

Appendix E
Comments on Draft EIS and Responses

Layout of Appendix E

Draft EIS Public Comments and EERA Responses

This appendix contains all of the written and oral comments received on the draft EIS prepared for Xcel Energy's proposed additional spent fuel storage in the PINGP ISFSI, as well as EERA's responses to these comments. Some responses to comments will note that modifications to the draft EIS were made due to the comment. All modifications to the text within the draft EIS are noted by underlined red text for additions and ~~striketrough~~ red text for deletions. Underlined green text indicates text that was not modified but moved to another part of the document. The original placement of that text will be shown in green ~~striketrough~~.

The draft EIS was issued on October 31, 2024. Comments on the draft were solicited through two public meetings and a public comment period that ended on December 6, 2024.

A total of ten written comments were received on the draft EIS (Table E-1, page E-2). Five oral commenters made comments on the draft EIS at the public meetings (Table E-1). Each comment has been assigned a unique identification number (ID number).

An image of the comment letter or the transcript from the public meeting is provided for each commenter along with the comment ID number. Sub-comments for each commenter are marked with the comment ID number followed by a dash and a number for the sub-comment. For example, comment 1-1 is the first sub-comment in the submission from commenter 1 and 1-2 is the second sub-comment. EERA responses to each comment correspond to and are labeled with the same nomenclature as the sub-comments.

Table E-1: Commenters and Comment Nomenclature

ID Number	Commenter	Page Number
<i>Written Comments</i>		
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2	Prairie Island Indian Community	E-6
3	Midahkota Wells	E-16
4	Peder Otterson	E-17
5	Sarah Childs	E-18
6	Janice Erickson	E-20
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8	Shane Erickson	E-23
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<i>Oral Comments (In-Person)</i>		
11	Craig Edstrom	E-49
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15	Janice Erickson	E-57

Written Comments

All written comments are also combined and available on eDockets:
Document ID No. [202412-212830](#)

Commenter ID No. 1

Comment 1-1:



520 Lafayette Road North | St. Paul, Minnesota 55155-4194 | 651-296-6300
800-657-3864 | Use your preferred relay service | info.pca@state.mn.us | Equal Opportunity Employer

December 2, 2024

Jenna Ness, Project Manager
Minnesota Department of Commerce
85 7th Place East, Suite 280
Saint Paul, Minnesota 55101
jenna.ness@state.mn.us

RE: Prairie Island Nuclear Generating Plant Independent Spent Fuel Storage Installation Expansion
Project – Draft Environmental Impact Statement

Dear Jenna Ness,

Thank you for the opportunity to review and comment on the Draft Environmental Impact Statement for the Prairie Island Nuclear Generating Plant Independent Spent Fuel Storage Installation Expansion Project (Project) located in the City of Red Wing, Goodhue County, Minnesota. The Project consists of Northern States Power Company, d/b/a. Xcel Energy proposing to construct and operate an expanded independent spent fuel storage installation (ISFSI) at Prairie Island Nuclear Generating Plant (PINGP) to provide 20 additional years of spent fuel storage between 2033/2034 and 2053/2054. The expansion would use a welded canister dry fuel storage (DFS) system licensed by the U.S. Nuclear Regulatory Commission (NRC) for both storage and transportation. The Project is proposed with the Company's intent to seek necessary federal approvals to extend the existing operating life of the two pressurized water reactors at the plant. The Project would construct up to two pads, as needed, to store a projected 34 additional DFS systems (approximately 1,200 spent fuel assemblies) within the current fence line of the ISFSI. Minnesota Pollution Control Agency (MPCA) staff has reviewed the EAW and have no comments at this time.

We appreciate the opportunity to review this project. Please be aware that this letter does not constitute approval by the MPCA of any or all elements of the Project for the purpose of pending or future permit actions by the MPCA. Ultimately, it is the responsibility of the Project Proposer to secure any required permits and to comply with any requisite permit conditions. If you have any questions concerning our review of this Draft Environmental Impact Statement, please contact me by email at chris.green@state.mn.us or by telephone at 507-476-4258.

Sincerely,

Chris Green

This document has been electronically signed.

Chris Green, Project Manager
Environmental Review Unit
Resource Management and Assistance Division

CG:rs

Attachment

cc: Dan Card, MPCA

Response 1-1:

Thank you for your comment.

Commenter ID No. 2

Grant Johnson
President

Valentina Mgeni
Secretary



Ronald Johnson
Vice President

Michael Childs Jr.
Treasurer

Constance Campbell
Assistant Secretary/Treasurer

December 6, 2024

Jenna Ness, Environmental Review Manager
Minnesota Department of Commerce
85 - 7th Place East, Suite 280
St. Paul, MN 55101-2198

RE: Draft Environmental Impact Statement for Xcel Energy's Certificate of Need application
before the Minnesota Public Utility Commission
(Docket No. E002/CN-24-68)

Dear Ms. Ness:

The Prairie Island Indian Community ("PIIC" or "Tribe") offers the following comments on the Minnesota Department of Commerce's ("Department") draft Environmental Impact Statement ("DEIS") for Xcel Energy's Certificate of Need ("CN") application to the Minnesota Public Utilities Commission ("Commission") for additional on-site storage at its Prairie Island Nuclear Generating Plant ("PINGP") of spent nuclear fuel ("Project"). The final Environmental Impact Statement ("FEIS") will be used by the Commission to determine whether to grant a Certificate of Need to authorize Xcel Energy to store additional spent nuclear fuel on-site at the PINGP.

INTRODUCTION

PIIC is a federally recognized Indian Tribe organized under the Indian Reorganization Act of 1934.¹ The PIIC's Reservation is located on the ancestral homeland of the Mdewakanton Dakota on Prairie Island, which is formed at the confluence of the Vermillion and Mississippi Rivers in southeastern Minnesota, approximately 35 miles southeast of the Twin Cities of Minneapolis and St. Paul. The Mdewakanton, "those who were born of the waters," have lived on Prairie Island

¹ The PIIC is governed pursuant to its Constitution and By-Laws, adopted by tribal members on May 23, 1936, and approved by the Secretary of the Interior on June 20, 1936. The Constitution and By-laws provide that the PIIC Council (sometimes referred to as the "Tribal Council") shall be the governing body for the PIIC. The five-member Tribal Council consists of a President, Vice-President, Secretary, Treasurer, and Assistant Secretary/Treasurer.

PIIC Comments to the MN Department of Commerce
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December 4, 2024

for countless generations. Our current enrollment is 1,130 and there are over 100 residences on Prairie Island, many with multiple Tribal members.

Northern States Power (“NSP”) (d/b/a Xcel Energy) is seeking authority to increase the spent nuclear fuel (“SNF”) storage capacity at the PINGP Independent Spent Fuel Storage Installation (“ISFSI”) to support an additional 20 years of operational life of the PINGP (through the anticipated Subsequent License Renewal (“SLR”) period ending in 2053/2054). If approved, this (third) certificate of need would add an additional 34 dry fuel storage (“DFS”) systems, holding approximately 1,200 spent nuclear fuel assemblies weighing 692 tons, to the existing “temporary” storage facility at Prairie Island. This means, by the end of the SLR period for the PINGP, there will be approximately 4,210,800 pounds – or 2,105 tons – of spent nuclear fuel in our backyard. As the Tribe has noted in its comments in a parallel proceeding before the Minnesota Public Utilities Commission,² despite clear directives from Congress, federal efforts to approve a permanent repository for nuclear waste have been entirely unsuccessful. In the absence of a national repository or Federal Centralized Interim Storage Facility (“CISF”), continued on-site SNF storage has become the default solution for managing the back end of the fuel cycle. The U.S. Department of Energy (“DOE”) only recently has embarked on developing a consent-based siting process for a federal CISF, but is still years away from siting, licensing, and constructing the actual facility.

We appreciate the Department’s recognition of the unique burden that the federal government’s ongoing failure to address long-term storage of SNF imposes on the Tribe and our members. As the DEIS notes, we are the closest community (Indian or non-Indian) in the country to an operating nuclear power plant and spent fuel storage site. Because the PINGP and ISFSI literally are in the PIIC’s backyard, few issues are more important to the PIIC than the safe operation of the PINGP and ISFSI; no community is more disproportionately burdened by the continued operation of both. Following decades of advocacy, PIIC has been able to obtain a measure of recognition of and compensation for this disproportionate burden. In 2003, the PIIC entered into a settlement agreement with Xcel to resolve certain long-standing issues; this settlement agreement was amended in 2015 and again in 2023 to help address some of the impact on the PIIC that will result from extending the operating life of the PINGP. The most recent amendments are memorialized in a 2023 Amended and Restated Settlement Agreement which, among other things, provides that the Tribe and Xcel will work together constructively on state and federal license extensions. The PIIC submits these comments with this constructive relationship in mind.

Consistent with the above, and to further the Department’s review of Xcel’s CN, our comments aim to clarify certain impacts specific to the PIIC, as well as to recommend relevant technical corrections.

² The PIIC provided extensive comments on Xcel Energy’s 2024-2040 Integrated Resource Plan (E002/RP-24-67) (see <https://www.edockets.state.mn.us/documents/%7B203A4691-0000-C717-AA30-E2512D82C301%7D/download?contentSequence=0&rowIndex=92>). Xcel’s IRP, among other things, plans for the 20-year extension of the PINGP until 2053/2054 to meet Minnesota’s energy needs, as well as Xcel’s clean energy goals and the State’s 2040 legislative mandate.

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THE PRAIRIE ISLAND INDIAN COMMUNITY'S COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT STATEMENT

On July 11, 2024, the Department issued its Scoping Decision for the preparation of the Environmental Impact Statement for Xcel's CN, in which the Department identified the impacts and mitigation measures to be analyzed, as well as the order and manner in which the Environmental Impact Statement is to address these impacts and measures. PIIC's comments on the DEIS generally follow this format.

Chapter 1 Introduction

Section 1.2 discusses general licenses vs. site-specific licenses. Currently, the PINGP ISFSI has a site-specific license from the Nuclear Regulatory Commission ("NRC") to use the Transnuclear storage casks (TN-40 and TN-40HT). Moving forward, Xcel Energy will use the Orano NUHOMS EOS 37PTH DFS system at the PINGP ISFSI under a general NRC license. General and site-specific licenses are also discussed in **Section 2.1** (at 6), but without any further context. The FEIS should provide additional detail and clarification regarding the two ISFSI licenses, so the public has a better understanding of the differences between the two, such as the different licensing processes and future environmental reviews.

2-1

Chapter 3 The Proposed Project – Additional Spent Nuclear Fuel Storage

Section 3.5 briefly discusses transportation of SNF, the role of the U.S. Department of Transportation ("DOT") in the regulation of SNF shipments, and the responsibility that states have in ensuring that shipments of SNF are safe, since they implement some DOT regulations. The FEIS should elaborate on the role states play in both rail and highway shipments, how tribes such as PIIC are impacted, and clarify that the reason shipments are not currently under consideration is the fact that no off-site storage solution has been identified.

2-2

Chapter 4 Potential Non-Radiological Impacts

Section 4.2 provides an overview of the environmental setting for the PINGP and includes an aerial map (DEIS Figure 6) that, while helpful in identifying nearby residences, does not fully capture the proximity of the ISFSI to the Tribe's community as a whole; to that end, we have included the below *Figure 1* to illustrate this point. In addition, this section notes that there are "57 residences within one mile of the PINGP ISFSI, most of whom live in the Lower Island residential area" and indicates that only 53 of these homes are Tribal member homes.³ In fact, 57 homes belong to Tribal members within the one mile radius; 53 are located on the Tribe's Reservation, and four are located on nearby fee land.⁴ The DEIS also does not account for non-Tribal member owned residences within the one mile radius, so the true figure should be higher. We request that the FEIS clarify these points.

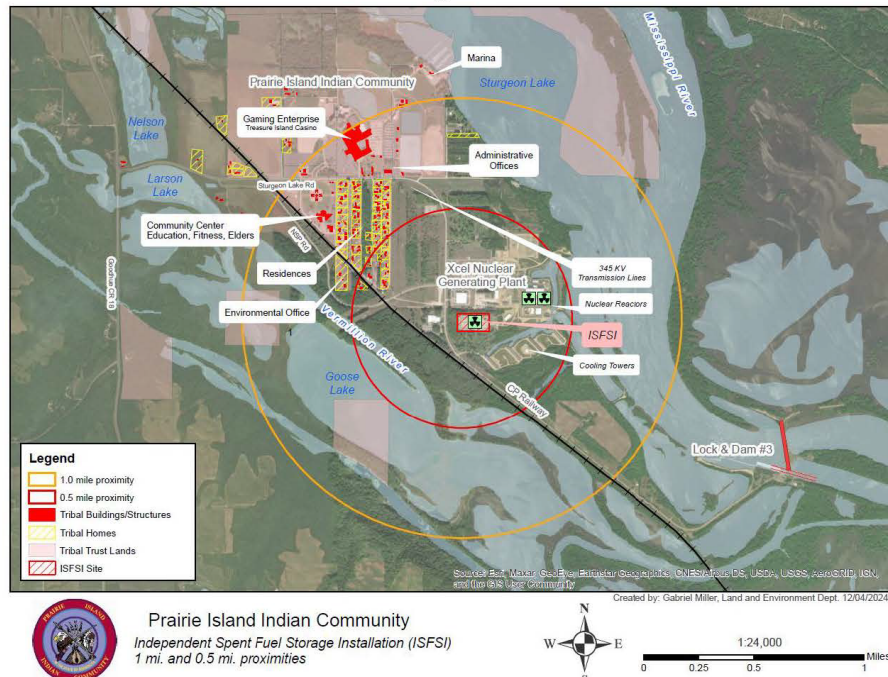
2-3

³ DEIS page 21.

⁴ Ibid. page 22 n.9.

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Figure 1



Section 4.3 discusses potential impacts to the human environment from the implementation of the project, which includes the construction of additional concrete storage pads. Approximately 40 additional construction workers will be accessing the site during the construction period, as well as during the delivery of materials via truck.⁵ To mitigate potential short-term traffic and air quality impacts, construction traffic should use Xcel's private road to access and exit from the PINGP ISFSI rather than using Sturgeon Lake Road through the Prairie Island Indian Community.

