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 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,

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