State Regulatory Oversight

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DHEC Coverage

• Do not cover
  – Storage of spent nuclear fuel
  – Nuclear materials

• Exempted by Congress
DHEC Environmental Roles

- Protection
- Oversight
- Emergency Preparedness
- Improvement
Protection

- Federal and State Laws/Regulations
- EPA delegates implementation to State
- DHEC has been delegated authority for
  - Air
  - Water
  - Waste
  - Cleanup
Protection

• Issue permits in accordance with Federal/State requirements
• Inspect for compliance
• Take enforcement action when necessary
Protection Programs

- Air
- Underground Injection Control
- Underground Storage Tanks
- Asbestos
- 401 Certification (Wetlands)
- Stormwater
- Wastewater Treatment

- Navigable Waters
- Drinking Water
- Laboratory Certification
- National Pollutant Discharge Elimination System
- Radioactive Waste Transportation
- Solid Waste (Landfills)
- Hazardous Waste (RCRA)
Oversight

• DHEC monitors SRS and surrounding area to determine impact of SRS activities.  
  – Air, water, soil, sediment, vegetation, milk, fish and game animals  

• DHEC maintains frequent presence at SRS through office in Region.
Emergency Preparedness

• South Carolina has a comprehensive emergency operations plan for disasters:
  – Natural (hurricanes, earthquakes, etc.)
  – Man-made (acts of terrorism)

• DHEC takes extra measures for SRS
  – Maintain responders with Q Clearance
  – Hold practice drills specifically geared to SRS
  – Meet quarterly
Improvement - Cleanup

- **Hazardous Waste Permit**
  - Requires assessment and cleanup of all waste contaminated areas at SRS
  - Covers some major areas/plumes (F, H, M, MWMF)
- **Federal Facility Agreement**
  - DHEC-Resource Conservation and Recovery Act authority
  - EPA-Comprehensive Environmental Response, Compensation and Liability Act authority
  - Marries process by which DHEC, EPA and DOE conduct cleanup
Improvement - Cleanup

• Hazardous Waste Permit versus Federal Facility Agreement (FFA)
  – Problem
    • Permit violation => enforcement
    • FFA disagreement => dispute resolution
  – Form
    • Permit is a defined regulatory mechanism (can not cancel)
    • FFA is an agreement (can opt out)

• Federal Facility Agreement
  – Has worked well
  – Run by a well established, highly efficient cleanup team
  – Always current due to yearly updates
Improvement – Legacy Waste

- Site Treatment Plan
  - Enabled by Federal Facility Compliance Act
  - Requires treatment of legacy waste by an approved schedule, enforced by order
  - Covers legacy mixed low level, transuranic and high level waste
- Requires State approval for any haz/rad waste shipment proposed to SRS
- Milestone example: Treatment of high level waste by 2028
High Level Waste

- Section 3116 of 2005 National Defense Authorization Act
- Residuals remaining must be under
  - Energy Secretary determination in consultation with NRC, and
  - “a State-approved closure plan or State-issued permit”
High Level Waste

• Regulated under State Wastewater Program
  – Operation through Wastewater Permit
  – Closure through Wastewater Closure Plan
    • General Closure Plan
    • Closure Modules (Tank Specific)

• Also covered by Hazardous Waste Permit cleanup authority

• Addressed through FFA process
Status

• Maintain
  – Permits and inspections
  – Oversight
  – Emergency preparedness

• DHEC will focus on
  – High Level Waste treatment and tank closure
  – Site cleanup
  – Legacy waste disposition
  – Transition from ARRA
Special State Concerns

• Budget, Waste Transfers, Regionalization
• DHEC maintains open communication through
  – National Governors Association Federal Facility Task Force
  – Environmental Council of the States Federal Facilities Forum
  – Contact with elected officials
  – Governor’s Nuclear Advisory Council
  – Other Entities