2-4

Section 4.3 characterizes the PIIC's 2023 Amended and Restated Settlement Agreement, but several points require clarification. As amended and restated, the Settlement Agreement provides that NSP is to pay the Tribe \$10 million for each year the PINGP is in licensed operation. This payment is not made "to store spent fuel in the ISFSI for each year the PINGP is in licensed operation,"⁶ but rather is separate from and in addition to any payments for storage of spent fuel casks, which payments are described in more detail in the Settlement Agreement and

2-5

⁵ Ibid. page 26.

⁶ Ibid. page 31. Xcel Energy's testimony cited in the DEIS is not to the contrary. Payments (or theoretical payment reductions) associated with the decommissioning process are not addressed in the Settlement Agreement.

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supporting legislation. The Tribe recognizes that these payments may be affected if the PINGP ceases licensed operation or if spent fuel casks are removed but disagrees that such events should be considered as “negative socioeconomic impacts” for the purposes of this EIS process.

2-5

Chapter 5 Potential Radiological Impacts

Section 5.2 discusses radiation monitoring conducted by both Xcel and the Minnesota Department of Health (“MDH”), but no monitoring data is provided or summarized to show how/whether established standards are being met. Xcel’s most recent annual Radiological Environmental Monitoring Program (“REMP”) report is referenced, but no summary is provided.⁷ The MDH’s Environmental Monitoring report is also referenced,⁸ but not summarized. The FEIS should include specific analysis of this environmental monitoring data.

2-6

Section 5.3 (Potential Radiological Impacts to Human Health) discusses skyshine radiation doses from the ISFSI (i.e., gamma and neutron radiation from the spent fuel canisters traveling upwards and reflected off the atmosphere back to the ground). In 2023, Xcel commissioned Sargent and Lundy to conduct a dose study for radiological impacts, in support of the Certificate of Need application.⁹ The DEIS relies on that study to support conclusions related to bounding potential doses, based on cask design and distance to the nearest resident (i.e., Tribal members), noting that “the conservative results were approximately 22 mrem; however, based on empirical data from Xcel’s RERR (Radioactive Effluent Release Report), Xcel Energy anticipates approximately 0.9 mrem.”

While within regulatory limits, the study’s wide-ranging dose estimates underscore the need for the involvement of the MDH in evaluating them. Such an ongoing evaluation would assist the MDH not only in furthering its monitoring and reporting duties (discussed in the DEIS at Section 5.2 and above) but also would assist the Department in finalizing its conclusions for the purposes of this Section 5.3.

2-7

At another level, this dose estimate range also underscores the need for regular radiation studies not only because of the potential health and safety impact, but also because the science in this area continues to evolve. The White House’s National Science and Technology Council has warned that the “[i]nadequate understanding of low-dose radiation health effects, including whether or not low-dose radiation causes cancer, results in significant societal and financial impacts.”¹⁰ That White House Council report concludes that a “more complete understanding of the low-dose health effects of radiation would reduce uncertainty ... [for] regulatory agencies charged with protecting workers and the general population from radiation exposure. Regulatory agencies could then potentially modify their regulatory programs to better ensure protections

⁷ Ibid. page 43.

⁸ Ibid. page 44.

⁹ CN at Appendix B.

¹⁰ *Radiation Biology: A Response to the American Innovation and Competitiveness Act*, National Science and Technology Council (January 2022) at 2.

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requirements are commensurate with risks.”¹¹ The PIIC does not seek here to question the adequacy of existing NRC regulations and standards (something outside the scope of this EIS), but rather to emphasize the importance of ensuring that all available means are brought to bear in verifying compliance with these regulations and standards.

Finally, as an observation, when considering potential impacts on human health, a narrow focus on physical conditions excludes the mental, emotional, and spiritual components of human health. These important components of health for those who exist so close to a nuclear power plant and stored radiological waste should always be considered in decision making.

2-8

Section 5.3 (Off-Normal Conditions) also discusses potential radiological impacts to the public from off-normal conditions such as a fire or explosion.¹² The DEIS states that the DFS are stored away from combustible materials and that the only source of fuel which could potentially cause a fire is the fuel tank of the cask transport vehicle. However, while the DEIS elsewhere acknowledges (without referring to actual distance) the close proximity of the Canadian Pacific (“CP”) Railway to the ISFSI, the DEIS does not evaluate the fire risk to the ISFSI and the DFS associated with a derailment of freight carrying crude oil or some other petroleum or high hazard product. CP’s rail lines are located approximately 644 feet from the southwestern corner of ISFSI, a small fraction of the total length of the average freight train.

2-9

Because the rail line is so close to the ISFSI, and flammable liquids are transported, it is conceivable that a derailment of hazardous or flammable materials in the vicinity of the ISFSI could occur. The FEIS either should address the potential for a derailment of flammable liquids or hazardous commodities as part of this analysis, or the Department and/or the Commission should make provision for such future evaluation as is necessary to ensure adequate mitigation.

Section 5.3 (Accident Conditions) notes that it is possible that a canister could be compromised by some unknown means, but the DEIS does not elaborate.¹³ The NRC’s position has been that these packages are very robust, and that a breach is very unlikely. The US DOE recently closed a request for information to gather input on its proposed package performance demonstration, which is intended to demonstrate the robustness of spent nuclear fuel transportation casks in hypothetical accident conditions. By simulating severe accident scenarios, the DOE intends to show to the public and stakeholders the safety and reliability of transporting SNF by rail, heavy-haul truck, and barge. This new information could be included in the FEIS.¹⁴

2-10

Section 5.7 (Prairie Island Indian Community) correctly recognizes that the PIIC bears a disproportionate risk, especially with regard to health and safety, from the operation of the PINGP and members will receive higher radiological exposure levels and doses (albeit

¹¹ Ibid. at 16. As a general note, most people find health physics and radiation science very difficult to understand. Therefore, the FEIS should be as clear and easy-to-understand and comparable as possible.

¹² DEIS page 50

¹³ Ibid. page 51

¹⁴ https://curie.pnnl.gov/sites/default/files/ppd/DOE_PPD_General.pdf

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purportedly within regulatory limits).¹⁵ The PIIC appreciates the Department's recognition of this issue, as it is painfully aware that the environmental justice impacts (from the ISFSI) do not change whether the PINGP operates or not – the SNF will still be stored on-site until there is a federal storage or disposal facility.

Chapter 6 Cumulative Impacts

Section 6.1 (Impacts to the Natural Environment) discusses impacts to fish habitat but relies on outdated information on these impacts (i.e., Xcel's 2011 Environmental Report, which was part of its ISFSI license renewal application).¹⁶ As a result, Section 6.1 does not account for more recent reports of fish kills due to power outages or other events at the PINGP. The FEIS should review and analyze more recent data, such as the Event Reports submitted to the NRC by Xcel.¹⁷

2-11

The same section discusses the National Pollutant Discharge Elimination System ("NPDES") permit issued by the Minnesota Pollution Control Agency ("MPCA") for the PINGP. However, this permit has been in review for many years and not been released to the public for review. The FEIS should include a substantive analysis of this permit, particularly in light of recent fish kill incidents.

Section 6.2 (NRC Analysis of Continued ISFSI Storage) relies on NRC's August 2014 Generic Environmental Impact Statement for Continued Storage of Spent Nuclear Fuel Report ("GEIS") for the assumption that SNF casks/canister will be replaced every 100 years and that, to facilitate this, a dry transfer system ("DTS") would be constructed at each ISFSI.¹⁸ A DTS has never been constructed anywhere in the U.S. The section also assumes that there will be a repository available in "60 years" (50 years, if the NRC's GEIS is to be used as a reference). As noted in the Tribe's comments on Xcel's Integrated Resource Plan,¹⁹ based on recent DOE failures related to interim storage, the Tribe is not optimistic that a repository will be available within 50, or even 60, years.

2-12

As this section also notes, the safe storage of SNF depends on long-term institutional control by Xcel Energy, as well as multiple state, federal, and local agencies. Central to institutional control is assurance that Xcel Energy has adequate funding in place to support long-term monitoring and security/preparedness activities. The DEIS mentions Xcel's Nuclear Decommissioning Trust fund as mechanism for collecting these necessary funds. Xcel will be

¹⁵ DEIS page 58

¹⁶ DEIS page 62

¹⁷ See, e.g., "Event Reports for July 26, 2021, Prairie Island, Event Number 553377" United States Nuclear Regulatory Commission Operations Center (July 23, 2021), <https://www.nrc.gov/reading-rm/doc-collections/event-status/event/2021/20210726en.html>.

¹⁸ Ibid. page 72.

¹⁹ See n.2 above at pages 6-9.

PIIC Comments to the MN Department of Commerce
Draft Environmental Impact Statement for Xcel Energy's Certificate of Need Application
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2-12

filing its triennial Decommissioning Report in December 2024; the FEIS should evaluate that report and include a summary.

Chapter 7 Alternatives

This chapter discusses several alternatives to the project (i.e., increased on-site SNF storage); the PIIC agrees that none of these alternatives are viable.

Section 7.2 (Consolidating Spent Fuel). Consolidating spent fuel or re-racking the spent fuel pool was discussed in the 1991 FEIS for the original Certificate of Need application.²⁰ As in 1991, these are neither feasible nor likely alternatives to additional on-site storage of SNF.

The same section (Interim Off-Site Storage Facilities) includes discussion of alternative storage site options – the Private Fuel Storage (PFS) facility in Utah, and the Holtec (New Mexico) and Interim Storage Partners (ISP) (Texas) interim storage facilities. The license for the PFS facility will expire this year and while both the Holtec and ISP facilities have licenses, these sites are caught up in on-going litigation regarding the NRC's authority to issue such licenses. Consequently, none of these alternatives are viable.

The Tribe appreciates the opportunity to submit these comments.

Pidámaya (Thank you),



Grant Johnson
Tribal Council President

²⁰ <https://www.edockets.state.mn.us/documents/%7B150D7595-D77A-4576-9112-657E23BD5A4E%7D/download?contentSequence=0&rowIndex=728>

Response 2-1:

Text in Chapter 2.1 has been modified to provide further context on the NRC’s site-specific licenses and general licenses as they relate to the ISFSI. This includes an explanation of the licensing process and environmental review requirements for each license type.

Response 2-2:

Text in Chapter 3.5 has been added to elaborate on the role states play in rail and highway shipments as well as how nearby tribes are impacted. Text was also added to clarify why shipments of spent fuel are not currently under consideration.

Response 2-3:

The figure provided by PIIC has been included in the EIS (replacing the draft EIS’s Figure 6) to fully capture the proximity of the ISFSI to the Tribe’s community as a whole. Text in Chapter 4.2 has been modified to include both the correct number of tribal member homes (footnote 4) and number of total residences within 1 mile of the ISFSI.

Response 2-4:

Text in Chapter 4.3 has been added to clarify that Xcel Energy has indicated to EERA that they are willing to use the private access road to access and exit the PINGP ISFSI for construction traffic as long as compliance with other regulations such as load restrictions can be maintained.¹

Response 2-5:

Text in Chapter 4.3 has been modified as suggested to address Xcel Energy’s payment terms to PIIC accurately. Staff have additionally removed reference to negative socioeconomic impacts.

Response 2-6:

Text in Chapter 5.2 has been modified to provide summaries of referenced monitoring data to detail how standards are being met. The review and new summaries include both the Radiological Environmental Monitoring Program report and Minnesota Department of Health’s (MDH) Environmental Monitoring Report. The most recent monitoring data, published by MDH in December 2024, was also reviewed as it was not available when the draft EIS was published.

Response 2-7:

EERA asked for MDH’s evaluation in preparing the final EIS to review sections related to radiation and health/safety, which included another review of Chapter 5.3. Regarding the comment on regular radiation study, it should be noted that prior to loading and storing the new EOS 37-PTH technology, a mandatory NRC dose analysis will be conducted in 2025 via 10 CFR 72.212. Xcel Energy expects those results to be closer to the lower range of values, or at the very least, less than 22 mrem.

¹ Xcel Energy Additional Information.

Response 2-8:

EERA staff believes that the potential impacts on human health regarding the mental, emotional, and spiritual components of human health, at least for those who exist so close to a nuclear power plant and stored radiological waste (as requested by the commenter), are included in Chapter 5.7 rather than Chapter 5.3.

Response 2-9:

Text in Chapter 5.3 has been modified to detail the proximity of the Canadian Pacific Railway to the ISFSI and to evaluate the fire risk to the project associated with a derailment of freight carrying a highly combustible or flammable product.

Response 2-10:

Text has been added to Chapter 5.3 to include information on the status of the developing DOE proposal to conduct a spent nuclear fuel package performance demonstration.

Response 2-11:

Text in Chapter 4.4 has been modified based on MPCA feedback to this comment including omission of “industrial stormwater” in reference to the NPDES/SDS permit as it also covers process wastewater and domestic wastewater. Additional information was also provided to better describe the NPDES/SDS permit in Chapter 4.4 and to comprehensively discuss fish kills in Chapter 6.1.

Response 2-12:

The period of 60 years was used to mimic the NRC’s generic EIS (NUREG-2157) which is cited in the corresponding footnote. EERA agrees that institutional control and adequate funding is integral to the safety and viability of long-term storage, and thus added text in Chapter 6.2 to evaluate and summarize the recent Xcel Energy filing for its Triennial Decommissioning Study.

Commenter ID No. 3

Comment 3-1:

From: pera_admin_no_reply@state.mn.us
To: [Ness, Jenna \(COMM\)](#)
Subject: Public Comment re: Prairie Island Nuclear Plant Additional Spent Fuel Storage
Date: Friday, December 6, 2024 2:22:53 PM

Prairie Island Nuclear Plant Additional Spent Fuel Storage

Submitter Name: Midahkota Wells

Submitter Email: Midahkotawells0@gmail.com

Submitter Telephone: (612) 930-8162

Comment:

Each additional storage unit should cost over 500,000,000 million (paid to tribal members) due to the toxicity and everlasting radiation put on our people and the toxic waste that finds it's way into the water and all of the environment.

Submit Date: 12/06/2024 08:22 PM

Response 3-1:

Thank you for your comment. The draft EIS discusses Xcel's Energy's payments to the Prairie Island Indian Community in Chapter 4 under Environmental Justice. These payments are codified in Minnesota Statute 216B.1645, Subd. 4 (b) and any amendments would require legislative action.

