAWS OF CIC LLRW COMMISSION

- f. 1 Amendments (1<sup>st</sup>-6<sup>th</sup>) to By-Laws (excerpts)
- f. 2 Rule 23 Issues and Nebraska Withdrawal from Compact
- f. 3 Complete Set of By-Laws, Rules, Contracts (BLACK BINDER)
- f. 4 Compilation of Consent, Laws, Plan of Progress, Generators & Disposal, etc. (BLACK BINDER)
- f. 5 Compilation of CIC Rules, Laws, Contracts, etc. (predominantly Dr. Hayden's) (WHITE BINDER)

SERIES THREE

CORRESPONDENCE FILES: CHRONOLOGICAL ORDER

BOX 1

ALL CORRESPONDENCE AMONGST ENTITIES INVOLVED

- f. 1 Correspondence (1987-1992)
- f. 2 Correspondence (1993-1995)
- f. 3 Correspondence (Jan-Mar 1996)
- f. 4 Correspondence (Apr-Jun 1996)
- f. 5 Correspondence (Jul-Aug 1996)
- f. 6 Correspondence (Sep-Dec 1996)
- f. 7 Correspondence (Jan-Mar 1997)
- f. 8 Correspondence (Apr-Jun 1997)
- f. 9 Correspondence (Jul-Sep 1997)
- f. 10 Correspondence (Oct-Dec 1997)

BOX 2

ALL CORRESPONDENCE AMONGST ENTITIES INVOLVED

- f. 1 Correspondence (Jan-Apr 1998)
- f. 2 Correspondence (May-Jul 1998)
- f. 3 Correspondence (Aug-Sep 1998)
- f. 4 Correspondence (Oct-Dec 1998)
- f. 5 Correspondence (Jan-Mar 1999)
- f. 6 Correspondence (Apr-Dec 1999)
- f. 7 Correspondence (2000)
- f. 8 Correspondence (2001)
- f. 9 Correspondence (2002)
- f. 10 Correspondence (2003)
- f. 11 Correspondence (2004)
- f. 12 Correspondence (2005)

SERIES FOUR

CASE FILES

BOX 1

- f. 1 Petition of U.S. Ecology to Determine Initial Max Disposal Rate (1992)
- f. 2 U.S. Ecology v. State of Nebraska, DEQ, et al. (Docket No. 554) (1997)
- f.3 Hayden v. Petersen (Dockets) (1997-1998)
- f.4 Hydrological Resources, Inc. (before NRC) (1998)
- f.5 Application of U.S. Ecology for License (before Nebraska DEQ and DHHS) (1999)
- f.6 Application of Pacific Gas and Electric Co. in Nuclear Decommissioning (2002)
- f.7 U.S. Ecology of State of California v. Department of Health Services et al. (2003)
- f. 8 Case Number 79-677 (1979)
- f. 9 Case Number C013930 (1993)
- f. 10 Case Number 94-2280 (1994)
- f. 11 Case Number 6:94CV708 (1994)
- f. 12 Case Number 4:CV95-3053 thru 4:CV96-3438 (1995-1997)
- f.13 Case Number A-96-575 (1996)
- f. 14 Case Number 97-218 (1997)
- f. 15 Case Number A-97-802 (1997-1999)
- f. 16 Case Number 4:97CV3267 (1997-1998)
- f. 17 Case Number 98-3858 (1998)
- f. 18 Case Number S-98-412 (1998-1999)
- f. 19 Case Number 99-4263 to 99-4265 (1999)
- f. 20 Case Number 00-5062 (2000-2001)
- f. 21 Case Number 00-16138 (2000-2002)
- f. 22 Case Number 01-87 (2001)
- f. 23 Case Number 02-3747 (2002-2004)
- f. 24 Case Number 4:03CV-3308 (2003)
- f. 25 Case Number 03-14715-CC (2003)
- f. 26 Case Number GIC 747562 (2003)
- f. 27 Case Number D042426 (2005)

CASE FILES

BOX 2

- f. 1 Case Number 4:98 CV 3411 (1998-2002)

SERIES FOUR CONTINUED

CASE FILES

PRIVILEGE LOGS:

(Documentation for Discovery of Evidence/Exhibits, Labor Hours, etc.)

