

Chem-Nuclear Site ANNUAL UPDATE

S.C. Department of Health and Environmental Control • Bureau of Land and Waste Management • Fall 2008

Introduction ...

In October 2007, the S.C. Department of Health and Environmental Control (DHEC) held a community meeting about the Chem-Nuclear Site.

During that meeting, DHEC staff agreed to provide annual updates about the contaminated groundwater monitoring and other activities at the site. This newsletter and upcoming community meeting are part of that effort to keep the community informed.

For more information, you are encouraged to attend the next community meeting at the S.C. Advanced Technology Park, 1321 Technology Drive in Snelling on Thursday, November 6. The meeting will begin at 7 p.m. DHEC staff will be available to answer your questions.

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Groundwater Plume

Just what is a groundwater plume? A plume is an area where contaminants, such as tritium (a radioactive form of hydrogen), move along in groundwater.

DHEC looks at groundwater data from 182 locations in and around the Chem-Nuclear Site including monitoring wells and surface water in Mary's Branch Creek. This data helps DHEC track the plume that is leaving the disposal site.

The tritium plume at Chem-Nuclear Site was formed when tritium from waste packages made its way into the groundwater beneath the trenches. The highest levels of tritium are found in the plume near the oldest trenches (1970s) where disposal practices were less advanced than those used later. Groundwater travels vertically downward from the trenches. The downward travel time is about 10 years. Upon entering a sandy zone, groundwater travels horizontally until it enters the creek. The horizontal travel time is about an additional 10 years.

What are VOCs?

Volatile organic compounds (VOCs) are a group of commonly used chemicals that evaporate when exposed to air. Since they dissolve or break apart many other substances, VOCs are widely used to clean things. They are used in fuels, degreasers, polishes, cosmetics, drugs and dry cleaning solutions.

Which VOCs were disposed of at the Chem-Nuclear Site?

It is known that VOCs were disposed of at the Chem-Nuclear Site. VOCs were commonly used in commercial and academic laboratories to find out how much radioactivity was in a sample. The waste associated with the laboratory work was mostly radioactive, but it also contained some VOCs and was sometimes sent to the Chem-Nuclear Site for disposal. Other potentially hazardous chemicals may have been disposed before there were regulations (or rules) against such disposal. Since there were no regulations at the time, records were not kept about which chemicals and how much of the chemicals were disposed. Therefore, VOCs may have been disposed of at the site as early as 1971 when operations began until 1979 when they were banned due to new rules.

2008 Update

Tritium in the Groundwater Plume

The map on page 2 shows the concentrations of tritium found in wells on and off site. These results are from the most recent samples collected during the second quarter of 2008 (April to June 2008). The highest concentration of tritium continues to be found on site at well location WM-0110 where it was 18,303,000 pCi/L. The concentration where the plume enters the creek (WC-0002) was 425,000pCi/L. The concentration at the "point of compliance" was 88,918 pCi/L.

Continued, see Plume on the following page

Rec'd 5/19/08
WB

STATE OF SOUTH CAROLINA
State Budget and Control Board
OFFICE OF THE EXECUTIVE DIRECTOR

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FRANK W. FUSCO
EXECUTIVE DIRECTOR

P.O. BOX 12444
COLUMBIA, SOUTH CAROLINA 29211
(803) 734-2320
FAX (803) 734-2117

May 12, 2008

Mr. Benjamin Johnson, Esq.
Chairman
Atlantic Compact Commission
1201 Main Street, Suite 1830
Columbia, South Carolina 29201

Re: Notice Regarding Ban on Importation of Waste for Purposes of Disposal

Dear Mr. Johnson:

By resolution on March 12, 2002, the Atlantic Compact Commission granted South Carolina, as the Compact's host state, limited authority to allow importation of waste into the region for purposes of disposal at the regional disposal facility in Barnwell County through June 30, 2008.

The purpose of this letter is to provide the Compact Commission and other interested parties public notice on behalf of the board that the board, effective July 1, 2008, no longer authorizes importation for purposes of disposal at the Barnwell site. "Importation," for these purposes, means the acceptance at the regional disposal facility of any waste that was generated in any foreign country or any state or territory of the United States other than Connecticut, New Jersey and South Carolina.

"After January 1, 1986, no person shall deposit at a regional facility waste generated outside the region, and further, no regional facility shall accept waste generated outside the region unless approved by the Commission and the affected host state." Federal Compact Law, P.L. 99-240, Title II, Section 227, Article III(A)(2); also Section 48-46-70, South Carolina Code of Laws.

