

Executive Order 2002-14

(June 14, 2002)

WHEREAS, according to U.S. Attorney General John Ashcroft, a "known terrorist" with connections to al Qaeda who allegedly planned to build and explode a radioactive "dirty bomb" in the United States has been recently captured by federal authorities and is presently being detained as an enemy combatant in Charleston, South Carolina;

WHEREAS, a "dirty bomb" is a conventional incendiary device laced with radioactive materials that upon detonation scatters and disperses radioactive particles into the atmosphere, thereby exposing potentially thousands of persons to radiation;

WHEREAS, weapons-grade plutonium is a primary ingredient utilized in creating dirty bombs;

WHEREAS, the United States Department of Energy has publicly announced that it will begin sending truck shipments of weapons-grade plutonium to the Savannah River Site located in Aiken and Barnwell Counties, South Carolina as soon as June 15, 2002;

WHEREAS, when, in the Governor's opinion, a danger exists to the person or property of any citizen and the peace and tranquility of the State or of any political subdivision or particular area of the State designated by him is threatened, the Governor shall declare an emergency and may take such measures and do all and every act and thing which he may deem necessary in order to prevent violence or threats of violence to the person or property of citizens of the State and to maintain peace, tranquility and good order, pursuant to § 1-3-410, et seq., of the South Carolina Code of Laws;

WHEREAS, the Governor may further cope with such threats and danger by directing and ordering any person or group of persons to do any act which would, in his opinion, prevent or minimize danger to life, limb or property, or prevent a breach of the peace; and he may order any person or group of persons to refrain from doing any act or thing which would, in his opinion, endanger life, limb or property, or cause, or tend to cause, a breach of the peace, or endanger the peace and good order of the State or any section or community thereof, and he shall have full power by use of all appropriate available means to enforce such order or proclamation, pursuant to § 1-3-430;

WHEREAS, for the purposes already stated, the Governor may also order any and all law enforcement officers of the State or any of its subdivisions to do whatever may be deemed necessary to maintain peace and good order; order the discontinuance of any transportation or other public facilities, or, in the alternative, direct that such facilities be operated by a State agency; or authorize, order or direct any State, county or city official to enforce the provisions of such proclamation in the courts of the State by injunction, mandamus, or other appropriate legal action, pursuant to § 1-3-440; and

WHEREAS, a legitimate threat of theft, diversion, or use of plutonium by terrorists exists that requires serious protective measures to prevent the terrorist use of plutonium in South Carolina and to protect the citizens of South Carolina from the threat and effect of dirty bombs or other

related terrorist devices;

NOW, THEREFORE, I hereby declare that an emergency exists and order that the transportation of plutonium on South Carolina roads and highways is prohibited; that any persons transporting plutonium shall not enter the State of South Carolina; and that any persons nevertheless attempting or intending to transport plutonium along the public thoroughfares of the State of South Carolina shall give notice of such intention and to cease and desist from such action until further direction is given.

I further order and direct the South Carolina Department of Public Safety to increase and enhance its security, patrol, inspection, and surveillance measures along South Carolina's highways, particularly in the areas along our state's borders and surrounding the Savannah River Site, and to enforce the provisions of this Executive Order.