South Carolina Budget and Control Board

Special Disposal Rate Offer for Atlantic Compact Generators for Registered Waste generated prior to May 1, 2008

This special disposal rate offer is available to Waste Generators located in the Atlantic Compact region who agree to the terms and conditions set forth herein, and submit a form registering Applicable Waste that was generated prior to May 1, 2008.

Applicable Waste

Applicable Waste is waste disposed at Barnwell on July 1, 2008, or after, but which was generated prior to May 1, 2008, for which an approved Registration Form has been signed and submitted to the Chem-Nuclear Prior Notification and Planning Office within 60 days of generation of the waste. Waste may be registered 60 days or more after its generation at South Carolina's option. Waste that is "generated" is defined generally as material that is removed and isolated from other materials for purposes of disposal. The date that the waste is generated is generally the date that the waste is removed from its initial collection point and moved into a location whose purpose is the consolidation of waste for storage prior to shipment for disposal or for treatment prior to disposal. This location may be, for example, a closet, a room, a separate building, or a specific area within a room, or a storage facility off-site.

Disposal Rate

The disposal rate for all waste registered as Applicable Waste is 75 percent of the disposal rate that would be assessed for that waste, if the waste had been disposed in Fiscal Year 2007, under the FY2007 rate schedule or contract rate that would otherwise be applicable to the waste.

Option B Commitment Customers

Waste generators who have submitted Option B Volume Commitments for Fiscal Year 2007 may revise and re-submit those Volume Commitments to South Carolina not later than September 30, 2006, to reflect the reduced volume commitment for Fiscal Year 2007, due to the delay in shipping Applicable Waste under this agreement.

Other Conditions

1. Waste generators are solely responsible for registering Applicable Waste in a timely manner following its generation. Additional requirements related to registration of the waste may be stipulated in the Registration Form.

2. This Special Disposal Rate is entered by the State Budget and Control Board through its Executive Director pursuant to S.C. Code Ann. Section 48-46-40(A)(5).

3. The parties understand that statutory or regulatory constraints may make it impossible for South Carolina to accept any or all of the applicable waste specified under this agreement or other agreements. In the event that South Carolina is unable to accept the waste for disposal, then the exclusive remedy for generator is relief of any obligation to make payments for any waste not accepted for disposal. In the event that South Carolina, for any reason, is unable to accept waste

from the Atlantic Compact, under the conditions set forth in 10 CFR 1800.13(h), then South Carolina shall be subject to the repayment of a pro-rata portion of Compact membership incentive payments, and interest, as described in that regulation.

4. Customer understands and adheres to the attached Policy on Disposal Site Access and Disposal Rates, January 2001, Revised July 2005, which is also posted on the www.barnwelldisposal.com web site.

5. This Special Disposal Rate is governed by and construed in accordance with the laws of the State of South Carolina. Venue for any dispute shall lie in Richland County.

6. The Disposal Rate under this Agreement for Applicable Waste does not apply to waste generated May 1, 2008, or after, and does not apply to waste generated prior to May 1, 2008, that is not Registered. That waste shall be subject to the prevailing disposal rates or contract rates applicable at that time.

7. This Special Disposal Rate supersedes all prior negotiations, proposals and representations, whether oral or written, between the parties pertaining to this Special Disposal Rate. The parties waive any prior representations and agree that any prior representations are not binding or enforceable.

8. This Special Disposal Rate shall become effective with respect to any Applicable Waste, upon Acceptance of this agreement by submittal of a signed Registration Form for the Applicable Waste in accordance with requirements stipulated on that Form.

Frank Fusco 8/9/06

Frank Fusco Date
Executive Director
South Carolina Budget and Control Board

Special Disposal Rate – Atlantic Compact Generators
Waste Registration Form A: *Waste Currently Containerized for Disposal*

Instructions

Registered Waste that is generated by Atlantic Compact generators prior to May 1, 2008, and received for disposal July 1, 2008, or after, is eligible for a Special Disposal Rate, as described herein. Waste must be registered within 60 days of its generation. Waste may be registered 60 days or more after its generation at South Carolina's option.

Waste that is "generated" is defined generally as material that is removed and isolated from other materials for purposes of disposal. The date waste is generated is generally the date that the waste is removed from its initial collection point and moved into a location whose purpose is the consolidation of waste prior to shipment for disposal or for treatment prior to disposal. This location may be, for example, a closet, a room, a separate building, or a specific area within a room, or a storage facility off-site.

Disposal Rate

The disposal rate for all waste registered as Applicable Waste is 75 percent of the disposal rate that would be assessed for that waste, if the waste had been disposed in Fiscal Year 2007, under the FY2007 rate schedule or contract rate that would otherwise be applicable to the waste.