"'Region' means the entire area of the party states." Compact Law... Article II(m).

"After fiscal year 2008, the board shall not authorize the importation of nonregional waste for purposes of disposal." Section 48-46-40(A)(6)(a), S.C.C.

Waste generated within the Atlantic Compact region that is shipped to facilities outside the Atlantic Compact region for purposes of treatment or processing en route to disposal at Barnwell is considered waste generated within the Atlantic Compact region, as long as the treatment residue is not commingled in the same package with residue generated by organizations outside the Atlantic Compact region. Decontamination residue generated from radioactive materials owned by Atlantic Compact organizations may be considered Atlantic Compact waste, whether or not the decontamination process takes place within the Atlantic Compact region.

Sealed sources or other radioactive materials shipped from outside the Atlantic Compact region to waste brokering facilities or other facilities within the Atlantic Compact region for purposes of packaging or consolidation are not considered wastes generated within the Atlantic Compact region. The Barnwell site may not accept radioactive material or waste that has been transported into the Atlantic Compact region and re-manifested as radioactive waste solely for purposes of establishing eligibility for disposal at the Barnwell site as Atlantic Compact waste.

We believe that these guidelines are consistent with State and Federal laws, longstanding federal practices, and the regulations of the South Carolina Department of Health and Environmental Control (DHEC) at Chapter 61-63, RHA 3.2.98 and RHA 3.55, . If you have any questions regarding this Notice, please do not hesitate to contact Bill Newberry, Manager, Radioactive Waste Disposal Program, at 803-737-8037. If you have any questions regarding DHEC regulations related to identifying and manifesting radioactive waste shipped to the Barnwell facility, please contact Richard Haynes, Director, Division of Waste Management, DHEC, at 803-896-4070.

Sincerely,



Frank W. Fusco
Executive Director

cc: Bo Aughtry, Chairman, DHEC Board
Daphne Neel, Chief, BLWM, DHEC



ATLANTIC INTERSTATE LOW-LEVEL RADIOACTIVE WASTE MANAGEMENT COMPACT COMMISSION

February 10, 2009

**Connecticut
New Jersey
South Carolina**

**M. K. Batavia, P.E.
Executive Director
1201 Main Street
Suite 1830
Columbia, SC 29201**

**Phone: 803-737-1879
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COMMISSIONERS:

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South Carolina**

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Alternate Commissioner
For Connecticut**

**Paul Baldauf, P.E.
Alternate Commissioner
For New Jersey**

**The Atlantic Compact
was formerly known as
the Northeast Compact**

Mr. C. Earl Hunter, Commissioner
South Carolina Department of Health and Environmental Control
2600 Bull Street
Columbia, SC 29201

Dear Commissioner Hunter:

On September 26, 2008, Richard Haynes, Director of the Division of Waste Management, expressed concerns to the Atlantic Compact Commission that organizations outside the Atlantic Compact region might move radioactive materials into the region and then attempt somehow to re-manifest the materials as "Atlantic Compact waste" in order to qualify for access to the Barnwell LLRW facility. Mr. Haynes provided a follow-up briefing on this and other matters related to the definition of regional waste at our Commission's most recent meeting on October 23. We are grateful to Mr. Haynes for raising these concerns.

Mr. Haynes cited two primary concerns. First, there is the possibility for movement of non-region waste into member states New Jersey or Connecticut and then its re-manifestation as regional waste in circumstances where SC DHEC does not have a mechanism to determine the true origin of waste from facilities licensed within these other Atlantic Compact states. Second, Mr. Haynes expressed concern that a processing facility might locate within a region state and gain authority from that state to list itself as the "generator" of the treated waste for purposes of disposal at Barnwell, and to then send that waste to Barnwell even though the waste was originally generated outside the Atlantic region.

As you know, waste generated from outside the Atlantic Region may not be shipped to the Barnwell regional facility without the approval of both the Atlantic Compact Commission and the State of South Carolina, as the host state. Both the Commission and South Carolina have declared by force of law that no waste generated outside the region may be sent to Barnwell after July 1, 2008. By his attached letter dated May 12, 2008, Frank Fusco, Director of the South Carolina Budget and Control Board, rejected the prospect of "domestication" by the re-manifestation or re-processing of waste originally generated from outside the region.