Commenter ID No. 4

Comment 4-1:

From: pera.admin_no_reply@state.mn.us
To: [Ness, Jenna \(COMM\)](#)
Subject: Public Comment re: Prairie Island Nuclear Plant Additional Spent Fuel Storage
Date: Friday, December 6, 2024 4:10:13 PM

Prairie Island Nuclear Plant Additional Spent Fuel Storage

Submitter Name: Peder Otterson

Submitter Email: ottersnorth@gmail.com

Submitter Telephone: (952) 465-2223

Comment:

I have reviewed the history of the Prairie Island nuclear Plant and how it was done without review or approval by the Prairie Island Tribe on whose land it is located. It should be theirs and only their decision on whether or not the disposal should be extended to the next generation. Were I a Tribal member, I would say No! Never again! Peder Otterson

Submit Date: 12/06/2024 10:10 PM

From: pera.admin_no_reply@state.mn.us
To: [Ness, Jenna \(COMM\)](#)
Subject: Public Comment re: Prairie Island Nuclear Plant Additional Spent Fuel Storage
Date: Friday, December 6, 2024 4:17:17 PM

Prairie Island Nuclear Plant Additional Spent Fuel Storage

Submitter Name: Peder Otterson

Submitter Email: ottersnorth@gmail.com

Submitter Telephone: (952) 465-2223

Comment:

I have reviewed the history of the Prairie Island Nuclear Powerplant and how it was done without review or approval by the Prairie Island Tribe on whose land it is located. It should be theirs and only their decision on whether or not the disposal should be extended to the next generation. Were I a Tribal member, I would say No! Never again! Peder Otterson

Submit Date: 12/06/2024 10:17 PM

Response 4-1:

Thank you for your comment.

Commenter ID No. 5

Comment 5-1:

From: pera.admin_no_reply@state.mn.us
To: [Ness, Jenna \(COMM\)](#)
Subject: Public Comment re: Prairie Island Nuclear Plant Additional Spent Fuel Storage
Date: Friday, December 6, 2024 4:15:50 PM

Prairie Island Nuclear Plant Additional Spent Fuel Storage

Submitter Name: Sarah Childs

Submitter Email:

Submitter Telephone:

Comment:

I DID NOT SIGN UP FOR THIS!! "SAFE" "ALARA" by their definitions isn't sustainable for not only our future on Prairie Island, but for the future of humanity as well! Radioactive waste is FOREVER. It will out live us all! Radiation doesn't go away, it's trapped here, recirculating, warming our planet, FOREVER!!! I oppose the request to increase the toxic radioactive waste stored in my community. I oppose radioactive waste stored in "temporary" casts at all. Temporary sounds nice but it's not a permanent solution. Storing waste temporarily indefinitely without a finding a permanent solution, within the last 40 years, is irresponsible! Putting the lives of our loved ones in jeopardy, yours included. Temporary casts, who's integrity is compromised because they're welded and thinner, yet is somehow suppose to last forever?! We shouldn't be cutting corners anywhere when it comes to nuclear production and waste storage. In my opinion. This request of increase would be absolutely detrimental to the health and safety to my home and my people! HAVEN'T YOU TAKEN ENOUGH? WHY ARE CONTINUING TO COMMIT GENOCIDE AGAINST MY PEOPLE, AND NOW, YOUR OWN? RADIATION HAS NO BOUNDS. IT'S INCORPORATED INTO EVERYONE AND EVERYTHING! &, THEY KNOW THAT. If you believe it to be safe as you say and want it so bad, put it in the yard of your homes. You live next to it and let me know how "safe" you feel? I want a clean, green future! Safe from droughts, suffering and famine. The damages you've caused to my community already are irreversible. What you're doing is irresponsible! ENOUGH, IS ENOUGH! WE HAVE ENOUGH WASTE! By the time the increase of casks they're requesting to be stored here are all said and done, there will be enough waste here to wipe out the majority of my tribe. The rest will be so ill, that no amount of money in the world will be able to fix it! Once that happens. Our world will crumble, & so will yours. THERE'S NO SAFE LINEAR THRESHOLD TO RADIATION EXPOSURE!!! ANY AMOUNT CAN BE TOO MUCH AND IT'S EFFECTS ARE DETRIMENTAL! NO ONE IS IMMUNE FROM THE EFFECTS OF RADIATION! RADIATION KNOWS NO COLOR, RACE, OR CREED. NOT EVEN GOD WILL BE ABLE TO SAVE US FROM THE CONSEQUENCES OF OUR ACTIONS. They can't tell you its safe because radiation affects everyone differently. I asked both president's of Xcel (past and present), I asked the NRC regulator to drink the water here to prove how safe it was in real time. There was a drinking fountain right outside the door. They all SAID they'd drink the water, that they'd cook and bathe in it all day every day, just like we do. But, no one ACTUALLY drank the water. IF IT'S NOT SAFE FOR THEM, IT'S NOT SAFE FOR US. IF YOU WANT IT SOO BAD, PUT IT IN YOUR BACK YARD! THAT WAY YOU CAN LIVE WITH IT'S EFFECTS, NOT US. I'M TIRED OF LIVING WITH THIS AND HAVING TO BARE THE CONSEQUENCES OF YOUR ACTIONS. I'VE BEEN INVOLUNTARY EXPOSED TO

RADIATION MY ENTIRE LIFE!! 30+ YEARS AND NOT A SOUL HAS EXPLAINED TO ME IT'S CONSEQUENCES. NO ONE EVER TOLD ME THAT I WAS AT A HIGHER RISK FOR CANCER, INFERTILITY, CATARACTS, HEART ATTACKS, STROKES, SKIN PROBLEMS LIKE EXCEMA, BOILS, CYSTS, RADIATION DERMATITIS, OR THAT I COULD HAVE MISCARRIAGES AND PREMATURE CHILDREN, TRISOMY BABIES, OR THAT RADIATION BREAKS DNA STRANDS LEAVING US MORE PRONE TO GENETIC MUTATIONS THAT CAUSE AN ENTIRE SLOUGH OF ISSUES. THE PSYCHOLOGICAL AFFECTS ALONE WILL DRIVE YOU TO THE MAD HOUSE, AND THAT'S JUST THE START. I'M TIRED OF WATCHING US SUFFER WITH THESE ILL'S THAT PLAUGE OUR COMMUNITY , WITH NO CAUSE, NO CURE, OR ANY REAL REASON AS TO WHY THIS IS HAPPENING. THE DOCTORS WON'T EVEN ENTERTAIN THE IDEA THIS IS FROM RADIATION EXPOSURE, THEREFORE WE NEVER GET THE HELP WE NEED. WE JUST HAVE TO SUFFER WITH IT. I GO TO RED WING, I GO DOWN STREAM AND I SEE THE SAME THINGS. WHY IS RARE CANCER SO COMMON AROUND HERE?? AND 50k from some Bryce Anderson Act (IF YOU EVEN QUALIFY UNDER ALL THEIR LOOPS AND HOOPS) ISN'T ANYTHING COMPARED TO OUR LIVES, 1, AND 2 WHAT IT ACTUALLY COSTS TO TREAT THESE THINGS! I'VE SPENT OVER \$1,000,000.00 ALONE TRYING TO FIND A SOLUTION TO THE HEALTH PROBLEMS MY FAMILY'S HAS FACED, AND WE'RE STILL FACING THESE PROBLEMS EVERY SINGLE DAY!!! IT'S ABSOLUTELY EXHAUSTING! I DID NOT SIGN UP FOR THIS!! WE DO NOT DESERVE TO LIVE WITH THESE PROBLEMS! YOU MIGHT PAY THE TRIBE 12.5 MILLION BUT YOU DON'T PAY ME THAT. WE DON'T SEE THAT AS INDIVIDUALS AND WHAT'S 12 MILLION TO A 80 BILLION DOLLAR COMPANY ANYWAYS? THE PRESIDENT OF XCEL GETS PAID MORE THAN OUR ENTIRE COMMUNITY?!?! OUR LIVES ARE PRICELESS, AND WORTH MORE THAN PENNIES ON THE DOLLAR! WE NEED AT LEAST A BILLON DOLLARS (TAX FREE) A YEAR TO BE ABLE TO ADEQUATELY CLEAN UP THIS MESS WHEN IT'S ALL SAID AND DONE. If you want it put it in your own back yards. It's time for you to bare the consequences, not us. We need to spend the next 20 years cleaning up this mess, not making more of it! I OPPOSE THIS REQUEST AND EVERYTHING IT ENTAILS! IT'S ABSOLUTELY DETRIMENTAL TO THE HEALTH AND SAFETY OF OUR COMMUNITY. WE HAVE TO MAKE BETTER CHOICES IF WE WANT A BETTER FUTURE FOR OUR CHILDREN! Thank you for listening, Sarah C.

Submit Date: 12/06/2024 10:15 PM

Response 5-1:

Thank you for your comment.

Commenter ID No. 6

From: JF
To: Ness, Jenna (COMM)
Subject: Public Inquiry re: Prairie Island Nuclear Plant Additional Spent Fuel Storage
Date: Friday, December 6, 2024 11:58:00 PM

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Hello,

My Ojibwe name is Nibi Ogichidaa Ikwe (Water Warrior Woman) I live across the street from the Prairie Island Nuclear Power Plant. My husband and six children are Prairie Island Tribal members. We are very concerned about what's happening here. It's important to note that there has been very little direct communication with the people in our community. From the very beginning, the Prairie Island Tribe, and many other allies protested against the Northern State Power facility. At that time they claimed this site would be a temporary holding place for Nuclear waste. Now today working under a different name, Xcel Nuclear Power is looking to extend the nuclear waste storage time limit, and increase the amount of nuclear waste dry cask storage containers. This is a huge concern and an extreme risk for our family and community. The long term effects of exposure to radiation is still not fully understood. Cancer is a major concern because ionizing radiation can damage DNA. Research shows that children and adolescence are the most sensitive to cancer causing effects of radiation. Studies show radiation sickness, radiation poisoning, and radiation creeping dose has occurred from long term exposure causing permanent gene mutations. My family and our whole Tribal community live in an extreme risk every day. The nuclear effects of 1986 Chernobyl incident show devastating and deadly results. Several radioactive isotopes were released into the environment including iodine-131 (I-131), cesium-134 (Cs-134), (Cs-137), Strontium-90 (Sr-90), Plutonium-239. The people, land, air, water, and environment were severely poisoned. Research shows 4,000 people were diagnosed with thyroid cancer. Millions of people were exposed to radiation. Research shows there is still a 30 kilometer area including lakes and forests surrounding the reactor that are still closed off and highly contaminated to this day! The nuclear waste storage and disposal is still unknown and yet to be defined. What are the long term consequences? We live in high risk everyday of our Traditional lands, waters, community, and way of life being threatened. We are already restricted from harvesting wild fish and some traditional food products. We already feel the negative effects of warmer waters around the nuclear power plant. Have you considered including Traditional Ecological Knowledge (TEK)? The Mississippi River and the Mississippi backwaters are being effected. Have you considered compensating the Tribal members that live across the street? We are your neighbors and the ones taking the greatest risk of losing all our traditional food sources and Traditional ways of life of being connected to the land and water. Our next 7 generations are counting on us to do the right thing. I'm willing to help you understand and include Traditional Ecological Knowledge (TEK).

Respectfully,
 Janice Erickson
 651-492-2187

6-1

6-2

6-3

Response 6-1:

Thank you for your comment. EERA staff believes the existing text accurately summarizes impacts from radiation on human health and the environment due to the project.

Response 6-2:

Thank you for your comment. Traditional Ecological Knowledge was not included in the draft EIS. EERA staff did work with leaders at the Prairie Island Indian Community (PIIC) on the environmental justice sections of the draft EIS and offered to collaborate on other sections of the draft EIS as PIIC deemed appropriate.

The NRC has a memorandum of understanding with the PIIC that acknowledges PIIC’s special expertise in the areas of historic and cultural resources, socioeconomics, land use, and environmental justice as they relate to license renewal.² The NRC cooperates with PIIC and facilitates their participation when preparing their environmental review documents.³

Response 6-3:

Thank you for your comment. The draft EIS discusses Xcel’s Energy’s payments to the Prairie Island Indian Community in Chapter 4 under Environmental Justice. These payments are codified in Minnesota Statute 216B.1645, Subd. 4 (b) and any amendments would require legislative action.

² NRC. Memorandum of Understanding between the U.S. Nuclear Regulatory Commission and Prairie Island Indian Community as a Cooperating Agency. (October 3, 2012). <https://www.nrc.gov/docs/ML1228/ML12284A456.pdf>.

³ Ibid.

Commenter ID No. 7

Comment 7-1:

From: [Rocky](#)
To: [Ness, Jenna \(COMM\)](#)
Subject: Comments on fuel storage expansion
Date: Monday, December 9, 2024 8:40:29 AM

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Greetings, my name is Rocky Erickson. I write to you today to express my thoughts on your expansion plans for spent nuclear fuel storage. I've lived within the Prairie Island Indian Community for over 3 years, and have been a full member my whole life before. Thus, I feel it is necessary to state what I think of this, as this fuel would be within close proximity of where I live and will continue to live for years to come.

To my knowledge, nuclear waste has a tendency to radiate varied and therefore potentially dangerous chemicals throughout the area, which can cause tissue damage, disease, or even cancer. The best advice for what is seeming to be indefinite storage is to stay away, but what am I to do when I'm always less than a kilometer away from the storage casks? And if there were to be an accident of some sort within the next 30 years, our community would be the very first to get hit.

I'm not sure what we as a community gain from this deal. It may help with storing nuclear waste, but it's a potential risk to our future and youth.

Response 7-1:

Thank you for your comment. EERA staff believes the existing text accurately summarizes impacts from radiation on human health and the environment due to the project.

Commenter ID No. 8

From: [Shane Erickson](#)
To: [Ness, Jenna \(COMM\)](#)
Subject: Public Inquiry re: Prairie Island Nuclear Plant Additional Spent Fuel Storage
Date: Monday, December 9, 2024 8:40:43 AM

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Hello, I am a tribal member of Prairie Island Dakota Community and the nuclear power plant has been my neighbor for over 30 years. I am writing in regards to the additional dry cask storage units being placed in my neighborhood. I believe these storage units are a clear and present danger to my family and community. These storage units are prime targets for terrorists.

