



## **Policy on Disposal Site Access and Disposal Rates**

**January 2001, Revised July 2005 and June 2006**

- **Under state law enacted in 2000, the South Carolina Budget and Control Board (“the Board”) approves access to the Barnwell site by persons outside the Atlantic Compact region, and sets all disposal rates for the Barnwell disposal site, including “special rates.” No other public or private organization serves as an agent to the Board for these responsibilities.**
- **Chem-Nuclear, LLC, operates the Barnwell site under a lease with the South Carolina Budget and Control Board. Since 2000, Chem-Nuclear, LLC, has been owned by Duratek, Inc. In 2006, Duratek was acquired by EnergySolutions, Inc. Disposal rates established by the Board pertain to disposal only and are completely separate from any other fees or charges that may be assessed by Chem-Nuclear or its affiliated companies for other services that the companies may provide.**
- **Except as authorized in the Board-approved rate schedules, Chem-Nuclear or its affiliates cannot add any fees or charges for disposal that are additional to the state-approved fees. Disposal rates approved by the Board will be clearly identified to customers separately from any other charges that may be assessed by Chem-Nuclear or its affiliates for other services that they may provide.**
- **The same Board-approved disposal rates will apply, regardless of the means a customer uses to package, treat or transport the waste to the disposal facility, or the vendor that is used to provide such services.**
- **Chem-Nuclear is required to accept waste meeting waste acceptance criteria from any valid DHEC permittee who is authorized by the Board to use the Barnwell site. Chem-Nuclear or its affiliates cannot add conditions that unreasonably restrict the availability of the site.**
- **A customer cannot amend the terms, conditions or commitments of any disposal agreement between the customer and Board through execution of a separate agreement with Chem-Nuclear or its affiliates that includes terms different from those included in the agreement between the customer and the Board.**
- **Except as may be explicitly provided for in an agreement between a disposal customer and the Board, neither Chem-Nuclear nor any of its affiliated companies is an agent for the receipt of official notifications under such contracts. Unless otherwise specified in such agreement, notification to Chem-Nuclear or its affiliates does not necessarily constitute notification to the Board.**