Still, DHEC raises practical questions regarding actual policing of the packages sent to Barnwell and the understandable concern that all member states should be on the same page regarding who is considered a "regional generator." We share DHEC's concern that all waste received at the Barnwell disposal facility must be legitimately generated within the Compact region, and is not simply waste from other regions or foreign

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February 10, 2009

nations that was re-manifested or re-processed within one of our three Compact states for the purpose of gaining access to Barnwell.

As to DHEC's first concern, current laws and practices already address the handling of wastes through manifests, and wastes from South Carolina and from the other member states are handled in the same way: in both instances, manifests detailing the original generators are required by law, and in neither instance is it practical physically to open the package and actually verify the origin of the waste by inspection.

Importation of radioactive material from other states or nations for the purpose of re-manifesting it as Atlantic waste for disposal at Barnwell would violate current laws, regulations and policies. There may be legitimate instances where radioactive material entering the Atlantic Compact region – on a case-by-case basis and after careful analysis – is determined to be waste with no actual or residual value. It is clear, however, that routinely importing radioactive material from other states for the purpose of re-manifesting it as Atlantic "waste" would be illegal.

The regulatory practices for tracking waste through brokers, processors and shippers back to the original generator date back to South Carolina laws directing DHEC to require permits of all waste generators. For at least 25 years, waste shippers have been required to provide documentation listing the generators whose waste contributed to the contents of comingled containers. This has included pro-rating the volume and curie content of containers to individual generators even in instances where the chemical form of the waste has been altered by processing techniques. This far-sighted legislation ensured that there would be documentation identifying the original generator of the waste for purposes of liability, even where the waste had been re-processed at another location en route to the Barnwell site.

Of course, under South Carolina law, as of July 1, 2008, it will no longer be appropriate physically to combine region and non-region waste in the same packaging if the regional waste is intended for disposal at Barnwell.

If and to the extent there are enforcement concerns regarding the origin of waste, it seems that these can be addressed by South Carolina through its current enforcement regime. Generators from South Carolina, Connecticut and New Jersey must have a permit from DHEC before sending waste for disposal at Barnwell, and this is so even if the waste is shipped through a processor or broker. In addition, all waste arriving at Barnwell must have a shipping manifest that declares, among other things, the original source and generator of the waste. We presume that DHEC's licensing and certification process already submits all generators to the laws and courts of the State of South Carolina for any violations. My further understanding is that there would be severe penalties in South Carolina if any generator, whether in-state or out-of-state, misrepresents the true origin of waste coming from facilities licensed within any of the Atlantic Compact states.

If not already in place, it seems that a Sarbanes-Oxley type certification from a responsible company official regarding the original source and characteristics of waste sent for disposal in South Carolina would be a useful compliance tool. Because the waste that contributes to co-

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mingled waste containers for disposal at Barnwell was itself originally manifested for transport into the waste consolidation or processing facility, there should be a trail of documentation that identifies the original generator of the waste. Like all such systems where physical verification can be difficult, there should be meaningful penalties for abuses of the system.

As to the second concern raised by Mr. Haynes, regarding the re-manifestation of processed waste, we are aware of published reports that the State of Tennessee may have allowed waste processors to exclude information about the original generators, even foreign generators, when the treatment residue from the waste was re-manifested for shipment to other states. While this is a new and novel approach, we urge DHEC to continue the traditional policy of requiring identification of the generators whose waste originally contributed to the packages received for disposal at the Barnwell site. This information is necessary for billing, accounting, and liability purposes, and of course since July 1, 2008 this information is necessary to determine whether the package contains exclusively regional waste and is thus eligible for disposal at Barnwell at all.

If South Carolina cannot be assured of the original waste sources, then it would most certainly reconsider its involvement as host state for the Compact. As the host state, South Carolina reserved the right to withdraw from the Compact and to close the Barnwell facility for any reason, including for conduct that violates the agreement to limit Barnwell to regional waste only after July 1, 2008. Our partner states and regional generators value our continued association, and I do not foresee any issue among us regarding the need to adhere to the host state's requirements regarding non-region waste. New Jersey and Connecticut concur in South Carolina's approach to identifying the original generator of the waste.

DHEC should continue its strict policy of requiring identification of the generators whose waste originally contributed to the packages received for disposal at the Barnwell site. And if DHEC cannot be assured that all waste received at Barnwell was originally generated in-region, and prior to any processing, then the waste should be rejected.

We appreciate the efforts of DHEC's staff to keep us informed and in ensuring responsible accountability for waste received at the Barnwell site.

