



2600 Bull Street
Columbia, SC 29201-1708

September 26, 2008

Mr. Benjamin A. Johnson, Esquire
Chairman
Atlantic Compact Commission
1201 Main Street, Suite 1830
Columbia, SC 29201

Re: Waste Generation and Importation of Radioactive Material/Waste into the Atlantic Compact Region

Dear Mr. Johnson,

On behalf of the Department, I am writing to ask that the agenda for the October 23, 2008 Atlantic Compact Commission meeting includes a discussion of the above referenced issue.

The Department is concerned about facilities located in Atlantic Compact states receiving radioactive material or waste from non-Compact states, and re-manifesting it as waste "generated" within the Atlantic Compact region thereby making it eligible for disposal at the Barnwell facility. While the Department has the authority to ensure that facilities located within South Carolina do not re-manifest imported radioactive material as a waste, it does not have a mechanism to determine the true origin of waste from facilities licensed within the other Atlantic Compact states.

Also of concern are processing facilities that accept, combine, blend and treat waste from multiple sources, and then seek approval from the licensing authority to be listed as the "generator" of the treated waste for purposes of disposal. If a processing facility locates in one of the Atlantic Compact states and obtains such approval, it would have the effect of allowing material/waste from non-compact states to be combined, treated, and then disposed of at the Barnwell site.

The Department appreciates the opportunity to participate in a discussion of these issues. If you have any questions or would like to discuss further, please contact me at (803) 896-4070.

Sincerely,

A handwritten signature in black ink that reads "Richard A. Haynes". The signature is written in a cursive style with a large, stylized initial "R".

Richard A. Haynes, P.E., Director
Division of Waste Management
Bureau of Land and Waste Management

cc: Frank Fusco, Executive Director, SC Budget and Control Board
C. Earl Hunter, Commissioner, SCDHEC
Robert W. King, Jr., P.E., Deputy Commissioner, SCDHEC
Daphne Neel, Chief, BLWM, SCDHEC