BOX 3

- f. 1 State Briefs & Exhibits Admitted in Court (No Dates)
- f. 2 Privilege Logs (Entergy vs. State of Neb., et al., No Dates)
- f.3 Privilege Logs Program Management Services: Doc. Status (Dec. 1998)
- f.4 Privilege Logs by date (Feb-Mar 2001) Entergy vs. State of Neb.
- f.5 Privilege Logs by date (April 9, 2001) Entergy vs. State of Neb., et al.
- f.6 Privilege Logs (Amended) by date (Sept 21, 2001) Entergy vs. State of Neb., et al.
- f.7 Privilege Logs by date (Sept 24, 2001) Entergy vs. State of Neb., et al.
- f. 8 Privilege Logs by date (June thru July 2002) Bills of Exhibits (BOES)

SERIES FIVE

FEDERAL STATUTES & REGULATIONS GUIDES/PLANS/MANUALS

FEDERAL PUBLICATIONS

BOX 1

- f. 1 Code of Federal REGs by date (1996) 48:Ch. 1 (Parts 1-51)
- f. 2 Construction Accounting (Ch. 3 thru 19)
- f. 3 GAO Government Auditing Standards
- f. 4 Public Law by date (1986) of LLRW Policy Act Amendments
- f. 5 Regulations of Corporate Disclosure Statements
- f. 6 US Nuclear REG: Commission Regulation Guides by date (1983-1994)
- f. 7 Misc. Regulations/Acts
- f. 8 NUREG-1300 Environmental Standard Review Plan (April 1987, 2 Binders)
- f. 9 NUREG-1199 Standard Format and Content of a License (Jan. 1991)

SERIES SIX

STATISTICAL INFORMATION

FINANCIALS STATEMENTS/INVOICES DATA (1989-2004)

BOX 1

- f. 1 Financial Projections Butte (NE) Disposal Facility
- f. 2 Financials-Central LLRW (1990-2004)
- f. 3 Financial Statements Cline-Williams Law Firm (1996-1999)
- f. 4 Financial DEQ Budget (1995-1999)
- f. 5 Financial: Invoices U.S. Ecology (1997 & 2000-2003)
- f. 6 Financial: Manhour Summary Costs (1989)
- f. 7 Financial: Manhour Costs (1990)
- f. 8 Financial: Manhour Costs (1991)
- f. 9 Financial: Manhour Costs (1992)
- f. 10 Financial: Manhour Costs (1993)
- f. 11 Financial: Manhour Costs (1994)
- f. 12 Financial: Manhour Costs (1995)
- f. 13 Financial: Manhour Costs (1996)
- f. 14 Financial Report Comments for Financial Assurance (July 1998)
- f. 15 Financials Stock Performance of Various Corporations (1990)

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BOX 2

STATISTICAL DATA CHARTS/GRAPHS/TABLES

- f. 1 Statistical Calculations of Various Corporations (Part I, Dr. Hayden)
- f. 2 Statistical Calculations of Various Corporations (Part II, Dr. Hayden)
- f. 3 Statistical Calculations of Various Corporations (Part III, Dr. Hayden)
- f. 4 Financial Report Compilation (By Dr. Hayden)
- f. 5 Statistical Charts & Tables (By Dr. Hayden)
- f. 6 Misc., Charts/Graphs/Stats Tables