I am a father of 6 children and if a nuclear disaster were to occur we would be the most vulnerable to negative health effects and financial ruin. The long term health effects of radiation exposure are not fully understood and research is still being conducted on the 1986 Chernobyl victims. Long term exposure is known to cause cancer and other illnesses.

I believe the current compensation to the tribe and residents is woefully inadequate considering the direct threat to our entire way of life. Additional storages units increases the possibility that nuclear waste will be a permanent fixture on Prairie Island. A nuclear disaster of any kind would make my people's land unlivable for the foreseeable future.

Sincerely,
 Shane Erickson
[\(651\)410-4428](#)

8-1

8-2

Response 8-1:

Thank you for your comment. EERA staff believes the existing text accurately summarizes impacts from radiation on human health and the environment due to the project.

Response 8-2:

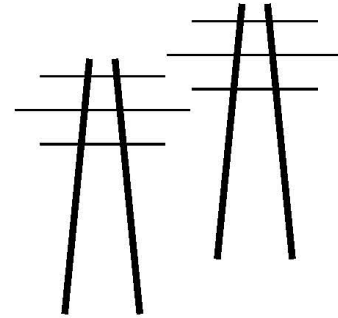
Thank you for your comment. The draft EIS discusses Xcel's Energy's payments to the Prairie Island Indian Community in Chapter 4 under Environmental Justice. These payments are codified in Minnesota Statute 216B.1645, Subd. 4 (b) and any amendments would require legislative action.

Commenter ID No. 9

Legalelectric, Inc.

Carol Overland Attorney at Law, MN #254617
Energy Consultant—Transmission, Power Plants, Nuclear Waste
overland@legalelectric.org

1110 West Avenue
Red Wing, Minnesota 55066
612.227.8638



December 6, 2024

Will Seuffert
Executive Secretary
Public Utilities Commission
121 – 7th Place East, Suite 350
St. Paul, MN 55101

Rich Davis
Environmental Review via eDockets only
Dept. of Commerce - EERA
85 7th Place East
St. Paul, MN 55101

RE: C.U.R.E. DEIS Comment
Xcel Application for Certificate of Need for Additional Dry Cask Storage at
PINGP Spent Fuel Storage Installation - PUC Docket E002/CN-24-68

Dear Mr. Seuffert and Mr. Davis:

Thanks for the opportunity to file DEIS comments regarding Xcel Energy's proposal to store an additional 34 dry casks filled with approximately 1,200 spent fuel assemblies.

Beginning with general comments:

The policy aspects of nuclear generation and nuclear waste storage make this a difficult scenario to comment on a DEIS.

In 2023, legislation was passed reflecting an agreement between the state and Prairie Island Indian Community. Recently in an IRP Comment, the City of Red Wing stated it is now attempting to enter into a similar agreement and/or certainty in the Utility Personal Property Tax received as a "Host Community." Per Red Wing:

The City requests a minimum assessment agreement for each dry cask stored within the community. This arrangement would be similar to the one made with the Prairie Island Indian Community (PIIC), another stakeholder who also lives with some of the unique burdens of the PINGP.

Attachment A, City of Red Wing August 9, 2024 IRP Comment – request of Annual Minimum Assessment Cask Payment.

The meaning of these agreements, compensation for what, should be disclosed.

- For example, is this compensation to PIIC similar to a Host Fee Agreement/Utility Personal Property Tax?
- How are payments different from purpose of Host Fee (and what is purpose of Host Fee Agreements?).
- Are dollars compensating for risk?
- What risk? Risks must be identified.
- Are dollars to compensate for health impacts occurring in the future, and if not, how will those health impacts be addressed?
- Are dollars to cover the cost of infrastructure and staff to address community needs in living near a nuclear plant?

9-1

Without this information, the DEIS is incomplete.

To a certain extent, agreements may imply acceptance of PINGP and associated facilities, and the terms and breadth of the agreements should be clarified. For example, if City of Red Wing negotiates an agreement different from, or in addition to, the statutory Utility Personal Property Tax:

- Who is the City speaking for?
- Have residents authorized an agreement?
- Do residents agree to the terms (are residents even aware of potential factors, or even mindful of the existence of the nuclear plant?).
- As a participant in Xcel's Integrated Resource Plan, does the City, and do the residents, know what the Commission's approval of an IRP means?
- What range of conditions are possible in an IRP Order?
- What range of conditions are possible in a Certificate of Need order in this docket?

9-2

Without this information, the DEIS is incomplete.

If PIIC and City of Red Wing, through agreements with Xcel, permit continued operation of PINGP and nuclear waste storage, that will focus and limit the perspective of the DEIS and imbue it with presumption of "no" or "minimal" impacts, a finding of EIS adequacy, and approval of the Certificate of Need.

In this light, the stated perspective of this DEIS should be reconsidered:

This draft EIS addresses the issues and mitigation measures identified in the Department's July 11, 2024, scoping decision. It evaluates the potential human and environmental impacts of Xcel Energy's proposed additional storage of spent fuel in the PINGP ISFSI and possible mitigation measures for these impacts.

9-3

The focus of the DEIS on "**mitigation measures.**" The very use of the words "mitigation measures" as the purpose of the DEIS presumes impacts. Throughout the DEIS, statements are made that impacts are "minimal," and that's the end of it. There's no identification of specific impacts, no identification or weighing of the risks, no discussion of avoidance and prevention,

which are the logical steps before acceptance of impacts and mitigation. If avoidance and prevention are not possible, the DEIS should so state, with specificity.

9-3

It is our hope that EERA would take comments seriously and correct errors, provide additional information and documentation, and not make conclusory statements.

COMMENTS WITH CITATIONS TO DEIS

The Comments below are in order of appearance, with early sections also cited where similar issues are raised further into the DEIS.

Need

Regarding “need,” on page S-1: and page 9 regarding the IRP, there is passive language, specifically “indicate(s)” and “believes,” that introduces wiggle room and plausible deniability. The DEIS should be making direct and declarative statements. For example, see bold emphasis:

Project Need

*Xcel Energy **indicates** that additional storage at the PINGP ISFSI is necessary to support operation of the PINGP through 2053/2054. Xcel Energy **believes** that continued operation of the PINGP through 2053/2054 is a vital part of moving towards a carbon-free portfolio while also ensuring the adequacy, reliability, and efficiency of Minnesota’s energy supply. If the Commission does not grant a CN for additional storage, Xcel Energy would cease operating the PINGP in 2033/2034, and the electrical energy produced by the PINGP would need to be supplied or otherwise accounted for by other means.*

9-4

... and page 9 regarding the IRP:

*Xcel Energy filed its 2024-2040 Upper Midwest IRP on February 1, 2024. [fn omitted] In its plan, Xcel Energy proposed the continued operation of the PINGP through 2053/2054. The Commission has yet to approve Xcel Energy’s proposed IRP. Though this approval would **indicate that the Commission agrees** that continued operation of the PINGP through 2053/2054 is an appropriate part of Xcel Energy’s IRP, Xcel Energy **will still need to** obtain a CN for its proposed additional storage of spent fuel in the PINGP ISFSI.*

The Certificate of Need is to determine whether a proposed facility is needed, and that determination is to be supported by documented facts. Whether Xcel “believes” anything is not at issue. The DEIS states that:

*Xcel Energy **believes** that continued operation of the PINGP through 2053/2054 is a vital part of moving towards a carbon-free portfolio while also ensuring the adequacy, reliability, and efficiency of Minnesota’s energy supply.*

Beliefs are not sufficient to support a Certificate of Need determination. It may be a “fact” that Xcel “believes” this, but the basis for that belief must be provided. To the extent that the DEIS relies on beliefs, it is incomplete.

On another note, the law and rules do provide for Certification by an IRP finding and/or approval on request in a Biennial Transmission Report, and though the DEIS does state a Certificate of Need would be required despite other methods of approval, it’d be helpful if “will still need” was changed to “must,” or “shall,” and noting that the Commission did Order the Certificate of Need proceeding and that it will continue to conclusion with a Commission Order.

9-4

Minimal impacts?

Regarding consideration of impacts, beginning on S-2, and throughout the DEIS, there are repeated statements that impacts are expected to be minimal, without citation to sources relied on for these conclusions. For example, from page S-2 (emphasis added):

*The EIS finds that potential impacts to the human and natural environment as a result of PINGP operations through 2053/2054 are anticipated to be minimal. Potential non-radiological impacts are related to **use** of cooling water from the Mississippi River, which are anticipated to be **minimal**. Potential **radiological impacts** are related to regulated releases of radioactive effluents from the PINGP; these impacts are also anticipated to be **minimal**.*

*Potential impacts resulting from use of the PINGP ISFSI to facilitate decommissioning are anticipated to be minimal, **provided that** monitoring and maintenance of the ISFSI continues until such time as the spent fuel **can be** transported to an off-site facility. **If monitoring and maintenance do not continue, radiological impacts are anticipated to be significant.***

9-5

There are 63 instances of use of the word “minimal” in the DEIS, most making that judgement without support! Without support, statements including “provided that” and “can be” are conclusory statements, not supported by fact. To the extent that the DEIS and ultimately the Certificate of Need rely on such unsupported statements and wishful thinking, the DEIS is insufficient

Socioeconomic Impacts DEIS p. 27-29 (selected) (emphasis added)

*Host communities receive **[utility]** personal property tax from power plants in recognition of the extra burdens that plants may place on those communities¹. Property associated with the PINGP represents approximately 45% of the city of Red Wing’s 2023 net tax capacity.²⁸ Counties and municipal governments in the vicinity of a nuclear power plant also receive tax revenue from sales taxes and fees from the power plant and its employees.²⁹ Differences in tax revenues are related to variations in State and local taxation laws **(which continually change)**, electricity output, plant size, and plant employment.³⁰*

9-6

¹ Minn. Stat. Ch.272, et seq.

The Minnesota Department of Revenue (DOR) conducts assessment of utility property valuation, which drives how PINGP is taxed by the city and county.³¹ The data used in the valuation process is drawn from reports submitted to the DOR by the utility companies, in addition to other assessment adjustments.³² Counties then use that market value to calculate, bill, and collect the taxes.³³ Since the project is an investment in the plant along with the other investments required to support extended operation, these investments could increase PINGP's property tax base in the city and county.³⁴ Ultimately, the DOR would make the final determination to consider the project in its future valuations.

*The amount of tax revenue paid during the license renewal term due to continued operations is **not expected to materially change**.³⁵ Tax base changes would likely follow the project's schedule, depending on the timing of investments and their impact on the plant's valuation.³⁶ The primary impact of license renewal would be the continuation or change in the amount of taxes paid by nuclear power plant owners to local governments and public school systems.³⁷ Although the most important source of revenue for local communities is property taxes, other sources of revenue include levies of electricity output and direct funding for local educational facilities and programs.³⁸*

*(p. 29) ... If the Commission authorizes the storage of additional spent fuel in the PINGP ISFSI, thus facilitating operation of the PINGP through 2053/2054, then the city of Red Wing will maintain a **relatively high and stable source of tax revenue**. While investments into the PINGP's DFS could increase the property tax base, the project is not anticipated to significantly change the value of the PINGP because project phases and costs will be incremental over the extended operating period; thus, tax revenues for the city are not anticipated to change significantly due to the project should the PINGP continue operation through 2053/2054. If the Commission does not authorize the storage of additional spent fuel in the PINGP ISFSI, and absent the ability to ship spent fuel to an off-site facility, Xcel Energy would cease operating the PINGP. A cessation of operations would negatively impact tax revenues for the city of Red Wing.*

9-6

And similarly, on page 62 of the DEIS:

*As discussed in Chapter 4.3, the PINGP is an economic resource in the area. PINGP property taxes provide a **relatively high and stable source of tax revenue** for the city of Red Wing. Continued operation of the PINGP would have a positive socioeconomic impact on the city of Red Wing and local economies.*

COMMENT: The statement that tax laws “continually change” and that “PINGP property taxes provide a relatively high and stable source of tax revenue” conflict, and both cannot be true. Over the last 30 years, utility personal property taxation is been in flux due to myriad efforts of Xcel Energy to cut its tax base, with extreme consequences to local governments dependent on

this tax revenue. Utility Personal Property Tax is anything but “stable.” To the extent statements claiming stable revenue are unsupported, and used in the DEIS, the DEIS is inadequate.

Red Wing can provide the details on history of utility personal property tax. An overview was filed by Red Wing in its August 9, 2024 IRP Comment, starting by restating Xcel’s claimed rationale for the PIIC agreement:

Xcel provided the rationale for this agreement by saying it wanted to equalize the situation and make payments to PIIC that host communities like Red Wing receive in property taxes. [fn omitted] Absent from this explanation was the reduction in Xcel’s property taxes the City has experienced, the public safety burden the PINGP and the ISFISI create, and the plant’s toxic byproducts that remain the responsibility of the City. Also absent were Xcel Energy’s collateral attacks on those property taxes through appeals, exclusions, and depreciation. Additionally, when PINGP ultimately retires, the City will continue to be burdened by the dry casks filled with highly radioactive and toxic spent nuclear fuel and the independent spent fuel storage installation (“ISFSI”) the dry casks are stored within. The ISFSI, absent the operating PINGP, does not generate sufficient revenues to support the community’s expectation for an effective and robust radiological emergency response plan for the ISFSI and its thousands of metric tons of spent nuclear fuel.

Attachment A, August 9, 2024 IRP Comment.

9-6

The DEIS falsely states that PINGP property taxes provide a **relatively high and stable source of tax revenue** for the city of Red Wing. NO! The DEIS neglects the extortionate behavior of Xcel, f/k/a NSP, as outlined above by the City of Red Wing. For decades, Xcel’s utility personal property tax payments have been anything but high and stable. Starting in 1994, after Xcel, f/k/a NSP, solicited “SAVE OUR TAX BASE” lobbying from all local governments in Goodhue County to keep PINGP open in 1994, and those local governments did so, loud and clear. Then after the passage of the 1994 “Prairie Island bill” Session Ch. 641, Xcel, f/k/a NSP, immediately began to slash utility personal property taxes. This was accomplished over and over through administrative, court, and legislative efforts. Xcel routinely challenges these taxes, which procedurally leaves Red Wing in the lurch during its budget planning process, as the city has to wait to learn DOR’s or court decision before the impact is known and the budget and levy can be completed. Marshall Hallock, City of Red Wing, could provide the specifics in technicolor. This history of Xcel’s consistent successful efforts to cut Utility Personal Property Taxes and resulting budgetary uncertainty for local governments and school districts has provided the basis for Red Wing’s current effort to reach an agreement via IRP or other means, for CERTAINTY.

