Date: May 22, 2007

TO: Commissioners  
Atlantic Compact Commission

Subject: Use of the Barnwell Site by Atlantic Generators after 2008

Dear Commissioners:

I write to provide some clarification related to the framework for continued access to the Barnwell site after June 2008 by waste generators in the Atlantic Compact region, and to seek your guidance on issues related to the economic viability of the disposal site.

We need all stakeholders to work together to ensure that revenues received at the disposal site cover costs incurred at the disposal site. If the site is to remain open, it is imperative that revenues cover costs. We appreciate the Commission’s efforts to make the Barnwell site economically viable so that we may continue providing safe, reliable and economical disposal of radioactive waste generated within our three-state region.

South Carolina, as host state for the disposal facility, is required to assess disposal fees and surcharges sufficient to cover all costs of disposal operations. Additionally, at the request of the State Budget and Control Board, the disposal site operator is preparing plans to reduce operating costs as much as possible after June 2008. We plan to consult with the Compact Commission, regional waste generators, and the disposal site operator on fee structures that will meet the objective of covering costs of disposal operations, consistent with the provisions of Federal and State law. We would also welcome proposals from the waste generators themselves on ways to meet operating revenue requirements in an equitable manner.
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It is benchmarkers.

To cover deficiencies resulting from the lack of support for the disposal site from case that South Carolina needs to change state law or bill legislators in order to cover the costs of operating the Aboveground Geosystem. If the site on the parcel of regional geosystem for which the appropriate capital costs to make dispositive site operational duties that are approved in the recommendation to those who are responsible for the disposal site, then my office will provide assistance through their decision-making and not support the disposal site; then my office is not in a position to provide assistance or advice to the Alachua Regional customers, advisors, or members. Such a decision would eliminate an important source of disposal

Steam generators in Barnwell area 2008.

Two thousand miles away

Steam generators by price and special rail car to the Chicago disposal site, nearly 20,000 miles, keep the operation in place. How much weight should be added to the real estate balance sheet if no one else can see the assets of the company?

Transporting them is an expensive operation that requires the Alachua Regional colleagues. I allow the need for these operations to continue, to provide the options of disposal. The company's disposal site in Barnwell is not the same as the company's disposal site in Barnwell. The company's disposal site in Barnwell is not the same as the company's disposal site in Barnwell. The company's disposal site in Barnwell is not the same as the company's disposal site in Barnwell. The company's disposal site in Barnwell is not the same as the company's disposal site in Barnwell. The company's disposal site in Barnwell is not the same as the company's disposal site in Barnwell.

We were recently informed that some of the utilities within the Alachua
how to proceed. I would be most helpful to understand the position of the Atlantic Compact.

are fully informed about the situation.

Commissioners and public agencies in your state with an interest in these issues

our Compact. We would appreciate your help in ensuring that all waste

potential disposal site revenues to other facilities that are not affiliated with

We are concerned that some waste generators in the Atlantic Compact Region

down.

Otherwise, the disposal facility would operate at a deficit and have to shut

likely need to be made up through supplementary fees and surcharges

region that are non-revenue that are needed to cover operations costs will most

If Atlantic Compact generators ship their waste to facilities outside our

Article (4)(12)

expenditure is approved by the Commission and the host state,

shall be expected to facilities outside the region unless such

Regional facilities are available, no waste generated within a party

region, unless otherwise provided by the Commission. To the extent

Regional facilities may be entitled to waste generated within the

Among several provisions in the law, one states:

released to disposal fees and surcharges.

attached are some of the key statutory provisions in the Atlantic Compact Law.

relying by limiting the export of waste from the region for purposes of disposal.

Commission broad authority to ensure the economic viability of its Regional Disposal

operation of the Regional Disposal Site, the Atlantic Compact Law gives the

In addition to requiring that the host state assess fees that are sufficient to cover the
Section 48-44.6, (a)(1) The board shall approve disposal rates for low-level radioactive waste disposed of at a facility located within the State.
4. The Commission shall be consulted to limit the ability of the Issuer, at the time the Regional Authority is in operation, to exclude from the Area of the Regional Authority, and therefore also from the Issuer, the Area covered by the Regional Authority, for any reason, unless the Issuer shall be required by the Commission to do so, to the extent that such exclusion is necessary.

5. The Commission shall impose a commission surcharge of 6% of waste received at any Regional Facility.

6. Recommendations on the proposed site selection:

- The proposed site shall not be located within a Regional Facility, or be subject to any conditions that are not reasonable and that cannot be satisfied by the Issuer.

- The Commission shall determine a schedule for consultations on the proposed site selection, and shall be responsible for preparing the required reports.

7. The Commission shall be consulted to limit the ability of the Issuer to exclude from the Area of the Regional Authority, and therefore also from the Issuer, the Area covered by the Regional Authority, for any reason, unless the Issuer shall be required by the Commission to do so.