SERIES SEVEN

AMERICAN (US) ECOLOGY CORPORATION

FILES

BOX 1

- f. 1 American Ecology Corp., 401-K Report (1994)
- f. 2 American Ecology Corp., Annual Reports (1991-2000)
- f. 3 American Ecology Corp., Annual Reports (Wash. Securities & Exchange Comm., 1995-1997)
- f. 4 American Ecology Corp., Quarterly/Misc Reports (Wash. Securities & Exchange Comm., 1998)
- f. 5 American Ecology Corp., Complete Company Records (1990-1997)
- f. 6 American Ecology Corp., Settlements/Agreements (1993-1998)
- f. 7 American Ecology Corp., Reports on Financial Condition by Auditors & Dr. Hayden (1990-1998)
- f. 8 American Ecology Corp., Untitled Reports
- f. 9 American Ecology Corp., Misc. Financial Analyses/Info., etc.
- f. 10 American Ecology Corp., Misc. Stock Values/Charts/Tables/etc.
- f. 11 Texas Commercial Bank Hand-Written Notes on AEC (1995-1996)
- f. 12 US Ecology Project Costs
- f. 13 US Ecology Stock Analyses (1990-1995)
- f. 14 US Ecology Misc. Background/Comment Reports



SERIES EIGHT

MISC. FILES

COMMITTEE FILES/STATE FILES/LEGISLATIVE FILES: MISC.

BOX 1

- f. 1 Committee Files: Boyd County Monitoring Committee (Misc. meeting/testimony docs, 1996-1997)
- f. 2 Committee Files: Committee to Bridge the GAP (1998-2004)
- f. 3 Committee Files: LLW Forum Reports & News Releases (1996-1999)
- f. 4 Committee Files: Natural Resources Committee Testimony & Meeting Transcripts (1994-1999)
- f. 5 Committee Files: Public Hearings from Various Organizations (1989-1998)
- f. 6 Nebraska Supreme Court Code of Professional Responsibility
- f. 7 State Files: Assessment of Notice of Intent to Deny License
- f. 8 State Files: Codes of Conduct for Public Meetings
- f. 9 State Files: Compact Siting Program Background Papers and Options of Nebraska
- f. 10 State Files: Nebraska DEQ Title 194-Rules & Reg., for Disposal of LLRW
- f. 11 State Files: Nebraska Preconstruction Plan: Executive Summary (1997)
- f. 12 State Files: Nebraska Statutes #81-15.102 thru 81-15, 112.01
- f. 13 Legislative Files: Congress of US ACTS & Proceedings (by session, 99<sup>th</sup>-100<sup>th</sup>)
- f. 14 Legislative Files: Congress of US Hearings (by session, 103<sup>rd</sup>-104<sup>th</sup>)
- f. 15 Legislative Files: California Legislature Bills (by date, 2001-2002)
- f. 16 Legislative Files: Nebraska Unicameral Legislature Bills (by date/session, 1989-2002)
- f. 17 Legislative Files: Nebraska Unicameral Legislature Transcripts & Statements (by date, 1987-1997)
- f. 18 Misc. Files: Contact Lists of Media/Commissions
- f. 19 Misc. Files: Applications to Export LLRW from CIC Region (by date, 1993-2005)
- f. 20 Misc. Files: LLRW Export Permit & Generator Info
- f. 21 Misc. Files: Nuclear Waste Shipment Data
- f. 22 Misc. Files: Preliminary Research of Jay Ringenberg's Publications
- f. 23 Misc. Files: Endangered Species American Burying Beetle in Boyd County
- f. 24 Misc. Files: Agreements of Various Entities (by date, 1985-2002)
- f. 25 Misc. Files: Cline-Williams Law Firm Lincoln NE
- f. 26 Misc. Files: Settlement Agreements of Legal Suits (by date, 1996-2004)
- f. 27 Misc. Files: US Ecology Public Hearings (by date, 1998)
- f. 28 Misc. Files: Ward Valley Site

BOX 2 (MISC.)

CENTRAL LLRW A-V& E-RECORDS

DISKS/VIDEO TAPES/CDS/MISC.

- f.1 Diskettes: CIC Meetings (ASCII Format)
- f. 2 Video Tapes (VHS, 2 tapes): Dr. Greg Hayden News Reports
- f. 3 Compact Discs (CD): Boyd County