In the Socioeconomic section, the DEIS must be accurate – and the best way would be to include a chart showing the utility personal property tax paid by NSP/Xcel from the years 1994 to the present, and the basis for that tax. To the extent that the DEIS does not take into account actual valuation, assessment, and payment of utility personal property tax, and to the extent that it mischaracterizes the utility personal property tax revenue as **relatively high and stable source of tax revenue**, the DEIS is inadequate.

Also, for accuracy, the Socioeconomic section of the DEIS must include citations or documents setting out all the actions taken by NSP/Xcel over the last 30 years, including administrative actions and orders, decisions, legislation, lawsuits, and agreements affecting utility personal property tax revenue to local governments.

The DEIS must acknowledge with specificity NSP/Xcel's role in decrease of revenue to local governments through utility personal property tax.

In requesting a "minimum assessment agreement," Red Wing states:

Moving forward, there should be a minimum assessment agreement. By this, the City is referring to a minimum base line for property taxes or other investment into the City. The PINGP, and the revenue it has generated in taxes to the City, is highly volatile and has fluctuated significantly and unpredictably over the years. This poses significant burdens on the community and obstructs the City's ability to plan. The investment that Xcel Energy indicates that it will (or may) make does not translate into property tax dollars and if it does, the resultant property taxes decline every year through depreciation of the equipment that is installed or upgraded. The State policy decision to permit depreciation⁸ on utility property equipment means the consistent erosion of PINGP's contribution to the community's property tax base and an inverse increase in the burden on the community's other taxpayers. With this, and collateral attacks on valuation and other utility property tax exclusions Xcel Energy enjoys, the community is burdened and restrained when it comes to any long-term planning and capital expenditures.

9-6

Some may have a misplaced assumption that the City has and will continue to receive great benefits from hosting the PINGP. We disagree. The PINGP and its property taxes are volatile and unpredictable, resulting in unique burdens to our residents and businesses. We have a responsibility to our residents to plan for and provide basic services, maintain our infrastructure, develop responsible city budgets, and ensure Red Wing remains a great place to live, work, and play while minimizing the property tax burden on residents and businesses. Hosting the PINGP places significant planning problems upon the community while also subjecting the community to unique shifts in property tax burdens.

The DEIS demonstrates that Commerce-EERA has "***a misplaced assumption that the City has and will continue to receive great benefits from hosting the PINGP.***" The DEIS must be corrected to reflect the reality of the instability of tax paid to local governments.

Water Resources (p. 32-33)

The annual Radioactive Effluent Report,² the 2022 Report cited by Commerce-EERA in the DEIS, admits that there are liquid releases from PINGP.

9-7

² 2023 Radioactive Effluent Report <https://www.nrc.gov/docs/ML2413/ML24130A239.pdf>

OFFSITE DOSES FROM LIQUID RELEASE:

Computed doses due to liquid releases are reported in Table 1. Critical receptor information is reported in Table 2. Liquid release doses, both whole body and organ, are a small percentage of Appendix I Guidelines.

In light of the above admission, and due to the radioactive releases of Xcel's Monticello nuclear generating plant, flowing from the plant into the Mississippi River, the DEIS should address risk, and potential, for release into the river. Attachment B, Company that leaked radioactive material will build barrier to keep it away from Mississippi River, Associated Press, August 18, 2023.

9-7

Is the ISFIS berm sufficient to contain radioactive releases, unexpected radioactive releases, as was experienced at the Monticello plant? An issue for another docket is whether a berm and other protections should be installed at the PINGP site to protect the Mississippi River.

Potential Radiological Impacts (p. 40-42, selected)(emphasis added):

The 2023 Radioactive Effluent Report³ presumes releases, as noted in the first page introduction to the Report:

OFFSITE DOSES FROM GASEOUS RELEASE:

Computed doses due to gaseous releases are reported in Table 1. Critical receptor location and pathways for organ doses are reported in Table 2. Gaseous release doses are a small percentage of Appendix I Guidelines.

... and...

DOSES TO INDIVIDUALS DUE TO ACTIVITIES INSIDE THE SITE BOUNDARY:

Occasionally sportsmen enter the Prairie Island Site Boundary for recreational activities. These individuals are not expected to spend more than a few hours per year within the site boundary. Commercial and recreational river traffic exists through this area.

9-8

For purposes of estimating the dose due to recreational and river water transportation activities within the site boundary it is assumed that the limiting dose within the site boundary would be received by an individual who spends a total of seven days per year on the river just off-shore from the plant buildings (ESE at 0.2 miles). The gamma and beta doses from noble gas releases and the maximum organ doses from the inhalation pathway due to Iodine 131, Iodine-133, tritium, long-lived particulates and Carbon-14 were calculated for this location and occupancy time. These doses are reported in Table 1.

Critical Receptor location and pathways for organ doses are reported in Table 2.

How this exposure is calculated to determine risk must be done in the most precautionary means possible. However, per the DEIS, low health risk and a presumption of "likelihood of repairing damage" is assumed, despite identified risk of non-specific cancer and cataracts. Quoting a substantial portion of the DEIS:

³ Cited in the DEIS: <https://www.nrc.gov/docs/ML2413/ML24130A239.pdf>

If the dose is long-term, low-level radiation, the health risk is substantially low because there is a greater likelihood of repairing the damage.³ There is still a risk of long-term effects such as cataracts or cancer, however, that may appear years or even decades later. Effects of this type will not always occur, but their likelihood is proportional to the radiation dose and the risk is higher for children and adolescents.⁴

³ World Health Organization. Ionizing radiation and health effects. (July 27, 2023). <https://www.who.int/news-room/fact-sheets/detail/ionizing-radiation-and-health-effects>

⁴ Ibid.

... The best estimate of the relationship between radiation doses and incidences of cancer is provided by the National Academy of Sciences' BEIR VII Report.¹⁰ This report recommends that estimates of additional cancers due to long-term, low-level radiation doses be calculated using a risk coefficient of 1 E-06 (i.e., 1 in a million) incident cancers per person-mrem received.¹¹

Some examples of this risk coefficient in use may be helpful:

- If 100 persons receive a dose of 10 mrem in a year, the risk of additional cancers in this group of 100 persons due to the radiation dose is 1 in 1,000 (100 persons * 10 mrem * 1E-06 additional cancers per person-mrem).*
- If 1,000 persons receive a dose of 10 mrem per year for 50 years, the risk of additional cancers in this group of persons due to the radiation dose is 0.5 (1,000 persons * 10 mrem per year * 50 years * 1 E-06 additional cancers per person-mrem). That is, we would expect 0.5 additional cancers in this group over 50 years than would otherwise occur due to the radiation dose.*

Thus, additional incidences of cancer due to low-level radiation exposure can be mitigated by:

- (1) reducing the radiation dose received, and*
- (2) limiting the number of persons that receive a dose.*

¹⁰ National Academy of Sciences. *Beir VII: Health Risks from Exposure to Low Levels of Ionizing Radiation*.

https://www.nap.edu/resource/11340/beir_vii_final.pdf.

¹¹ Ibid.

COMMENT: BIER VII is outmoded, as the scheme of calculation is off. 1 E-06 grossly understates risk and potential incidences of cancer. For example, see page 42 (**emphasis added**) which includes a challenge to the the methods of calculation with new information:

9-8

... Other recent studies continue to research the effects of radiation from nuclear power plants, such as assessments related to the Three Mile Island incident (see Chapter 6.1).²⁵ However, these studies have largely concluded that additional analysis and interpretation is needed to establish any potential significance.²⁶ Although physical dosimetry and modeling of atmospheric dispersion indicates exposures of the nearby population to the Three Mile Island plant have no discernable impacts to health, **contrary evidence that doesn't use the conventional expression for radiological measurement**²⁷ argues that further research is needed to reevaluate this impact.²⁸

²⁵ ISEE Conference of the International Society of Environmental Epidemiology, Volume 2024, Issue 1. Results of a Biodosimetric re-assessment of Three Mile Island (TMI) exposures using whole genome directional genomic hybridization (dGH). Doug Brugge, Aaron Datesman, Christopher J Tompkins, Megan Rouillard, Erin M Cross, and Susan M Bailey. (25 August 2024). <https://doi.org/10.1289/isee.2024.0631>

²⁶ Ibid.

²⁷ There are studies that argue that the conventional expression for the energy imparted to tissue does not consider the temporal character of energy deposition and therefore cannot account properly for the nature of the chemical damage to tissue resulting from exposure to an internally incorporated beta-emitting radionuclide.

²⁸ Datesman, AM. Radiobiological shot noise explains Three Mile Island biodosimetry indicating nearly 1,000 mSv exposures. *Sci Rep.* 2020 Jul 2;10(1):10933. doi: 10.1038/s41598-020-67826-5. PMID: 32616922; PMCID:PMC7331574.

9-8

The EIS should include a reference to, summary, and discussion of impacts in consideration of **Chapter 7: Protracted Exposures May be Misunderstood** from “Dirty Secrets of Nuclear Power in an Era of Climate Change,” Brugge and Datesman, Open Access: <https://link.springer.com/content/pdf/10.1007/978-3-031-59595-0.pdf>

The 2023 Annual Radioactive Effluent Report does admit gaseous and liquid releases⁴. These releases should be evaluated in terms of new information regarding “low level” radioactive exposures. In addressing risk and mitigation, crucial aspect of the DEIS is missing. Radiological exposure levels and doses for PIIC, addressed in part on page 59 of the DEIS, and focusing on the “low level” of exposure, make Datesman’s work an important contribution to understanding the risk and impacts of life with PINGP that must be analyzed in the DEIS, which is admittedly not mitigated, page 59 (**emphasis added**):

*Because PIIC is the closest community to PINGP, **PIIC members will receive slightly higher radiological exposure levels and doses** than communities at a greater distance as a result of the project. **Doses will be within federal regulatory limits but will create an incremental risk** that the PIIC bears disproportionately*

⁴ 2023 Annual Radioactive Effluent Report: <https://www.nrc.gov/docs/ML2413/ML24130A239.pdf>

*from other communities. Although there are no other cumulative contributors to radiological exposure in the impact area, **the radiological impacts experienced by the PIIC related to this project alone would not be mitigated until the DFS systems can be removed from the ISFSI and transported off-site to a federally licensed storage facility.***

Given this admission that “the radiological impacts experienced by the PIIC related to this project alone would not be mitigated until the DFS systems ~~can be~~ **ARE** removed from the ISFSI,⁵ and the understatement of risk, increased risk, due to improper/inaccurate biodosimetry modeling as demonstrated in the Datesman work, the DEIS, and more importantly, Minnesota and PIIC’s compensation agreement and legislation, the DEIS and the agreements do not address how the unmitigated increased risk and long-standing understated potential impacts will be addressed. Without this information, the DEIS is inadequate.

9-8

Xcel has claimed PIIC compensation is to “equalize the situation and make payments to PIIC that host communities like Red Wing receive in property taxes.” Attachment A, Red Wing August 9, 2024 IRP Comment. This has nothing to do with health impact risk. Regarding PIIC and Red Wing compensation, again as above, these questions should be addressed in the EIS:

- Is compensation for health risks, and if so, the risks must be identified.
- If the risk of health impacts is understated, how will the increased risk and resulting health impacts be addressed off in the future?⁶
- Is it implied, or stated, that the compensation is to address the risk of radiological exposure? It doesn’t appear so.
- If the risk of radiological exposure must be calculated, the same goes for potential compensation for infliction of that risk.
- Is compensation intended for financial impacts of responsibility for community needs and emergency response?

9-9

Another aspect that is likely to alter treatment of radiological waste, specifically “Greater-Than-Class C” nuclear waste⁷ in light of the proposed Andrews County, Texas nuclear waste site proposal, is the lead up⁸ to and the **Proposed Rule Integrated Low-Level Radioactive Waste Disposal**⁹. The DEIS is inadequate to the extent that the impact of this rule change is not addressed.

9-10

⁵ The “can be” is not appropriate wording, the impacts **WILL** be present until the waste **IS** removed.

⁶ The issue of risks and impacts stands out for this writer, as Alan Muller, who lived for decades directly across the bay from Salem and Hope 1 & 2 nuclear plants and now in Red Wing and PINGP, was diagnosed with Acute Pyleocytic Leukemia in May 2023 (reported by some sources to be triggered by exposure to radiation and toxins, and cataracts shortly before that!)

⁷ <https://www.nrc.gov/waste/llw-disposal/decision-support/gtcc-transuranic-waste-disposal.html>

⁸ [Final Environmental Impact Statement for the Disposal of Greater-Than-Class C \(GTCC\) Low-Level Radioactive Waste and GTCC-Like Waste; Alternatives for the Disposal of Greater-Than-Class C Low-Level Radioactive Waste and Greater-Than-Class C-Like Waste Report to Congress, as required by Section 631 of the Energy Policy Act of 2005 \(DOE 2017\); Environmental Assessment \(EA\) for the Disposal of Greater-Than-Class C \(GTCC\) Low-Level Radioactive Waste and GTCC-Like Waste at Waste Control Specialists \(WCS\), Andrews County, Texas \(EA-2082](#)

⁹ <https://www.nrc.gov/docs/ML2324/ML23242A249.html>

The EIS should include information about and analysis of impacts of this change due to industry and Xcel Energy reliance on private off-site storage, naming the Andrews County, Texas as a potential site for the Prairie Island Nuclear Waste, and impacts for continuation of storage at the Prairie Island ISFSI. To the extent that the DEIS does not consider this information, it is inadequate.

9-10

Further, to the extent that the EIS does not include answers to these questions above, and particularly to the extent that modeling has not been performed to address the impacts of “low level” radiation exposure, completion and filing of this modeling should be a condition of the Certification of Need, if granted.

