

UNITED STATES DISTRICT COURT

for the

District of South Carolina

SAVANNAH RIVER SITE WATCH, TOM CLEMENTS, THE GULLAH/GEECHEE SEA ISLAND COALITION, NUCLEAR WATCH NEW MEXICO, and TRI-VALLEY COMMUNITIES AGAINST A RADIOACTIVE ENVIRONMENT,

Plaintiffs

v.

UNITED STATES DEPARTMENT OF ENERGY, JENNIFER GRANHOLM, in her official capacity as the Secretary, The NATIONAL NUCLEAR SECURITY ADMINISTRATION and JILL HRUBY, Administrator,

Defendants

Civil Action No. 1:21-cv-01942-MGL

JUDGMENT IN A CIVIL ACTION

The court has ordered that (check one):

[ ] the plaintiff recover nothing, the action be dismissed on the merits, and the defendant (name) \_\_\_\_\_

recover costs from the plaintiff (name) \_\_\_\_\_.

[ ] declaratory judgment is entered in favor of the plaintiffs, Savannah River Site Watch, Tom Clements, The Gullah/Geechee Sea Island Coalition, Nuclear Watch New Mexico, and Tri-Valley Communities Against a Radioactive Environment, as to their claim that the defendants, United States Department of Energy; Jennifer Granholm, in Her Official Capacity as the Secretary; The National Nuclear Security Administration; and Jill Hruby, Administrator, violated the National Environmental Policy Act ("NEPA") by not undertaking a proper alternatives analysis given the change in need and purpose and changed circumstances since the 2008 CT SPEIS, as the defendants have violated NEPA, 42 U.S.C. §§ 4321 et seq., and its implementing regulations, 40 C.F.R. §§ 1500 et seq., as to that claim.

[ ] the plaintiffs, Savannah River Site Watch, Tom Clements, The Gullah/Geechee Sea Island Coalition, Nuclear Watch New Mexico, and Tri-Valley Communities Against a Radioactive Environment, take nothing of the defendants, United States Department of Energy; Jennifer Granholm, in Her Official Capacity as the Secretary; The National Nuclear Security Administration; and Jill Hruby, Administrator, as to their claims that the defendants violated NEPA by failing to assess the cumulative effects of increased pit production on the Waste Isolation Pilot Plant's ("WIPP") limited capacity; by not authoring a supplemental programmatic environmental impact statement to address the changed circumstances regarding WIPP capacity; by not addressing the new information and changed circumstances concerning radiation risks from improperly stored transuranic waste; and by failing to take a hard look at changed circumstances concerning terror threats to transportation of nuclear materials and waste, and this action is dismissed without prejudice as to those claims.

This action was (*check one*):

- tried by a jury, the Honorable \_\_\_\_\_ presiding, and the jury has rendered a verdict.
- tried by the Honorable \_\_\_\_\_ presiding, without a jury and the above decision was reached.
- decided by the Court, the Honorable Mary Geiger Lewis, US District Judge, presiding. The Court having heard and granted judgment as to one claim and having dismissed the remaining claims.

Date: September 30, 2024

*ROBIN L. BLUME, CLERK OF COURT*

s/Charles L. Bruorton

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*Signature of Clerk or Deputy Clerk*