

# Lawsuit sparks change

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On the surface, it doesn't seem like a fair fight: a lone Sun City resident taking on the U.S. Department of Energy in a legal battle.

But when Joe Whetstone heard the federal agency was not notifying Beaufort and Jasper county residents about efforts to reduce contaminants in the Savannah River — a primary source of local drinking water — he filed a lawsuit.

The David versus Goliath-like suit was settled before it went to court.

Whetstone won.

The DOE owns the Savannah River Site. Constructed in the early 1950s, it produced basic materials used to make nuclear weapons during the Cold War.

At the time, the accepted practice for disposing of hazardous waste materials was to collect them in a large basin. That approach allowed the waste to eventually seep into the ground, said SRS spokesman Will Callicott.

As technologies advanced and new environmental laws were enacted, SR changed methods of disposal. State and federal agencies now regulate how much radioactive material is allowed in the river before the water is unsafe to drink.

Last summer, the DOE asked the S.C. Department of Health and Environmental Control for a permit extension

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## IF YOU GO

**What:** Department of Energy Citizens Advisory Board meeting on hazardous waste disposal at the Savannah River Site

**Where/when:** 2 to 4 p.m. Jan. 29 at Crowne Plaza Hotel, 130 Shipyard Drive, Hilton Head Island

**Contact:** 800-249-8155

## CHANGE

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which would allow the agency five more years to clean up two areas of groundwater contamination affecting the Savannah River.

"Currently, we are at 90 percent of our cleanup goal in those areas," DOE spokesman Jim Giustisaid. "To optimize the technologies we have in place to treat that groundwater, we asked DHEC to give us more time."

DHEC scheduled a public meeting in Aiken, where SRS is located, last July and published notices of it in newspapers within 20 miles of the site.

Whetstone did not attend the meeting, but thought it unfair that Beaufort and Jasper county residents were not notified through their newspapers.

"The problem is we drink it here," Whetstone said. "They weren't notifying everyone who was affected."

At the July meeting, DHEC approved the extended permit.

In October, Whetstone filed suit against the DOE in the South Carolina Administrative Law Court. He challenged DHEC's decision granting the DOE more time to dispose of tritium — a radioactive form of hydrogen that has contaminated the groundwater and takes 25 years to fully decompose.

He also requested any future meetings about waste disposal be published in Beaufort and Jasper county newspapers, and that any related information be posted on the DOE Web site.

The settlement was reached Dec. 21. At that time, Whetstone agreed to drop his appeal. In exchange, the DOE agreed to publish meetings in both county newspapers and on the Web site.

Whetstone is happy with the settlement. His day in court could have meant a continuing lack of information.

"The judge in all probability would say DHEC did what they are required to do," he said. "If it had gone to court, I think there would have been no gain for those of us in this area."