9-11

Thank you for the opportunity to submit these limited comments.

Very truly yours,



Carol A. Overland
Attorney at Law

Response 9-1:

Thank you for your comment. Negotiations between the city of Red Wing and Xcel Energy regarding a cask assessment are outside the scope of this EIS. The economic impacts of the project and the potentially significant adverse or beneficial effects generated, be they direct, indirect, or cumulative, are discussed in Chapter 4.3 of the draft EIS to the extent this information is known or can be obtained.

Response 9-2:

Thank you for your comment. Several of the responses to comment 9-1 also apply to comment 9-2. In addition, whether residents have authorized or agree to the terms of an agreement between Xcel Energy and the City of Red Wing is outside of the scope of this EIS.

The IRP and its involvement with the project and state regulation is discussed in Chapter 2.2 of the draft EIS. EERA staff cannot speak to the city of Red Wing's or the residents' knowledge of what the Commission's approval of an IRP means.

Response 9-3:

Thank you for your comment. Regardless of any agreement with Xcel Energy, the PIIC and City of Red Wing cannot authorize the continued operation of PINGP and nuclear waste storage. The NRC authorizes operation of the PINGP whereas the Commission authorizes additional waste storage.

All projects that require environmental review in the State of Minnesota have some degree of impact or impacts that cannot be avoided or prevented. Hence the importance of the environmental review program in providing this information to aid in governmental decision-making.⁴ EERA believes Chapters 4, 5, and 6 of the draft EIS fulfill requirements in Minnesota statute and rule in describing and assessing potential impacts and mitigation measures. The no action alternative in Chapter 7.1 of the draft EIS addresses the outcome of not building the project. Similarly, Chapters 7.2 through 7.4 weigh the impacts of various alternatives other than the proposed project. The EIS discusses opportunities to avoid, minimize, mitigate, or correct impacts of the project as defined in Chapter 4.

Response 9-4:

EERA uses passive language when discussing unresolved matters, such as the Commission's decision on the CN, or in areas where EERA does not have the expertise to declare whether a statement made by Xcel Energy in their IRP or CN application are correct or incorrect. The IRP and CN proceedings have other subject matter experts involved throughout the process to comment and guide the Commission in their decision-making. EERA's draft EIS is only one aspect of that guidance, analyzing human and environmental impacts ("the facts"), rather than advocating, questioning, or debating what the Commission should decide about the project ("what the facts mean"). Thus, EERA states the beliefs or indications made by Xcel Energy in

⁴ Minn. R. 4410.0300, subp. 3.

their applications, whereas the Commission will determine whether those assertions are sufficient to approve the IRP or CN requests.

Response 9-5:

The commenter cites page S-2 as an example of unsubstantiated claims of minimal impact; however, this portion of the EIS is an Executive Summary of the entire document. All characterizations of project impacts are discussed in the Chapters which focus on the discussion for that impact, with corresponding footnotes. For example, the impact from the use of cooling water mentioned in the Executive Summary is discussed in full in Chapter 6.1 with footnotes 6 through 21 substantiating why that impact is anticipated to be minimal.

Response 9-6:

While the City of Red Wing states on its website that it relies heavily on PINGP for property tax revenue, it also states that the percentage of revenue year to year “varies widely.”⁵ EERA conducted an additional review for historic data prior to 2013 and found that property tax revenue fluctuated from 35-70 percent.⁶ Thus, text was added to Chapters 4.3 and 6.1 to better portray this information rather than keeping language that conveyed that property tax revenue has been “relatively high and stable”.

In general, the PINGP is a high value property. While the project may increase the overall value of the plant, there is no guarantee that tax payments will remain at current levels. EERA intended to convey that while local taxation laws can change from year to year, and the degree of that change can be somewhat unpredictable, changes are shown to be relatively stable in recent history.⁷

Text added to Chapter 4.3 also analyzes tax revenue stability based on other sources of information that increase context around the possible negative socioeconomic impacts. As demonstrated by the commenter, the City of Red Wing provided relevant information regarding property taxes in its comments on Xcel Energy’s current IRP docket, some of which was added to Chapter 4.3 to properly represent the City of Red Wing’s perspective on the socioeconomic impacts of the project.⁸

Response 9-7:

Radioactive liquid releases are discussed in Chapter 6.1 of the draft EIS, specifically, under the Potential Radiological Impacts header on pages 72-74. Page 73 also discusses regulations around tritium, which are designed to minimize its potential to enter local groundwater. There is a discharge point for permissible liquid effluent that is also regulated and discussed on page 73.

⁵ City of Red Wing. *Where Red Wing’s Local Property Tax Revenue Came From: 2023*. (2023). <https://www.redwingreportcard.org/taxes>

⁶ Ibid.

⁷ Ibid. In the last decade, tax revenue has fluctuated between 44-56 percent.

⁸ eDockets, Document ID No. [20248-209390-01](#).

The ISFSI berm is not related to operations of the PINGP that result in liquid effluent discharges, including tritium. The berm was not designed to contain liquid radioactive releases, it was designed to provide radiological shielding. However, dry fuel storage casks do not have liquid inside, and if they were to release their contents, it would not be in liquid form. NRC regulations for spent fuel storage design are conservatively protective such that a radioactive release should not occur from the most extreme man-made or natural disasters that have been tested by the NRC, as discussed in Chapter 5.3 of the draft EIS.

Response 9-8:

EERA has amended language in Chapter 5.7 as suggested by the commenter.

As noted in Chapter 5.1 of the draft EIS, while the first study cited by the commenter⁹ offers a new way to measure radiological impact for the scientific community that should be considered and further tested for validity in the future research, the study itself concludes that additional analysis and interpretation is needed to establish any potential significance. This means the study itself, and the scientific community, have not yet determined a cause-and-effect relationship that can be relied upon as a valid scientific method for radiological measurement or impact.

The second study cited by the commenter¹⁰ also argues that further research is needed to reevaluate this impact – this argument is not a conclusion that validates the findings of the research itself. The last study offered by the commenter¹¹ was reviewed by EERA and determined to have the same conclusions, i.e., the proposed methods of calculating radiation (“shot noise”) are not currently scientifically valid albeit offer an important critique of the current radiation calculation method for future research.

Due to the lack of scientific validity of these studies, the assertion of the commenter that the National Academy of Sciences’ BEIR VII Report¹² is outmoded is a matter of opinion rather than scientifically accurate at this time. EERA notes that staff did review several sources seeking more updated information as well as conferred with MDH’s radiation unit for any sources of information they were aware of.¹³ To EERA staff’s understanding, the National Academy of

⁹ ISEE Conference of the International Society of Environmental Epidemiology, Volume 2024, Issue 1. Results of a Biodosimetric re-assessment of Three Mile Island (TMI) exposures using whole genome directional genomic hybridization (dGH). Doug Brugge, Aaron Datesman, Christopher J Tompkins, Megan Rouillard, Erin M Cross, and Susan M Bailey. (25 August 2024). <https://doi.org/10.1289/isee.2024.0631>.

¹⁰ Datesman, AM. Radiobiological shot noise explains Three Mile Island biodosimetry indicating nearly 1,000 mSv exposures. *Sci Rep.* 2020 Jul 2;10(1):10933. doi: 10.1038/s41598-020-67826-5. PMID: 32616922; PMCID: PMC7331574.

¹¹ *Dirty Secrets of Nuclear Power in an Era of Climate Change* (Chapter 7: Protracted Exposures May be Misunderstood). Doug Brugge and Aaron Datesman, corrected publication 2024. ISBN 978-3-031-59594-3. <https://doi.org/10.1007/978-3-031-59595-0>

¹² National Academy of Sciences. *Beir VII: Health Risks from Exposure to Low Levels of Ionizing Radiation*. https://www.nap.edu/resource/11340/beir_vii_final.pdf.

¹³ Sources reviewed for more updated information include the NCRP, EPA, DOE Office of Nuclear Energy, the Blue Ribbon Commission, the NRC and their Research Information Letters dated 2020-2024, WHO and their United

Sciences' BEIR VII Report is scientifically valid and appropriate for use in estimating potential radiological impacts.

Response 9-9:

Compensation from Xcel Energy to the PIIC is established in Minnesota Statute 216B.1645, Subd. 4 and is outside of the scope of the EIS. EERA cannot interpret the intentions of this statute beyond the language provided by the Minnesota Legislature when it was introduced in the 2023 session law bill No. 2310.¹⁴ With respect to the city of Red Wing, see Response 9-1.

Response 9-10:

The proposed rule cited by the commenter¹⁵ is not in effect or finalized. Xcel Energy will have to comply with all applicable regulations that are finalized prior to decommissioning the ISFSI and plant, which will include those related to Greater-Than-Class C Waste.

Response 9-11:

Modeling has been performed for the project as outlined in Chapter 5.3 of the draft EIS to analyze the impacts of low-level radiation exposure. The dose study conducted by Xcel Energy is publicly available on the eDockets website as it was completed to support the CN application associated with the project.¹⁶

Nations Scientific Committee on the Effects of Atomic Radiation 2018 Report, the US Department of Health, the National Academy of Sciences and their Committee on Medical Aspects of Radiation in the Environment, and the American College of Radiology.

¹⁴ See Minnesota Revisor website: <https://www.revisor.mn.gov/laws/2023/0/Session+Law/Chapter/60/>.

¹⁵ NRC. Package ML23242A249 -SECY-24-0045: Proposed Rule - Integrated Low-Level Radioactive Waste Disposal (RIN 3150-AI92; NRC -2011-0012).

¹⁶ Xcel Energy, Certificate of Need Application for Additional Dry Cask Storage at the Prairie Island Nuclear Generating Plant Independent Spent Fuel Storage Installation, February 7, 2024. CN-24-68, eDockets Nos. [20242-203185-01](#) through [-10](#) and [20242-203189-01](#) through [-10](#).

Commenter ID No. 10

From: [Kristen Eide-Tollefson](#)
To: [Ness, Jenna \(COMM\)](#)
Subject: Re: PINGP Study Group comment filing with attachments
Date: Friday, December 6, 2024 11:52:55 PM
Attachments: [PINGP DEIS comments 2024.docx](#)
[PINGP Conversion Feasibility Study Exhibit 57.pdf](#)

This message may be from an external email source.

Do not select links or open attachments unless verified. Report all suspicious emails to Minnesota IT Services Security Operations Center.

Hi Jenna,

I trust that sending our comments to you will result in their being posted in the docket.
Please let me know if otherwise. .

Thank you,
Kristen
Eide-Tollefson
715-317-0228

PINGP Study Group comments to the Draft Environmental Impact Statement Prairie Island Nuclear Generating Plant Additional Spent Fuel Storage

Docket No. CN-24-68

12-06-2026

1. The first question to address for the DEIS for expanded storage to accommodate continued operations of the PINGP through 2053/54, is **does the DEIS meets the statutory requirements of an Environmental Impact Statement under MN statute (2024) 116D.04, subd 2a:**

- "The environmental impact statement must be an analytical rather than an encyclopedic document that describes the proposed action in detail,
- analyzes its significant environmental impacts,
- discusses appropriate alternatives to the proposed action and their impacts, and
- explores methods by which adverse environmental impacts of an action could be mitigated."

10-1

In an initial attempt to encompass the issues, the DEIS presents little documentation to support its conclusions of no or minimal potential impacts. Most sections go from description to assertion without data or analysis. This strategy presumes that mitigation is unnecessary.

2. **How will the DEIS engage directly with state agency expertise in preparing the final EIS? Note: this requirement goes beyond notice for comment,.**

Subd. 6a.Comments.

"Prior to the preparation of a final environmental impact statement, the governmental unit responsible for the statement shall consult with and request the comments of every governmental office which has jurisdiction by law or special expertise with respect to any environmental effect involved. Copies of the drafts of such statements and the comments and views of the appropriate offices shall be made available to the public. The final detailed environmental impact statement and the comments received thereon shall precede final decisions on the proposed action and shall accompany the proposal through an administrative review process."

10-2

The transition from DEIS to FEIS could benefit from additional consultation with past and present EQB tech reps with a history of the issues. **NB: EQB is the responsible state agency for Radioactive Waste Management under 116C.** <https://www.revisor.mn.gov/statutes/cite/116C/full>

3. **Mitigation: The potential for significant environmental impacts of the indeterminate period of waste storage at Prairie Island- is central to this EIS analysis-- i.e. there is nowhere for the waste to go.**

The DEIS barely touches upon this point and presumes -- *without data, analysis or evidence* -- that there will be timely provision of alternative federal or centralized interim storage. These assumptions are not updated or tested against current developments, such as Supreme Court consideration of NRC authority to permit a centralized interim site, or NRC's recent proposed revision of rules for Greater Than Class C (decommissioning) waste. Such factors can be easily investigated online.

10-3

To address this gap, it may be efficient for the preparers to review and reference the 2009 S/EIS record for Xcel's application for expanded storage on Prairie Island and the 2022 Supplement to the 2009 Prairie Island S/EIS. **Specifically, we urge you to incorporate, with updates, Chapter 7 in the 2022 supplement analysis and mitigation: "Long-Term Storage of Spent Nuclear Fuel."**

<https://apps.commerce.state.mn.us/eera/web/project-file/12198>

4. Alternatives.

In terms of alternatives to continuing to produce and store nuclear waste on Prairie Island, the DEIS could more thoroughly consult the recent IRP or the parties who contributed proposed alternatives to Xcel's preferred plan. We attach several documents from the PINGP Study Group 2009 comments, including Xcel's own Combined Cycle Modular Gas Turbine engineering analysis for conversion of the PINGP. It appeared that this alternative may have overpowered the site, with more capacity and flexibility.

10-4

Finally, please state whether Xcel submitted a draft DEIS document and explain how that document was used in the preparation of the DEIS.

A recent provision in statute 116D (3) k) allows the proposer of a specific action to include a draft EIS "for review, modification, and determination of completeness and adequacy by the responsible governmental unit."

10-5

Please forgive the brevity of our comments. We are somewhat weary.

Kristen Eide-Tollefson
715-317-0228 Florence Township, Goodhue County

For the PINGP Study Group, participants in the 2009 EIS Advisory Task Force and Certificate of Need Hearings.

Response 10-1:

Please see response to comment 9-5.

