

IN THE COMMISSIONERS COURT  
OF  
ANDREWS COUNTY, TEXAS

*A resolution in support of establishing a site in Andrews County  
for consolidated interim storage of spent nuclear fuel and high-level radioactive waste.*

**WHEREAS**, Andrews County, Texas, as host to two low-level radioactive waste disposal facilities operated by Waste Control Specialists LLC (“WCS”), greatly benefits directly and indirectly from the economic activity associated with disposal of radioactive materials; and

**WHEREAS**, Andrews County recognizes the importance of a diversified economy to the livelihood of the citizens of Andrews County; and

**WHEREAS**, Andrews County is home to a specialized workforce with expertise concerning radioactive materials, and WCS currently employs more than 170 full-time employees with an annual payroll of more than \$13 million in Andrews County; and

**WHEREAS**, Andrews County has invested in the success of the low-level radioactive waste disposal facilities operated by WCS by issuing \$75 million in bonds and using that revenue to purchase property leased by WCS as part of the operation of the disposal facilities; and

**WHEREAS**, Andrews County receives five percent of the gross receipts from waste disposed of at the two low-level radioactive waste disposal facilities, which receipts to date have totaled over \$5 million directly paid to Andrews County and are expected to total more than \$3 million per year in the future; and

**WHEREAS**, WCS has consistently shown its commitment to the environment and the citizens of Andrews County by, among other things, designing and operating safe, state-of-the-art radioactive materials facilities, working to ensure that Andrews County shares in economic benefits because of WCS operations, and working to ensure that local stakeholders are kept informed and made an integral part of the decision-making process concerning WCS operations; and

**WHEREAS**, there are substantial quantities of Spent Nuclear Fuel (“SNF”) and High-Level Radioactive Waste (“HLW”) currently stored at sites throughout Texas and the United States; and

**WHEREAS**, much of the SNF and HLW is currently stored at sites that are vulnerable to natural disasters and located near large metropolitan centers; and

**WHEREAS**, the United States Department of Energy (the “DOE”) concluded in 2013 that a geologic repository for the permanent disposal of SNF and HLW will not be available until 2048, at the earliest; and

**WHEREAS**, the federal Blue Ribbon Commission on America’s Nuclear Future in 2012 recommended “prompt” efforts to develop one or more consolidated SNF and HLW interim storage facilities while further efforts are made to develop a permanent disposal site; and

**WHEREAS**, the Texas Commission on Environmental Quality (“TCEQ”) analyzed the challenges associated with creating a consolidated SNF and HLW interim storage solution in Texas in its March 2014 *Assessment of Texas’s High Level Radioactive Waste Storage Options* report (the “Report”); and

**WHEREAS**, the TCEQ, in the Report, noted that consolidated SNF and HLW interim storage in Texas would offer electricity consumers significant savings compared to storage at each nuclear power plant and that the siting and construction of a consolidated SNF and HLW interim storage facility is “not only feasible but could be highly successful” so long as the approach “minimizes local and state opposition through stakeholder meetings, finding volunteer communities, financial incentives, and a process that is considered fair and technically rigorous;” and

**WHEREAS**, the Texas Radiation Advisory Board issued an official statement of its position “that it is in the state’s best interest to request that Texas be considered by the Federal Government as a consolidated SNF storage site;” and

**WHEREAS**, the Governor of Texas noted that Texas should “begin looking for a safe and secure solution for HLW in Texas;” and

**WHEREAS**, the workforce, the geography, and the geology of Andrews County make it an ideal location for safe storage of radioactive materials, and Andrews County is a volunteer community that wishes to offer its unique resources to help solve the state’s and country’s SNF and HLW storage problems.

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED** that the Commissioners Court of Andrews County, Texas, meeting in open session, believes that the construction and operation of a consolidated SNF and HLW interim storage facility in Andrews County (the “Facility”), licensed by the Nuclear Regulatory Commission and developed by WCS, will enhance the health, safety, and welfare of the citizens of Andrews County; and

**BE IT FURTHER RESOLVED AND ORDERED** that the Commissioners Court of Andrews County does hereby declare and express the commitment of Andrews County

to explore the development of the Facility, and in support thereof does hereby call upon and ask:

the State of Texas, all its agencies, officials and political subdivisions, and all members of the Texas congressional delegation to work cooperatively with all relevant entities towards the creation of the Facility, including taking actions to evidence approval of the development of the Facility, such as executing and delivering letters of support, cooperative agreements, or other documents needed in connection with the site selection, siting and licensing of the Facility; and

the State of Texas, all its agencies and officials, and all members of the Texas congressional delegation to assist Andrews County in securing all federal incentives that may be available, as a result of siting the Facility, from the DOE or another appropriate federal entity; and

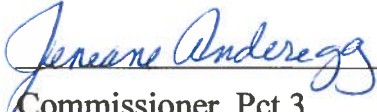
**BE IT FURTHER RESOLVED AND ORDERED** that the Andrews County Judge is hereby authorized to negotiate terms of any interlocal agreements and other contracts and agreements related to financial incentives that may be available to Andrews County as a result of siting the Facility, which terms and agreements or contracts will be subject to approval by this Commissioners Court; and

**BE IT FURTHER RESOLVED AND ORDERED** that Andrews County is committed to exercising its regulatory and service-providing powers, including such powers as those related to transportation planning, infrastructure development, and police and fire protection, in a manner that protects the health, safety, and welfare of the citizens of Andrews County by facilitating the development of the Facility; and

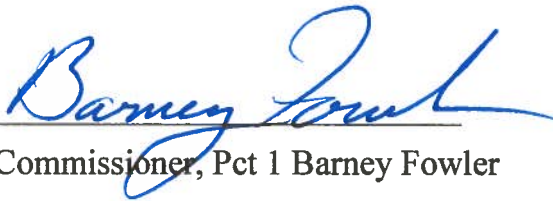
**BE IT FURTHER RESOLVED AND ORDERED** that a copy of this resolution be sent to the Texas Governor, the Texas Lieutenant Governor, the Speaker of the Texas House, the State Representative for Texas House District 81, the State Senator for State Senate District 31, the United States Representative for Congressional District 11, the United States Senators for the State of Texas, the Commissioners of the United States Nuclear Regulatory Commission, and the United States Secretary of Energy.

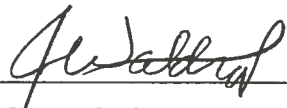
Passed and Approved this 20th day of January, 2015.

  
County Judge Richard H Dolgener

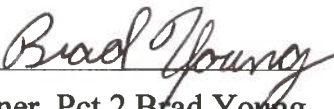
  
Commissioner, Pct 3


Jeneanne Anderegg

  
Commissioner, Pct 1 Barney Fowler

  
Commissioner, Pct. 4 Jim Waldrop

ATTEST:

  
Commissioner, Pct 2 Brad Young

  
County Clerk