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Don't let SRS serve as nuclear dump site

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The U.S. Department of Energy made some serious promises to South Carolina when it needed a place to bring tons of highly radioactive plutonium back in 2002. And now the DOE wants to renege in nearly every way.

State officials are right to fight it all the way down the line.

Last month, DOE lawyers went to court to insist that the agency isn't liable for a \$100 million penalty owed to South Carolina for the DOE's failure to remove nuclear waste from Savannah River Site on schedule. The federal agency contends that the agreement with the state was based on goals, not mandates.

The DOE says that its agreement with the state isn't binding even though it is codified in federal law. In that view, the feds don't have to pay a penalty for failing to live up to the deal's requirement to turn weapons grade plutonium into commercial reactor fuel or to send the plutonium elsewhere.

No one who observed the intense stand-off between South Carolina and the federal government over its plans to send 34 tons of weapons grade plutonium to Savannah River Site would characterize those requirements as optional.

At the time, state leaders strongly opposed the plan, having reasonably concluded from past experience that the federal government would be more than willing to shift its nuclear waste problems permanently to South Carolina.

At one point, then-Gov. Jim Hodges threatened to stand in the middle of the highway to stop nuclear material from being trucked into South Carolina. He also ordered the S.C. National Guard to close the highways to waste shipments, if necessary.

Those histrionics were intended to underscore the state's resolve not

government pledged that the nuclear waste would be neutralized and shipped out of state on a firm timetable.

If that agreement allayed the fears of state officials in then, the situation now only intensifies the skepticism by which the DOE's promises should be viewed in South Carolina.

Not only are tons of highly radioactive waste still stored at SRS, the federal government continues to ship nuclear material from foreign nations to the site.

The situation was exacerbated when the Obama administration unilaterally derailed the Yucca Mountain, Nev., nuclear waste disposal site in 2010. Yucca was supposed to serve as the nation's final repository for nuclear waste.

Now the administration is attempting to jettison an SRS project to turn the plutonium into a usable nuclear fuel for commercial reactors.

So far the state's congressional delegation has been able to forestall that ill-considered effort by providing additional funding for the MOX plant at Savannah River Site. On Friday, for example, the Senate Armed Services Committee authorized \$340 million for its continued construction.

Beginning in the Clinton administration, the DOE sought the state's assistance to clean up federal waste sites in other states and to conclude a nuclear non-proliferation treaty with Russia.

The DOE's agreement with the state was designed to accommodate those goals while protecting the interests of South Carolinians.

The DOE's current insistence that mandates are flexible goals, and that penalties clearly due the state can be revoked willy-nilly, is an insult to this state.

South Carolina should contest every federal attempt to avoid responsibility.

Otherwise, the state can expect more of the same. The state will be