

Exhibit 1

Nonprofit group files to intervene in S.C. lawsuit against DOE over MOX project

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AP FILE PHOTO

The Southern Carolina Regional Development Alliance filed a motion in federal court last week seeking to intervene in the state's lawsuit against the U.S. Department of Energy for its missed deadline on construction of the Mixed Oxide Fuel Fabrication Facility at the Savannah River Site.

The state's lawsuit is an attempt to levy \$1 million per day in fines for every day the DOE goes beyond the Jan. 1 deadline. It caps the fine at \$100 million, a threshold that will be reached April 10.

The alliance is a nonprofit group that represents impoverished areas near the Savannah River Site and said it will be affected by the MOX project – finished or not.

The yet-to-be completed plant is intended to turn weapons-grade plutonium into commercial nuclear reactor fuel, but is only about 70 percent complete.

Gov. Nikki Haley said, "Federal law requires the Department of Energy to make economic and impact assistance payments to the State of South Carolina. The law is clear, these payments are due to the State alone, not other individuals or groups that may also wish to collect."

According to the SCRDA, Haley's stance is why the alliance filed the motion to intervene.

“We have 1,600 acres next door to SRS, six miles from the reactor where the plutonium is stored,” said Danny Black, President and CEO of the association.

In the motion filed with the U.S. District Court, “If defendants prevail in this action, Southern Carolina Alliance will be left without redress for this injury.”

Black said the alliance should be a party to the lawsuit because it is part of the local community.

“We think the state is only looking after interests of the state and would have nothing to do with the community in any settlement if we didn’t intervene,” he said.

According to Black, the actions of the state and the DOE continue to perpetuate the problems with plutonium storage and have exposed the nearby communities to spotlights from media headlines.

“If the state is filing to gain some settlement or long-term action, we think we ought to, as a community, gain something out of any fines or damages paid instead of having the funds go to the general fund of South Carolina,” Black said.

The court must decide if the motion will be accepted or if the lawsuit will move forward without the alliance.

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