

# **SOUTH CAROLINA NUCLEAR ADVISORY COUNCIL**

## **MINUTES**

(Approved 6/9/05)

March 3, 2005

Room 209 Gressette Building  
Columbia, South Carolina

Members present: Chairman – Mr. Ben Rusche, The Honorable Robert Perry, Dr. Carolyn Hudson, Dr. Vincent Van Brunt, Mr. Bill Mottel, Dr. David Peterson, and Mr. Steve Byrne

Staff present: Ms. D’Juana Wilson, Mr. Michael Hughes

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### **I. Welcome and Opening Comments**

The Governor’s Nuclear Advisory Council convened on March 3, 2005, at 1:38 PM. Mr. Ben Rusche, Chairman of the Council, called the meeting to order and welcomed the speakers and guests.

### **II. Approval of Minutes, September 2, 2004**

Mr. Bill Mottel moved to approve the minutes from the September 2, 2004, meeting. Dr. Carolyn Hudson seconded the motion and the Council agreed.

### **III. Update on Salt Waste Treatment at SRS**

Mr. Charles A. Hansen, Assistant Manager for Waste Disposition Project, US DOE-SRS, updated the Council members on the Salt Waste Treatment Plan at the Savannah River Site (SRS). He said that the Disposition Plan for the nuclear tank waste was previously presented to the Council and reported that the primary focus was getting the salt waste to have sufficient tank space so that they can continue to wash sludge that is in the bottom of the tank and get it vitrified in DWPF. Mr.

Hansen reported that since 2004, the Disposal Waste Processing Facility (DWPF) has been operating successfully; and they have been making 250 canisters a year of vitrified glass waste and putting it in storage facilities. He reported that progress is being made with the second glass storage building on site, which has been under construction since last May, and most of the basement (cement vault area) is complete and canisters are being put in and DWPF continues to operate at full capacity.

He stated that if Salt Waste is not removed from the tanks very soon, they are in jeopardy of having any operational space remaining such that they can continue to prepare sludge batches for DWPF production. This has the potential to put them in a position where they will not be able to operate the full capacity Salt Waste Processing Facility in 2009. Mr. Hansen said that the Council was presented with a Plan on how to proceed with Salt Waste Processing Treatment and have an agreement that they should move forward with a small amount of disposal on site in the Saltstone Disposal Facility. He said that all programs are moving, and progress is being made. The major hold up to move forward was the inability of the authority to make a decision on how the waste should be disposed. He reported that fortunately, Senator Graham's amendment to the National Defense Authorization Act of 2005, Section 3116, has provided the Department with new authority to make decisions on the classification of waste to allow them to manage some of it as low-level waste and they are currently moving forward and working very closely with the state of South Carolina. They are required by law to consult with the NRC and have been actively working with them since October of last year. On February 28, 2005, the NRC was given a draft of Waste Determination for Salt Waste Processing Program, which will

allow them to take small amounts of salt waste now and dispose of it in some disposal facility on site. This is estimated to be a small amount of curies in the 3 to 5 million curie range. The remainder will be processed through the Salt Waste Processing Facility when it starts up in 2009.

There was a discussion regarding the fraction of residual material that will be removed from the site. Mr. Hansen reported that:

- the removal of 99% of the radionuclides from the tank waste will be sent to Yucca Mountain;
- about .7% will end up in the Saltstone disposal facility; and
- about 0.015% residual material will be left in the tanks.

He said about 99% of the radioactivity will be removed and vitrified in canisters to be sent to Yucca Mountain.

Additional discussion took place regarding the goals that were designated to the Council in the past, and Mr. Hansen stated that the goals have clearly been approached. He said with the new law, they had to demonstrate to the NRC (which they are currently reviewing) that the plan is a meaningful approach. Dr. Van Brunt asked what the timeframe was given by the NRC to complete the review. Mr. Hansen said that the total time for the evaluation is at least six months. NRC is also working closely with DHEC during this process. Mr. Hansen acknowledged that the target to start Salt Disposition was October 1, 2004, and they are about 3 months behind schedule, but he is hopeful that ways will be found to find additional tank space. They are looking at ways to mitigate this issue. Discussion continued regarding space and the possibility of building a third building by 2015 if needed.

Mr. Hansen stated that he believes the success of the entire effort is driven by the Nuclear Advisory Council, the SC Department of Health and Environmental Control (DHEC) and the Savannah River Site. He said that Ms. Ginger Dickert from Westinghouse is present and Westinghouse has been a great support in these efforts. The Draft Waste Determination, held by DHEC and NRC, will be made available for public comment possibly as early as next month. He said that before a determination is made and the NRC and DHEC are done with their evaluation, all public comments in hand will be considered.

