

Posted on Thu, Mar. 29, 2007

Legislators slam door to nuclear waste site

By SAMMY FRETWELL

A Utah company's push to dump more nuclear waste in Barnwell County suffered a crippling defeat Wednesday that some legislators called historic in its message to the nation:

South Carolina wants out of the nuclear waste disposal business after three decades of owning a landfill for the country's radioactive garbage.

Wednesday's surprising 16-0 House committee vote effectively kills legislation to keep the landfill open to the country after 2008, although the landfill's operator could try other legislative means to accomplish its goal.

Energy Solutions of Utah, a rapidly expanding nuclear services company, could get help from lawmakers who could attach an amendment to another bill.

The company, which has hired 10 lobbyists through its Barnwell division, is expected to push similar legislation next year.

But lawmakers who voted against the landfill said the nation needs to find another place to bury low-level nuclear waste. The overwhelming vote by the House Agriculture, Natural Resources and Environmental Affairs Committee underscores that belief, some said.

South Carolina has been taken for granted as a disposal site by other states, said Rep. David Umphlett, R-Berkeley.

The bill allowed power plants across the nation to continue using the site through 2023, instead of reserving the landfill for only South Carolina, New Jersey and Connecticut after next year.

"These other states in the United States need to get up off of their backsides and start doing what's right," said Umphlett, who initially supported keeping the site open. "They want to stomp us in the ground and beat us up and say 'You bunch of country hicks.'

"I'm just getting tired of it."

The landfill is used as a disposal site mostly by nuclear power plants for low-level radioactive waste. Since 1971, it has taken about 28 million cubic feet of waste. Its closure would mean plants in most states would have to store some of their most potent nuclear waste on site. Past attempts in the Legislature to shutter the site have failed after intense lobbying by the landfill's operator and utilities.

Energy Solutions, which last month took lawmakers on a bus tour of the landfill, issued a statement saying the legislation helped the state and county economies.

"We are of course disappointed with today's committee vote on what Energy Solutions, the utilities, Barnwell County and others consider a sensible and needed piece of legislation," the statement said. Wednesday's vote shocked people familiar with the 18-member House agriculture committee.

The panel, which hears most environmental bills, in recent years has been sympathetic to industries that sought law changes. But the Conservation Voters of South Carolina, an umbrella group for environmental organizations, intensely lobbied to close the dump to the nation.

For many legislators, the decision hinged on South Carolina's obligations. Under a 2000 law, the Palmetto State agreed to reserve landfill space after 2008 for only New Jersey, Connecticut and South Carolina companies that generate nuclear waste.

Keeping the site open to everyone after 2008 could take up much of that space and create legal problems, many legislators said.

"We've set the rules. The game is over," said Rep. Kenneth Hodges, D-Colleton. "The clock has expired."

The landfill has little more than 1 million cubic feet of space left; 800,000 has been committed to New Jersey and Connecticut and much of the rest to South Carolina. That's particularly precious space if South Carolina utilities add new nuclear power plants that would create more waste, some lawmakers said.

Rep. W.D. "Bill" Witherspoon, who sponsored the bill, abstained from voting. Another member was absent. Witherspoon said the space question sank the bill. The dump opened as a disposal site for lightly contaminated radioactive material, such as hospital gloves and gowns. Today, it's the only commercial landfill in the U.S. that takes the most potent forms of low-level nuclear waste, such as old reactor parts.

If the landfill remains open to every state after 2008, the state "could be home to some 30 dead decommissioned nuclear reactors," the Sierra Club's Susan Corbett said of power plants that will close.

Barnwell County's landfill has had two spills or leaks of tritium, records show. Environmental groups say the site is a long-term threat to Lowcountry drinking water. State officials say the site doesn't pose a health threat.

Barnwell-area leaders were disappointed and angry about Wednesday's vote. The landfill contributes more than \$2 million a year to the county for schools and government services — and many local residents said they want the facility to remain open.

"This is an embarrassment," Barnwell-area industrial recruiter Danny Black heatedly told Witherspoon.

Black said the landfill has been unfairly characterized as a dump and Barnwell County must pay the price. The county has had difficulty recruiting industry because of what he called the negative image portrayed by the media and landfill opponents.

"How do you expect us to have industrial recruitment down there when we get this kind of negative response from our elected leaders and people that are supposed to be covering it in a not biased way?" Black told Witherspoon.

Witherspoon and Rep. Lonnie Hosey, a Barnwell Democrat who is not a member of the committee, said South Carolina must now consider how it will replace money lost from the landfill. Fees and other money from the dump contribute about \$12 million to the state and county.

Environmentalists who worked to defeat the bill said the economic argument is poor. South Carolina has ample revenue growth and can make up for any lost money from the landfill, said Cary Chamblee, a lobbyist for the S.C. Sierra Club and the S.C. Wildlife Federation.

"It could be made up very easily. It is a drop in the bucket."

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INSIDE BARNWELL

Barnwell County's low-level nuclear waste dump will close to the nation as scheduled in 2008, a House committee agreed Wednesday.