Sincerely,



Benjamin A. Johnson, Chairman
Atlantic Compact Commission

cc: Atlantic Compact Commissioners
Mr. Frank Fusco
Mr. Richard Haynes
Mr. James Latham

South Carolina State Climatology Office

South Carolina Current Drought Status

Current Water Conservation Actions by County

Update Current Water Conservation Actions

State Climate Office 803-734-9100
 NEWS RELEASE DNR News 803-734-3815
 March 13, 2009

S.C. Drought Response Committee Meeting, April 15, 2009

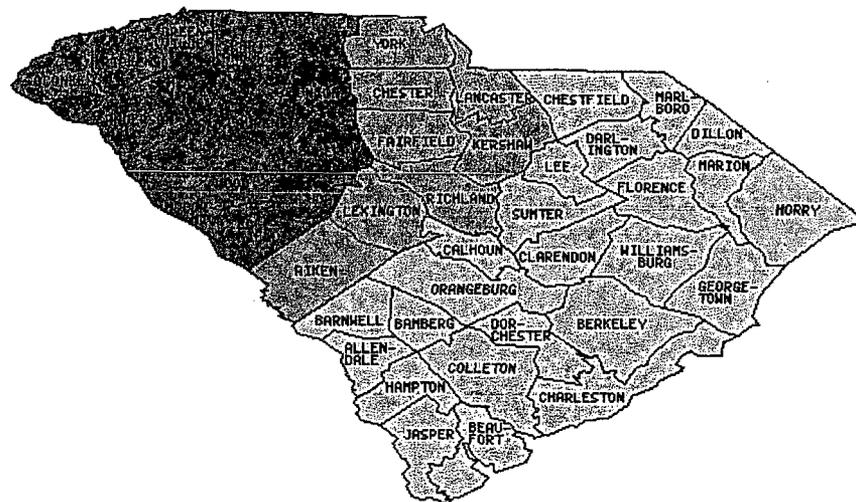
The South Carolina Department of Natural Resources will convene the next South Carolina Drought Response Committee meeting on April 15, 2009 at 10:00 AM. The meeting be held at the South Carolina Forestry Commission Headquarters building at 5500 Broad River Road in Columbia, South Carolina.

The purpose of this drought meeting is to evaluate the drought status statewide. The committee will review climatic data, streamflow and lake level data, and drought impacts. Local response to the on-going drought will also be reviewed to determine if additional actions are needed to insure sustainable supplies.

If you have any questions, please contact Hope Mizzell at 803-734-9568 or email her mizzellh@dnr.sc.gov.

All of State's counties now in drought status

South Carolina Drought Status by County
 February 19, 2009



Move cursor over the dates below to view a previous drought status map.
[Oct 28, 2008](#) | [Sep 16, 2008](#) | [Aug 5, 2008](#) | [Jun 30, 2008](#) | [Apr 16, 2008](#) | [Jan 22, 2008](#) |
[Sep 5, 2007](#) | [Jun 6, 2007](#) | [May 8, 2007](#) | [Feb 23, 2007](#) | [Sep 20, 2006](#) | [Aug 16, 2006](#) |
[Apr 27, 2006](#) |

For previously issued drought statements see [the archived status reports](#).

[Table of all counties and drought status.](#)
[Drought Response Committee Meeting Sign-In sheet.](#)

Discussion:

The S.C. Department of Natural Resources convened the S.C. Drought Response Committee on Feb. 19 in Columbia. Nine counties were maintained at the extreme level. Recent dry conditions prompted the Drought Response Committee to upgrade the drought declaration for 16 counties along the coast and Pee Dee region from no drought status to incipient: Chesterfield, Marlboro, Darlington, Dillon, Florence, Marion, Horry, Williamsburg, Georgetown, Berkeley, Dorchester, Charleston, Colleton, Beaufort, Hampton and Jasper.

Dry conditions continue in the Upstate where nine counties remain in extreme drought. The counties remaining in the extreme category are: Oconee, Pickens, Greenville, Spartanburg, Anderson, Abbeville, Laurens, Greenwood and McCormick.

Five counties in the Catawba-Wateree River Basin were downgraded to moderate status: York, Chester, Fairfield, Lancaster and Kershaw.

For more information about drought and to see a drought status by county map, visit the Office of State Climatology [drought web site](#).

The Drought Committee voted unanimously on a resolution to support a recent request by the S.C. Department of Natural Resources (DNR), S.C. Department of Health and Environmental Control and GA Environmental Protection Division to the Savannah District Corps of Engineers. The committee requested that the Corps of Engineers expeditiously conduct an Environmental Assessment on the reduction of minimum releases from Lake Thurmond from 3600 cfs (cubic feet per second) to 3100 cfs for the months of March through May 2009 in order to help mitigate the effects of the drought in the Savannah Basin.