Mr. Mottel asked about the tank closure schedule and a brief discussion followed.

Mr. Hansen also reported that the Salt Waste Processing Determination is unofficial at this time, but he can report that progress is being made. Chairman Rusche also asked about the re-competing of the contract for the site, and Mr. Hansen reported that he has no comment at this time.

Dr. Van Brunt asked about Tank 48. Ms. Dickert reported that it is a unique tank in its location; it's interconnection on the infrastructure; it has a unique waste stream and it contains organic material. The organic material cannot be processed through the DWPF. She also stated that Tank 48 has piping connections that are not connected to the facility. The amount of radioactivity in the tank is quite low. She discussed the options to be used with Tank 48 and a brief discussion followed.

Chairman Rusche recognized the efforts of SC DHEC and the working relationship they have with not only with the Council, but the NRC and the staff at the site. Mr. David Wilson of DHEC thanked Mr. Hansen and the staff at the Barnwell site for their

efforts. He stated that there was concern about the timeliness of the efforts, but he now looks forward to moving in a positive direction.

#### **IV. Update on the Barnwell Site**

Mr. Steve Byrne reported that the subcommittee on Barnwell had interviews with the staff of the Budget and Control Board, SC Energy Office, and the Atlantic Compact Commission. He said the findings from these interviews (in draft form) will be circulated for comments. He noted that the subcommittee did not interview DHEC because there were no issues or concerns raised by any of the parties regarding the oversight of the Barnwell facility by them. As background information, Mr. Byrne reported that the Barnwell site is owned by the state of South Carolina and land is leased by Chem-Nuclear. He said that South Carolina is a member of the Atlantic Compact, which includes New Jersey and Connecticut. The formation of the Compact consists of a Commission member from New Jersey, Connecticut, and two Commission members from South Carolina. Mr. Byrne reported that the Budget and Control Board sets the rates for disposal; DHEC provides the oversight; and the Public Service Commission determines the Allowable Operating Costs upon which the site operator, Chem-Nuclear, is allowed to earn a return. He reported that 92% of the waste delivered to Barnwell comes from power reactors. Mr. Byrne said a couple of issues came out of the evaluation, with the biggest issue being the status of funding, specifically, the Extended Care Fund. There are two funds associated with Barnwell, one being the Decommissioning Trust Fund and the other, the Extended Care Fund. Almost \$90 million has been removed from the Extended Care Fund to date. There is pending legislation that would repay \$25 million to the fund, which would still leave a significant

shortfall. Mr. Byrne said that the issue is the longer it takes to repay the fund, the money will not be available when it is needed. In addition, if there are shortfalls in the Decommissioning Fund, they are made up from the Extended Care Fund. He said if the revenues come up light in a particular year, and there is not enough revenue to make the site operator whole on their operating costs, plus the margin, that make up would also come from the Extended Care Fund. With this, there are a lot parties with a vested interest in seeing the Extended Care Fund fully funded. Mr. Byrne also discussed the issue for plan of control if the current site operator does not want to control the site. Once the site is closed, the state owns it, and the question would be who will operate it. The Budget and Control Board, SC DHEC nor the SC Energy Office is suited to operate the site. He said the potential of operating the site can be very expensive. Mr. Byrne said that the closer it gets to the phase out, the harder it is going to be for the site operator to keep the talent that they have on hand. Mr. Byrne continued his discussion on decommissioning activities of the site and future available space.

Mr. Henry Porter, SC DHEC, reported that DHEC made a decision in March 2004 on Chem-Nuclear's re-licensing and a hearing was held in mid February of 2005. DHEC's attorney feels that it will be six months before a decision is made by the Administrative Law Clerk. He said that there is still an opportunity for appeal beyond this point. Mr. Byrne asked about reasons for the appeal and Mr. Porter stated that it could be based on technology that is used at the facility.

Mr. Mottel commended Mr. Byrne and the subcommittee for giving a thorough report. Dr. Peterson acknowledged Mr. Byrne's work in getting this done.

The Council made a decision to read all of the background information and to give the subcommittee their comments within the next two months. These comments will be sent to Mr. Byrne. Representative Perry reported that the Legislature indeed intends to pay back the Trust Fund.

Guests in the audience asked about copies of Mr. Byrne's report and there will be a report put together for members of environmental groups requesting the same.

Chairman Rusche called the meeting adjourned at 2:45 PM.