

From: Taylor, Richele  
To: Adams, Chaney <ChaneyAdams@gov.sc.gov>  
Godfrey, Rob <RobGodfrey@gov.sc.gov>  
Date: 11/2/2016 11:22:25 AM  
Subject: RE: MOX follow up

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Sorry – Didn't include you Chaney.

Richele

The Order can be found at [www.pacer.gov](http://www.pacer.gov) (all federal cases)

To search they fill in

Region: 4th Circuit  
Case Number: 16-cv-00391

The case shows up as State of South Carolina v. United States, et al.

The Defendants (DOE et al) requested our State case be dismissed. The Court held it does have jurisdiction over some of the issues, and some should be in federal court. But it did not dismiss any claims. The Court requested additional information from the parties to handle jurisdictional issues.

The "win" for us is the Defendants asked our removal of the waste portion of the case be dismissed because we had no right to ask for removal of waste, we could only get the monetary fines under the law if they did not remove the waste. The Judge did not grant that and is going to consider the issue perhaps later, but she did not dismiss the case based on that argument. That was a win for us, because a Judge can interpret the law and dismiss a case. That is not a fact specific argument, it is a straight interpretation of the law. That is a positive sign.

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From: Adams, Chaney  
Sent: Wednesday, November 02, 2016 11:21 AM  
To: Godfrey, Rob; Taylor, Richele  
Subject: RE: MOX follow up

ETA on background?

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From: Godfrey, Rob  
Sent: Wednesday, November 02, 2016 10:31 AM  
To: Taylor, Richele; Adams, Chaney  
Subject: MOX follow up  
Importance: High

Chaney –

Here is a quote from the governor. Richele is going to send over background and a link to the documents.

"The court's ruling is a step in the right direction. After years of broken promises, we believe that the Department of Energy should pay any fines the agency owes and remove nuclear waste from our state. South Carolina will not be a permanent dumping ground - it's a critical quality of life issue."

**Rob Godfrey**  
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