Hope Mizzell, South Carolina state climatologist, reported the long-lead forecast continues to project below normal rainfall through April.

According to DNR hydrologist Masaaki Kiuchi only one of the 17 statewide stream flow gauges shows no drought, "Currently 12 of the 17 gauges are in extreme drought. Our continued concern is the serious situation of low lake levels in the Savannah River Basin."

Darryl Jones with the S.C. Forestry Commission reported the state is entering the dry season with February already experiencing above average forest fires, "Given the forecast, I think we can expect greater forest fire activity and this increase can be attributed to the dry fuels resulting from the drought."

Recognizing that spring brings a time of increasing water use, the committee approved a recommendation that urged individuals in the extreme drought counties to carefully consider their water needs and reduce unnecessary water use.

Michael G. McShane, DNR Board Chairman, addressed the committee in regards to ongoing water resource management efforts. DNR developed a statewide water plan in 1998 that was revised in 2004. Plans are to initiate an update later this year. Also the Governor's Savannah River Committee is making good progress on a number of interstate water issues.

Contact Hope Mizzell in Columbia at (803) 734-9568 or e-mail at mizzellh@dnr.sc.gov for more information.

DNR protects and manages South Carolina's natural resources by making wise and balanced decisions for the benefit of the state's natural resources and its people. Find out more about DNR at [the DNR Web site](#).

Drought Status Table

| Current Drought Status by County | | | | |
|---|--------------------------|-------------------------------|----------------------------|-----------------------------|
| Normal | Incipient | Moderate | Severe | Extreme |
| County Status | County Status | County Status | County Status | County Status |
| ABBEVILLE Extreme | AIKEN Moderate | ALLENDALE Incipient | ANDERSON Extreme | BAMBERG Incipient |

| | | | | |
|--------------------------------|--------------------------------|----------------------------------|-------------------------------|----------------------------------|
| BARNWELL Incipient | BEAUFORT Incipient | BERKELEY Incipient | CALHOUN Incipient | CHARLESTON Incipient |
| CHEROKEE Severe | CHESTER Moderate | CHESTERFIELD Incipient | CLARENDON Incipient | COLLETON Incipient |
| DARLINGTON Incipient | DILLON Incipient | DORCHESTER Incipient | EDGEFIELD Severe | FAIRFIELD Moderate |
| FLORENCE Incipient | GEORGETOWN Incipient | GREENVILLE Extreme | GREENWOOD Extreme | HAMPTON Incipient |
| HORRY Incipient | JASPER Incipient | KERSHAW Moderate | LANCASTER Moderate | LAURENS Extreme |
| LEE Incipient | LEXINGTON Moderate | MARION Incipient | MARLBORO Incipient | MCCORMICK Extreme |
| NEWBERRY Severe | OCONEE Extreme | ORANGEBURG Incipient | PICKENS Extreme | RICHLAND Moderate |
| SALUDA Severe | SPARTANBURG Extreme | SUMTER Incipient | UNION Severe | WILLIAMSBURG Incipient |
| YORK Moderate | | | | |

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Sign-In Sheet

| SC Drought Response Committee Meeting, March 13, 2009 | |
|---|--|
| Sign-In sheet | |
| Name & Agency | Name & Agency |
| Warren Harris - Drought Committee | Ed Bruce - Duke |
| Buddy Rivers - Drought Committee | George Gallaher - Duke |
| David Baize - SCDHEC | Mike Hancock - Drought Committee |
| Charles Seyton - BJWSA | Darrell Jones - SC Forestry Commission |
| Steve Hammond - Duke | Norman Whitaker - Drought Committee |
| Mitch Turner - SJWD | Masaaki Kiuchi - SCDNR |
| John Westcott - Drought Committee | Steven J. de Kozlowski - SCDNR |
| Marion Rizer - Colleton Soil & Water District | Jim Wilkowski - Drought Committee |
| Elbert Warren - Drought Committee | David Tompkins - Dept. of Ag |
| Chris Bickley - Drought Committee | Kirsten Lackstrom - University of South Carolina |
| Ken Rentiers - SCDNR | Michael McShane - SCDNR Chairman |
| George Lamberty - NWS | Hope Mizzell - DNR |
| Francis Turbolino - EMD | Evelyn Johnson - SCDNR |
| David Lodgeman - Governor's Office | Brett Witt - SCDNR |
| Vernon Osteen - Drought Committee | Mark Brug - Santee Riverkeeper |
| Scott Willett - Anderson Regional Water | Andy Fairey - Drought Committee |
| Doug Young - Chickasaw Point Property Owners Assoc | Bill Yetman - City of Rock Hill |
| Darrell Jones - SCFC | Stuart Ames - Drought Committee |
| Brenda Neetles - Drought Committee | John Shelton - USGS |
| Carol Roberts - SCDHEC | Rick Walker - Rain-Catchers.net |