Response 10-2:

MDH is considered to have the greatest expertise for the majority of the potential impacts related to the project. MDH staff has been involved throughout the EIS development process. Staff reviewed portions of the EIS and provided comment.

Response 10-3:

Clarifying language was added to Chapter 6.2 of the final EIS in response to this comment regarding institutional control. Chapter 7 of the 2022 PINGP SEIS includes similar information as Chapter 6.2 and 7.4 of this EIS. As noted in Chapter 7.4 of the draft EIS, “CISFs are not currently a feasible alternative to additional storage of spent fuel in the PINGP ISFSI,” and similarly in the Executive Summary, “If monitoring and maintenance [of the ISFSI] do not continue, radiological impacts are anticipated to be significant.”

Summaries of current legal, political, and social challenges for each CISF are discussed in Chapter 7.4 of the draft EIS. Xcel Energy will be required to comply with all regulations that are finalized at the time of decommissioning the PINGP and ISFSI.

Response 10-4:

EERA staff believes alternatives to the project are sufficiently discussed in Chapter 8 of the draft EIS.

Xcel Energy’s IRP proceeding is in process and not finalized, and the Commission may approve, reject, or modify the proposed resource plan. EERA did not include information from parties who contributed alternatives to the IRP in the analysis of alternatives to continued operation of the PINGP in the EIS. The weighing of any such alternatives is part of the IRP process. The analysis in this EIS relied on information in Xcel Energy’s CN application (see Appendix A: Scoping Decision).

Response 10-5:

Xcel Energy did not submit a draft EIS. Commerce solely prepared and managed the draft EIS, along with information supplied by Xcel Energy, MDH, PIIC, and others.

Oral Comments

Oral comments on the draft EIS are included here. Oral comments were solicited by EERA staff through two public meetings:

- November 19, 2024 – Red Wing, Minnesota, 6:00 p.m.
- November 20, 2024 – Virtual, Online Meeting, 6:00 p.m.

Comments are indicated on the meeting transcripts. To aid the reader and to focus on the draft EIS comments, transcripts herein are condensed versions. Complete transcripts are available in eDockets: [202412-212932](#).

EERA responses to each comment and sub-comment are provided after each meeting transcript. Responses correspond to and are labeled with the same nomenclature as the sub-comments.

November 19, 2024, In-Person Meeting

In The Matter Of:

*Certificate of Need for Additional Dry Cask Storage at vs.
Prairie Island Nuclear Generating Plant 24-68*

*Red Wing - DEIS - 24-68 - 11-19-24
November 19, 2024
Red Wing - DEIS - 24-68 - 11-19-24*

*Shaddix & Associates
7400 Lyndale Avenue South
Suite 190
Richfield, MN 55423*

Min-U-Script® with Word Index

Certificate of Need for Additional Dry Cask Storage at Red Wing
Prairie Island Nuclear Generating Plant 24-68 DEIS - 24-68 - 11-19-24

Red Wing - DEIS - 24-68 - 11-19-24
November 19, 2024

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1 DEIS MEETING - 24-68 - NOVEMBER 19, 2024 2 BEFORE THE MINNESOTA DEPARTMENT OF COMMERCE 3 4 5 In the Matter of the Application of Northern States Power 6 Company d/b/a Xcel Energy Request for a Certificate of 7 Need for Additional Dry Cask Storage at the Prairie 8 Island Nuclear Generating Plant Independent Spent Fuel 9 Storage Installation 10 11 12 PUC DOCKET NO. E-002/CN-24-68 13 14 15 16 Ignite Building in Red Wing, Minnesota 17 18 19 20 21 22 23 24 Met, pursuant to Notice, at 6:00 p.m. in 25 the evening on November 19, 2024. 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300 301 302 303 304 305 306 307 308 309 310 311 312 313 314 315 316 317 318 319 320 321 322 323 324 325 326 327 328 329 330 331 332 333 334 335 336 337 338 339 340 341 342 343 344 345 346 347 348 349 350 351 352 353 354 355 356 357 358 359 360 361 362 363 364 365 366 367 368 369 370 371 372 373 374 375 376 377 378 379 380 381 382 383 384 385 386 387 388 389 390 391 392 393 394 395 396 397 398 399 400 401 402 403 404 405 406 407 408 409 410 411 412 413 414 415 416 417 418 419 420 421 422 423 424 425 426 427 428 429 430 431 432 433 434 435 436 437 438 439 440 441 442 443 444 445 446 447 448 449 450 451 452 453 454 455 456 457 458 459 460 461 462 463 464 465 466 467 468 469 470 471 472 473 474 475 476 477 478 479 480 481 482 483 484 485 486 487 488 489 490 491 492 493 494 495 496 497 498 499 500 501 502 503 504 505 506 507 508 509 510 511 512 513 514 515 516 517 518 519 520 521 522 523 524 525 526 527 528 529 530 531 532 533 534 535 536 537 538 539 540 541 542 543 544 545 546 547 548 549 550 551 552 553 554 555 556 557 558 559 560 561 562 563 564 565 566 567 568 569 570 571 572 573 574 575 576 577 578 579 580 581 582 583 584 585 586 587 588 589 590 591 592 593 594 595 596 597 598 599 600 601 602 603 604 605 606 607 608 609 610 611 612 613 614 615 616 617 618 619 620 621 622 623 624 625 626 627 628 629 630 631 632 633 634 635 636 637 638 639 640 641 642 643 644 645 646 647 648 649 650 651 652 653 654 655 656 657 658 659 660 661 662 663 664 665 666 667 668 669 670 671 672 673 674 675 676 677 678 679 680 681 682 683 684 685 686 687 688 689 690 691 692 693 694 695 696 697 698 699 700 701 702 703 704 705 706 707 708 709 710 711 712 713 714 715 716 717 718 719 720 721 722 723 724 725 726 727 728 729 730 731 732 733 734 735 736 737 738 739 740 741 742 743 744 745 746 747 748 749 750 751 752 753 754 755 756 757 758 759 760 761 762 763 764 765 766 767 768 769 770 771 772 773 774 775 776 777 778 779 780 781 782 783 784 785 786 787 788 789 790 791 792 793 794 795 796 797 798 799 800 801 802 803 804 805 806 807 808 809 810 811 812 813 814 815 816 817 818 819 820 821 822 823 824 825 826 827 828 829 830 831 832 833 834 835 836 837 838 839 840 841 842 843 844 845 846 847 848 849 850 851 852 853 854 855 856 857 858 859 860 861 862 863 864 865 866 867 868 869 870 871 872 873 874 875 876 877 878 879 880 881 882 883 884 885 886 887 888 889 890 891 892 893 894 895 896 897 898 899 900 901 902 903 904 905 906 907 908 909 910 911 912 913 914 915 916 917 918 919 920 921 922 923 924 925 926 927 928 929 930 931 932 933 934 935 936 937 938 939 940 941 942 943 944 945 946 947 948 949 950 951 952 953 954 955 956 957 958 959 960 961 962 963 964 965 966 967 968 969 970 971 972 973 974 975 976 977 978 979 980 981 982 983 984 985 986 987 988 989 990 991 992 993 994 995 996 997 998 999 1000	1 I N D E X 2 SPEAKER PAGE 3 Jenna Ness 3 4 Craig Edstrom 8 5 Nathan Dull 9 6 Michael Murphy 11 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25
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1 MS. JENNA NESS: Thank you, everybody, 2 for coming here tonight and taking time out of your 3 busy lives to come to our public meeting. 4 I'm Jenna Ness, I work for the Department 5 of Commerce and I wrote the Draft Environmental 6 Impact Statement for the project for additional 7 spent fuel storage at the Prairie Island Nuclear 8 Generating Plant. 9 We'll go over the context briefly of the 10 plant and discuss the project. Of course the Draft 11 Environmental Impact Statement, you might hear me 12 say Draft EIS, that's what it is, what the next 13 steps are, and then we'll go into questions and 14 comments. 15 So Prairie Island Nuclear Generating 16 Plant started operating in 1973 right here in 17 Red Wing. It includes storage for spent fuel, as 18 you can see in the picture here. This is also 19 called an Independent Spent Fuel Storage 20 Installation, or an ISFSI. It's currently licensed 21 for operation through 2024. 22 Xcel Energy is seeking to extend 23 operation of the plant site 20 years to 2054. That 24 would require a federal license renewal from the 25 Nuclear Regulatory Commission, or the NRC.	1 This project also requires a certificate 2 of need from the Minnesota Public Utilities 3 Commission. And the Department of Commerce, myself, 4 must prepare the EIS to aid in the Commission's 5 decision on whether the project is needed. 6 Here is a picture of where the project 7 could go. So here are the current casks, as you saw 8 in the previous picture. Right now there are 52 of 9 these on three pads, and the project is proposing 10 two to three pads. So one could be here and this 11 could be one long one or two smaller ones 12 (indicating). 13 And the project technology I'll refer to 14 as the NUHOMS, but that's the company, and if you 15 need that information you can get a PowerPoint paper 16 copy that you can grab. 17 So this new technology is horizontal 18 storage technology. If you look at the previous 19 picture here, these are vertical. So on these new 20 pads, you would have these concrete storage vaults 21 and then the casks here, or canisters, these will be 22 called, will be transported and put into these 23 vaults. And that would begin in 2026. And 24 currently there's already over 1,200 of this storage 25 type.

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Page 5 1 So the EIS I prepared will aid the 2 Commission's decision on whether the project is 3 needed for the certificate of need. It's issued in 4 this draft form, so the public and any other 5 interested parties can comment on it. Let us know 6 anything we may have missed, that we should enhance 7 and improve. And then we can make adjustments for 8 it before the Final EIS is put out. 9 And our table of contents in this EIS is 10 based on the public meetings we had back in April 11 and the discussions we had there and what we 12 normally do for these types of projects. 13 So you can find our EIS on the website. 14 Like I said, you can grab a copy of the PowerPoint 15 if you want to type in the link, but otherwise you 16 can search the Commission's website here with these 17 docket numbers. 18 There is a paper copy at the Red Wing 19 Public Library, and you can also get a printed copy 20 on request from the Department. There are a limited 21 number available. If you look here, these are quite 22 large documents, and they cost a lot of money. 23 So just a summary of some of the high 24 points in the EIS. The non-radiological impacts are 25 anticipated to be minimal. The radiological impacts	Page 6 1 are also anticipated to be minimal. And with NRC 2 standards provided that the monitoring and 3 maintenance continues until the fuel is transported 4 off site. 5 Impacts of continued operation through 6 2054 are also anticipated to be minimal. Those are 7 mostly associated with cooling water from the plant. 8 And then the other regulated radiological releases 9 at the plant that are within NRC standards. 10 The impacts for decommissioning the plant 11 after 2054 are anticipated to be minimal, providing 12 monitoring and maintenance of the ISFSI continues 13 until transportation offsite. 14 Alternatives to the project are not 15 currently feasible, is how the EIS found that. And 16 then alternatives to continued operation of the 17 plant have relatively greater impacts compared to 18 the project, and that is kind of across-the-board 19 with land use and wildlife and cost and carbon 20 emissions. 21 Here's kind of the timeline. If you were 22 here back in April, we had our scoping meetings. I 23 issued this EIS on October 31st. We're in the 24 middle of the comment period on the Draft EIS and at 25 the public meetings. We'll have another one
Page 7 1 virtually tomorrow night, if you want to participate 2 in that. And the Final EIS will be issued February 3 of next year, early February, February 7th, I think 4 is the target date. And then the Commission will 5 make a decision on the certificate of need request. 6 Here I have February at the earliest, but it's 7 unlikely to be that early. We can talk more about 8 that if you'd like. 9 Okay. There's several ways you can 10 comment on the Draft EIS. You can make a verbal 11 comment once this presentation is done shortly here. 12 You can complete and submit one of the comment 13 sheets at the front table. There is also a link 14 online and you can just submit one there. And here 15 is all of my contact information. Send it directly 16 to me and it will also get recorded, and just be 17 aware that the comment period ends December 6th at 18 4:30 p.m. 19 All right. So we'll move in to the 20 commenting part and questions part of the public 21 meeting. I'm going to have to do one at a time 22 because, as I've said, we have a court reporter 23 here, and she needs to be able to document what you 24 say. So please introduce your first and last name 25 and spell it for her.	Page 8 1 We seem to have enough people here 2 tonight to have everybody make comments, if they 3 would like. And try to direct your comments and 4 questions to the Draft EIS. The things we would be 5 looking there are what needs to be clarified in that 6 document and is there anything that needs to be 7 added or edited so the Final EIS is complete and 8 accurate. 9 So I think I had one person sign up. And 10 then of course after that person you can kind of 11 just raise your hand. 12 So would Craig Edstrom like to make a 13 public comment? 14 Could you come up here, please, just so 15 she can hear you. 16 MR. CRAIG EDSTROM: Okay. I'm Craig 17 Edstrom, I'm a member of Laborers Local 563. We 18 represent like 14,000 members in Minnesota and North 19 Dakota. We do a lot of work for Xcel Energy. We've 20 got roughly 400 members in the workforce at Xcel at 21 any given time. Currently there's 25 on nights down 22 there at Prairie Island, so they're down there and 23 supporting the outage that's going on down there 24 right now. 25 I just wanted to say that this is a great