Option B Commitment Customers

Waste generators who have submitted Option B Volume Commitments for Fiscal Year 2007 may revise and re-submit those Volume Commitments to South Carolina, without penalty, not later than September 30, 2006, to reflect the reduced volume commitment for Fiscal Year 2007.

Other Conditions

The Disposal Rate under this Agreement for Applicable Waste does not apply to waste generated May 1, 2008, or after. That waste shall be subject to the prevailing disposal rates or contract rates applicable at that time.

REGISTERED WASTE – waste currently containerized for disposal	
Date of generation	
Disposal Container #	
Cubic feet for disposal	
Curies	
Waste type	
Storage location	
Note	

I, the undersigned, certify that the description of the waste above is an accurate representation, and; for the waste registered herein, accept the terms and conditions set forth in this Form and in the "Special Disposal Rate Offer for Atlantic Compact Generators for Waste Generated Prior to May 1, 2008," signed by the Executive Director of the South Carolina Budget and Control Board on _____.

_____	_____	_____
Signature - authorized official	Print name	Date

Submit to Chem-Nuclear Prior Notification & Planning (PNP) Office, phone 803-541-5017, fax 803-259-7230.

LOG NUMBER _____

UPON PRE-NOTIFICATION OF SHIPMENT FOR DISPOSAL, SHIPPER MUST REFERENCE THIS LOG NUMBER IN ORDER TO RECEIVE SPECIAL DISPOSAL RATE.

Special Disposal Rate – Atlantic Compact Generators

Waste Registration Form B: *Waste NOT Currently Containerized for Disposal*

Instructions

Registered Waste that is generated by Atlantic Compact generators prior to May 1, 2008, and received for disposal July 1, 2008, or after, is eligible for a Special Disposal Rate, as described herein. Waste must be registered within 60 days of its generation. Waste may be registered 60 days or more after its generation at South Carolina's option.

Waste that is "generated" is defined generally as material that is removed and isolated from other materials for purposes of disposal. The date waste is generated is generally the date that the waste is removed from its initial collection point and moved into a location whose purpose is the consolidation of waste prior to shipment for treatment or storage. This location may be, for example, a closet, a room, a separate building, or a specific area within a room, or a storage facility off-site.

For waste that will be stored in a configuration that will require re-packaging or containerization prior to treatment or disposal, or will be shipped to a waste processing facility for treatment prior to disposal, please describe a discrete and non-overlapping set of waste that can be readily identified upon inspection.

If this Registration Form supersedes a previous Form (adding new waste to a set of previously registered waste, for example), and includes waste registered under that Form, indicate the Log Number of the previous Form in the Table below.

Attach to this form a signed statement that describes the steps that will be taken to ensure that this Applicable Waste can be identified at any time upon inspection, and upon its shipment to a waste treatment facility. This may include identification of a specific storage container or bin number; special identification markers, stamps or tags; maintenance of a data base; issuance of periodic inventory reports on Applicable Waste; photographs; and so on. South Carolina reserves the right to reject the Registration of waste due to lack of specificity or the lack of a dependable means to identify the waste as Applicable Waste, and to distinguish it from waste generated May 1, 2008, or after.

Disposal Rate

The disposal rate for all waste registered as Applicable Waste is 75 percent of the disposal rate that would be assessed for that waste, if the waste had been disposed in Fiscal Year 2007, under the FY2007 rate schedule or contract rate that would otherwise be applicable to the waste.

Option B Commitment Customers

Waste generators who have submitted Option B Volume Commitments for Fiscal Year 2007 may revise and re-submit those Volume Commitments to South Carolina, without penalty, not later than September 30, 2006, to reflect the reduced volume commitment for Fiscal Year 2007.

Other Conditions

The Disposal Rate under this Agreement for Applicable Waste does not apply to waste generated May 1, 2008, or after. That waste shall be subject to the prevailing disposal rates or contract rates applicable at that time.

REGISTERED WASTE – waste NOT currently containerized for disposal			
Date of Generation		Cubic Feet as Stored	
Curies		Est. Cubic Feet upon Delivery for Disposal	
Waste Type			
Storage Location			
Supersedes previous:			

I, the undersigned, certify that the description of the waste above is an accurate representation; and, for the waste registered herein, accept the terms and conditions set forth in this Form and in the "Special Disposal Rate Offer for Atlantic Compact Generators for Waste Generated Prior to May 1, 2008," signed by the Executive Director of the South Carolina Budget and Control Board on _____.

_____ _____

Signature - authorized official | Print name | Date

Submit to Chem-Nuclear Prior Notification & Planning (PNP) Office, phone 803-541-5017, fax 803-259-7230.

LOG NUMBER _____

UPON PRE-NOTIFICATION OF SHIPMENT FOR DISPOSAL, SHIPPER MUST REFERENCE THIS LOG NUMBER IN ORDER TO RECEIVE SPECIAL DISPOSAL RATE.