DEPARTMENT OF THE ARMY
SAVANNAH DISTRICT, CORPS OF ENGINEERS
100 W. OGLETHORPE AVENUE
SAVANNAH, GEORGIA 31401-3640

JAN 14 2009

Executive Office

Mr. Tom Clements
Friends of the Earth
Southeastern Nuclear Campaign Coordinator
1112 Florence Street
Columbia, South Carolina 29201

Dear Mr. Clements:

Thank you for your letter dated October 27, 2008, concerning the possible dredging activities associated with the Savannah River Below Augusta (SRBA) Federal navigation project and Southern Nuclear Company's proposed expansion of Plant Vogtle. The SRBA project is currently minimally funded by Congress to support only small maintenance activities for the New Savannah Bluff Lock and Dam at Augusta and to obtain annual basic hydrographic survey data. The hydrographic survey data can be found on the district webpage (www.sas.usace.army.mil/op.htm).

Here are the answers to your questions. I have keyed my responses to your questions.

1. Dredging the Savannah River to construct a 9 feet deep and 90 feet wide channel, between the upper end of Savannah Harbor and the head of navigation at Augusta, Georgia, was originally authorized for general commercial navigation. The last authorization document for this action was the May 17, 1950, Rivers and Harbors Act (House Document 39, 75th Congress, 1st Session and Senate Document 6, 81st Congress, 1st Session). Presently, the SRBA Federal project is in "caretaker" status and there are no funds programmed or budgeted for returning the river to the previously authorized project depth and width.

2. To date, Congress has not appropriated sufficient funds to perform maintenance dredging of the SRBA Federal navigation project. If Congress were to appropriate funds, then any dredging of the SRBA would be considered a Federal project. If Southern Company or any other private entity proposed to conduct the work independently, then they would be responsible for all the costs associated with such a project. To date, neither Southern Company nor any other private entity has expressed interest in undertaking a SRBA dredging project.

3. Presently, dredging of the SRBA project is not funded nor budgeted for fiscal year 2009, and therefore, no environmental studies are planned at this time. If the dredging is proposed as a Federal project, the Planning Division of the Mobile District, US Army Corps of Engineers, would conduct an environmental assessment under the National Environmental Policy Act of 1973 (NEPA), the Clean Water Act, and other Federal environmental statutes and regulations. If the Southern Company or another private entity requested to perform the dredging work

independent of the Corps, then that entity would be required to obtain a permit from the Savannah District, US Army Corps of Engineers' Regulatory Division. Such an action would require submittal of an application for a Corps permit pursuant to Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act. The applicant would be required to submit a permit application, conduct all of the necessary studies, and provide environmental documentation for review by the Regulatory Division.

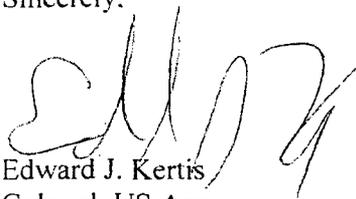
4. Potential locations for placement of sediment removed from the river would be evaluated as part of the previously identified environmental studies and analysis either for the Federal action or for an individual permit. At this time, no funds have been authorized for such investigations.

5. Any environmental analysis and documentation would include an assessment of potential contaminants, including radioactive and toxic materials, and issues concerning contaminant mobility in the aquatic environment.

6. At this time, the Savannah District is not considering dredging the SRBA Federal navigation project to facilitate expanded commercial traffic. If the Savannah District were to consider such an action, a non-Federal sponsor would need to be identified. In addition, economic justification for the project may need to be established and the environmental documentation completed prior to the start of construction.

If you have any further questions, please contact me at 912-652-5226.

Sincerely,



Edward J. Kertis
Colonel, US Army
Commanding

Tom, I think I need to call if you have any questions

DOCKETED
USNRC

March 22, 2009 (3:00pm)

OFFICE OF SECRETARY
RULEMAKING AND
ADJUDICATIONS STAFF