

MINUTES
ATLANTIC COMPACT COMMISSION MEETING
MARCH 31, 2006

(Approved October 12, 2006)
Willcox Inn
Aiken, South Carolina

The fourteenth meeting of the Atlantic Compact Commission was held on Friday, March 31, 2006, at the Willcox Inn conference room in Aiken, South Carolina.

Present were: Chairman and South Carolina Commissioner Benjamin A. Johnson; Vice Chairman, Connecticut Commissioner Kevin T. A. McCarthy; New Jersey Commissioner, Jill Lipoti, Ph.D., South Carolina Commissioner Thomas W. Weeks and Alternate Commissioner for South Carolina John Clark, Ph.D.

A roster of other attendees is on file at the Commission office.

Staff: Max Batavia, P.E., Executive Director; D'Juana Wilson, Administrative Coordinator.

1. **Call to Order**

Chairman Johnson welcomed everyone to the meeting. He thanked the staff of Chem-Nuclear for hosting a tour of the Barnwell facility on Thursday and said that the Commissioners were impressed with the operations of the site. Chairman Johnson and Commissioner McCarthy recognized that Mr. George Antonnuci will be leaving Chem-Nuclear and thanked him for his assistance throughout the years.

2. **Approval of Minutes**

Commissioner McCarthy made a motion to approve the minutes from the October 5, 2005 meeting. The motion was seconded by Commissioner Lipoti and unanimously approved.

3. **Old Business**

Chairman Johnson said he was happy to report that the projected \$25 million into the Extended Care Fund in FY06 was on target and the entire amount would be received by June 30, 2006.

He also noted that House Budget bill currently in process includes substantial additional funds to be put into the Barnwell fund, potentially as much as \$64 million. He emphasized that this is only in the House version and the Commission will continue to monitor the account and follow legislation pertaining to this matter.

4. **New Business**

Executive Director's Report

- Mr. Batavia began by reviewing the Income and Expense Report for the current fiscal year, as of March 30, 2006. The Commissioners reviewed this report and briefly discussed line items. This item was received as information.

- Mr. Batavia then discussed the Audit Report for FY ending 2005. He recommended that Burkett CPA be retained to do the audit for Fiscal Year 2006 (July 1, 2005 – June 30, 2006).

Commissioner Weeks made a motion to accept the Audit Report for FY 2005 as presented. The motion was seconded by Commissioner Lipoti and unanimously approved.

Commissioner McCarthy moved that Burkett CPA firm be retained for the audit for FY 2006. The motion was seconded by Commissioner Lipoti and unanimously approved.

- Mr. Batavia presented the FY 2006-2007 Agreement between the Commission and the South Carolina Energy Office (SCEO) for services.

A motion was made by Commissioner Weeks to approve the Service Agreement for FY2006-2007. The motion was seconded by Commissioner Lipoti and unanimously approved.

- Mr. Batavia then presented the Proposed Budget for FY 2006-2007 to the Commissioners. There was brief discussion regarding the budget.

A motion was made by Commissioner McCarthy and the motion was seconded by Commissioner Weeks to approve the budget for FY2006-2007. The motion was unanimously approved.

- Mr. Batavia then presented to the Commissioners information that was distributed by the Low Level Waste Forum at its most recent meeting. He also stated that the Southeast Compact is co-sponsoring a meeting on May 22, 2006 in Washington, DC to have a discussion on LL Waste Disposal at Federal Sites. Mr. Batavia will keep the Commissioners informed as he gets additional information about this proposed meeting.

5. SC Radioactive Waste Program Update

Mr. Bill Newberry, South Carolina Energy Office Radioactive Waste Disposal Program Manager, briefed the Commissioners on activities related to responsibilities of the South Carolina Budget and Control Board. He reported that the State budget bill for fiscal year 2007 includes \$64.5 million for the Barnwell Extended Care Fund. When added to the \$25 million that is expected to be deposited into the fund this fiscal year, it would bring the balance of the fund to \$114 million. He cautioned that the budget bill was only in the final stages of approval in the House and not yet been considered by the Senate. The Commission briefly discussed the Extended Care Fund.

Mr. Newberry also reported on the annual adjustment to the Atlantic Compact Maximum Uniform Rate Schedule, effective July 1, 2006. Mr. Newberry reported that the annual adjustment in that category was an increase of 7.5 percent.

6. Regulatory Update

Mr. Henry Porter, SC DHEC stated that he expected that the appeal of the Administrative Law Court decision by the Sierra Club to the DHEC Board will be heard sometime before the end of this calendar year.

7. **Public Comment**

There were no comments from the Public.

Chairman Johnson recognized Mr. Ben Rusche, Chairman of the Governor's Nuclear Advisory Council and thanked him for his presence.

The Commission then adjourned regular session and went into Executive Session.

The Commission returned to Regular Session and reported that no action was taken in Executive Session.

A motion was made by Commissioner McCarthy to adjourn. The motion was seconded by Commissioner Weeks and unanimously approved.