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1 idea. We want to be a part in helping to build the 2 new project and get that moving in right direction. 3 And any support we can provide, we'll be around to 4 provide. 5 COURT REPORTER: Can you please spell 6 your first and last name? 7 MR. CRAIG EDSTROM: Sure. It's Craig 8 Edstrom, C-R-A-I-G, E-D-S-T-R-O-M. 9 MS. JENNA NESS: Is there anyone else who 10 would like to make a public comment or ask a 11 question? 12 All right. Come on up. 13 MR. NATHAN DULL: Hi. My name is Nathan 14 Dull, N-A-T-H-A-N, D-U-L-L. 15 I am the senior field manager with the 16 Minnesota Land and Liberty Coalition, a statewide 17 organization made up of farmers, landowners, 18 taxpayers, ratepayers, business and community 19 leaders and proponents of an all the above energy 20 future. 21 In short, we are supportive of the 22 additional storage of the spent nuclear fuel. 23 As it pertains to the Draft EIS, a couple 24 of things I perhaps maybe missed. Compared to the 25 newer technology, the horizontal storage, perhaps	1 there could be some cost analysis included, whether 2 there's additional safety features that the vertical 3 does not offer. 4 Also, a comment on the EIS. It was noted 5 that 22 percent of Minnesota's energy production in 6 the year of 2022 came exclusively from the Prairie 7 Island Nuclear Generating Plant. And we think that 8 is incredible. And it just demonstrates the value 9 that nuclear energy provides to the state of 10 Minnesota and the greater midwest area. 11 Nuclear is safe, especially in the year 12 2024. There is abundant opportunities for a new 13 buildout, new technologies with nuclear fleets, and 14 so we would strongly encourage the PUC, the 15 Department of Commerce, the legislature, and the 16 governor to work to lift the nuclear moratorium so 17 that we can continue to work on building out the 18 next generation of nuclear energy in the state of 19 Minnesota to keep the lights on. 20 Thank you. 21 MS. JENNA NESS: Thank you. 22 Anybody else who would like to make a 23 comment or ask a question? 24 Now is a good time. We have 25 representatives from the Public Utilities
Page 11	Page 12
1 Commission, the Department of Commerce, and Xcel 2 here. 3 Well, sure. And then just a reminder to 4 spell your name, please. 5 MR. MICHAEL MURPHY: I'm Michael Murphy, 6 M-I-C-H-A-E-L, M-U-R-P-H-Y, just like the law. 7 And I represent the International 8 Brotherhood of Electrical Workers, local union 949. 9 Retiree on the AFL-CIO -- Minnesota AFL-CIO retiree 10 counsel. And while I'm retired, a lot of my former 11 co-workers of the IBEW and other unions like 12 Laborers, et cetera, get their welfare and their pay 13 of course for their families from the continued 14 operation of the Prairie Island Nuclear Generating 15 Plant. And so I would be in favor of this project 16 and so would the members of IBEW in the continued 17 operation of the plant. And if that means that they 18 need additional storage, then I would be in favor of 19 that additional storage. 20 MS. JENNA NESS: Thank you. 21 I appreciate all the comments that have 22 been made. I'll leave it open for about 20 more 23 seconds or so, if anyone is on the fence about it. 24 Like I said, this is a good time to ask questions 25 about the project. Otherwise, we'll be hanging	1 around after for a little bit as well. 2 Okay. Well, if that's all we have for 3 questions and comments, then that is the entire 4 meeting. 5 I really appreciate your time again for 6 coming. And let me know if you need assistance with 7 anything. 8 (Proceeding concluded at 6:15 p.m.) 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25

Response to Comments (November 19, 2024, In-Person Meeting)

Response 11-1:

Thank you for your comment.

Response 12-1:

Safety is generally discussed for the project in Chapters 4.3, 5.3, Appendix B, and Appendix D of the draft EIS as well as in new language added in Chapter 3.5 of the final EIS.

Comparisons of safety between the current and proposed fuel storage technologies is not discussed in the draft EIS other than the affirmation that both technologies must meet the same NRC safety requirements in their design criteria (10 CFR 72). Thus, the safety of both technologies, including the different storage module methods, are relatively similar.

Differences between the technologies are mostly related to the more recent development of the proposed technology, which does have a slightly better design for some safety standards.¹ Regulations for radiation (10 CFR 72.104) and transportation (10 CFR 71) are similarly enforced by the NRC and all spent fuel storage technology in the U.S. must meet the same requirements.

Response 13-1:

Thank you for your comment.

¹ Draft EIS Chapter 5.3, Fire or Explosion.

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In The Matter Of:

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1 MS. JENNA NESS: Hi, everybody. Thank 2 you for making it tonight to the virtual public 3 meeting for the Prairie Island nuclear generating 4 plant, and we're going to discuss their spent 5 nuclear fuel storage project. 6 My name is Jenna Ness, and I work for the 7 Department of Commerce. And I was the environmental 8 review project manager for the project. 9 Next slide. 10 So we will go over the context a bit 11 about the plant and the project as well. We'll talk 12 about the draft environmental impact statement. You 13 may hear me say EIS a lot, that's what I'm referring 14 to. That is the main purpose of our meeting 15 tonight. Then we'll go through the next steps, and 16 then we'll turn it back to you for questions and 17 comments. 18 Next slide. 19 So the Prairie Island nuclear generating 20 plant started operating in 1973 in Red Wing, and it 21 includes this independent spent fuel storage 22 installation area that you see pictured here. This 23 is what it looks like currently, and you may also 24 see us refer to it as an ISFSI. And right now it's 25 currently licensed for operation through 2034.	1 Next slide. 2 So Xcel Energy is seeking to extend that 3 operation to 2054, for another 20 years. That 4 requires a subsequent license renewal from the 5 Nuclear Regulatory Commission as a federal thing, 6 and then through the state, a certificate of need is 7 required, specifically to store the additional spent 8 fuel. And the Department of Commerce has to develop 9 an EIS to help the Public Utilities Commission make 10 that decision on a certificate of need. 11 Next slide. 12 So you saw this picture on the previous 13 slide of what it looks like today. The project 14 would be where those two red arrows are pointing. 15 It would be two to three concrete pads. So you see 16 one short one and one long area there, the long area 17 could be bisected into two areas or it could stay as 18 one long area, and that would support the project. 19 What you see sitting there right now are 52 casks. 20 You can see the third just started getting casks 21 stored on it, and the other two are full. 22 And the project's new technology, we'll 23 refer to as the NUHOMS, and you can find that 24 online, too. 25 Next page.

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Page 5 1 So this technology for the project is a 2 horizontal storage technology. On the picture on 3 the left you'll see it is a concrete storage area 4 where the canisters would go, and then on the right 5 you can see the transporting mechanism for those 6 canisters and them getting put into those vaults. 7 So that's kind of how that works. It would be used 8 beginning in 2026, and there's over 1,200 of these 9 in use in the U.S. right now. 10 Next slide, please. 11 So the Department -- myself -- prepared 12 this draft EIS to aid the Public Utilities 13 Commission in their decision on a certificate of 14 need. And that EIS is issued in a draft form so 15 that we can get comments from the public and other 16 interested parties to improve the EIS and to ensure 17 it's complete and accurate. This EIS is based on 18 public input on the table of contents that we were 19 looking for back in April when we did scoping 20 meetings and had a comment period. 21 Next page, please. 22 You can find the EIS in a lot of 23 different places. There's links here to the 24 Department's website directly, and the Commission 25 also has it on their website if you know how to	Page 6 1 navigate the eDockets system. Otherwise, if you're 2 in Red Wing, there is a paper copy at the public 3 library, and there are a limited number of print 4 copies on request from the Department. It's just a 5 very large document. 6 Next page, please. 7 So a high-level summary of the draft EIS: 8 Non-radiological impacts were anticipated to be 9 minimal, and so were radiological impacts. Those 10 are going to be within NRC standards, provided that 11 monitoring and maintenance of the project canisters 12 continues until those are transported offsite. 13 The impacts of continued operation of the 14 plant to 2054 are anticipated to be minimal. The 15 main discussion points there that were in the EIS 16 were around cooling water and other regulated 17 radiological releases that are also within NRC 18 standards. 19 Next page. 20 The impacts of using the storage areas to 21 decommission the plant after 2054 would be minimal 22 and -- provided that monitoring and maintenance of 23 the ISFSI also continues. And then alternatives to 24 the project of storing additional fuel here are not 25 currently feasible.
Page 7 1 And alternatives to continued operation 2 were found to have relatively greater impacts kind 3 of across the board. So we're looking here at land 4 use, wildlife, cost, carbon emissions, that sort of 5 thing. 6 Next slide. 7 Here is a timeline. As I indicated back 8 in April, at number two there, we did our scoping 9 meetings and our comment period. I issued the draft 10 EIS on October 31st. Right now we're at the public 11 comment period and the public meeting for that draft 12 EIS, and that will end December 6th. We will issue 13 a final EIS -- a target date -- February 7th, and 14 then the Commission can make a decision on the 15 certificate of need. 16 The integrated resource plan is also tied 17 to this a bit, and that is anticipated to be 18 complete around February or March, and there would 19 be a comment period for that as well. So the 20 Commission wouldn't likely make a decision on the 21 certificate of need in February. It might be in 22 April, but it has been known to go later at times. 23 And when the Commission makes their decision on the 24 certificate of need, they would also determine 25 adequacy of the EIS -- the final EIS.	Page 8 1 Next slide, please. 2 So there's lots of ways to comment on the 3 draft EIS. You can, of course, make verbal comments 4 at tonight's meeting. We have a court reporter with 5 us who would record those and get those into 6 eDockets and into the record. 7 You can complete a -- just a piece of 8 paper in the mail is just fine. You have my mailing 9 information here, and I can send this to the people 10 online that can't necessarily take a snapshot of 11 this at the moment. And then there is also on the 12 Commerce website a direct link to comments online 13 for the project, and just a reminder that the 14 comment period ends December 6th. 15 Next slide, please. 16 So moving into commenting for the night. 17 With anyone who has a question or wants to make a 18 public comment so it's part of the record, we're 19 going to have to do one person at a time. Craig is 20 going to help me out with someone who may indicate 21 in the chat or raise their hand to talk, and we're 22 going to try to direct our questions to the draft 23 EIS. 24 Next slide, Craig. 25 And those questions that we're mainly

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Page 9 1 looking for are: What needs to be clarified, what 2 can we clarify, or what can be added or edited so 3 the final EIS is complete and accurate? 4 And then just one more slide, Craig. 5 This is just a reminder of where your 6 mute button is and where your chat button is. You 7 can send a message to the host and say that you 8 would like to make a question or a comment, and then 9 we'll -- you'll be unmuted by the host, and you'll 10 be able to mute and unmute yourself. 11 So anything I missed there, Craig? 12 MR. CRAIG JANEZICH: Yeah. For the users 13 that are calling in, if you would like to speak, I 14 think you need to dial *3, and that will raise your 15 hand and that will indicate to us that you'd like to 16 speak. 17 MS. JENNA NESS: Thank you, I forgot 18 about that one. Is there anyone in the queue? 19 And I see Craig is muted here. 20 MR. HENRY STELTEN: Oh, I don't see 21 anybody that has raised their hand or asked to speak 22 via chat -- 23 MS. JENNA NESS: Okay. 24 MR. CRAIG JANEZICH: -- at this time. 25 MS. JENNA NESS: We'll keep it open for a	Page 10 1 bit. I'd just like to encourage people that this is 2 a great time to ask any questions or make a general 3 comment, whatever you're comfortable with. You can, 4 of course, comment online or in the mail if you 5 prefer. 6 We have representatives from Xcel Energy 7 here and the Public Utilities Commission and the 8 Department. So we kind of have everyone in one room 9 all at once, and then after this, the meeting's 10 going to be done. So I just wanted to give everyone 11 that heads-up. So if you're kind of on the fence, 12 feel free to make a comment. 13 MR. CRAIG JANEZICH: Jenna, we do have 14 one individual who would like to speak. 15 MS. JENNA NESS: Sounds good. 16 MR. CRAIG JANEZICH: The name is Henry 17 Stelten, and I will unmute you right now. Hello. 18 Can you hear us? 19 MR. HENRY STELTEN: Thank you for 20 allowing me time to ask a question here. I'm 21 curious about the -- I, unfortunately, have not had 22 time yet to dig into the EIS in detail, but I'm 23 curious if it accounts for the eventual transport of 24 the spent fuel casings? 25 MS. JENNA NESS: Yes. Go ahead -- oh,
Page 11 1 okay. I didn't want to cut you off there. Yes, 2 there is a section that talks about the 3 transportation standard by the NRC that would have 4 to be complied with, the integrity of the canisters 5 for transport, as well as the options that are out 6 there currently, which aren't ready yet or certain 7 even. But it does discuss all those options and the 8 safety of transport, if that answers your question. 9 MR. HENRY STELTEN: It does, thank you. 10 MS. JENNA NESS: Good. And do you have 11 any follow-up or -- 12 MR. HENRY STELTEN: Not at this time, 13 thanks. 14 MS. JENNA NESS: Okay. Thanks, Henry. 15 MR. CRAIG JANEZICH: Okay. There isn't 16 anybody else at the moment that has their hand 17 raised and would like to speak, and I have nobody in 18 the chat as well. 19 MS. JENNA NESS: Okay. Thanks, Craig. 20 MR. CRAIG JANEZICH: Um-hmm. 21 MS. JENNA NESS: We'll sit here for a 22 bit. Maybe people are thinking about that question, 23 thinking about their own. You can always e-mail me 24 as well. Maybe I can throw my e-mail in the chat. 25 So if you need access to a link or a slide and you	Page 12 1 weren't able to get it tonight, that is my e-mail. 2 Yeah. Thanks, Craig, for putting that 3 up, too. My phone number as well. 4 All right. We'll give it about 15 more 5 seconds here for anyone who is thinking about asking 6 a question or making a comment. 7 MR. CRAIG JANEZICH: We have a comment 8 from Henry Stelten. Hold on one second. Henry, 9 I've unmuted you. You can speak. 10 MR. HENRY STELTEN: Great. Thank you. I 11 do apologize because, regrettably, I have not had 12 time to look through the EIS. But I am curious, you 13 know, in light of climate change, we're experiencing 14 larger, more frequent and intense rain events, and, 15 of course, it impacts water levels of the 16 Mississippi and, of course, the plant. And the pads 17 for these that are going to be stored are in 18 floodplain. I'm curious if the EIS accounts for 19 climate change impacts of this proposal. 20 And, also, I'm curious if you're aware of 21 any of the work coming out of the St. Anthony Falls 22 Lab that suggests that the floodplains -- excuse me, 23 the floodplain boundaries will be changing as a 24 result of sedimentation in Lake Pepin, affecting the 25 upstream portion of the river pool 3.

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Page 13 1 MS. JENNA NESS: Thanks, Henry. To 2 answer your second part, no, I was not aware of 3 that. But the court reporter will have what you 4 said documented for me. So that is something I can 5 look into before we publish the final EIS, and make 6 sure that if there's any changes there and they're 7 creditable and relevant that we can get them 8 incorporated. 9 As far as climate change, yes, there is a 10 section on that in the EIS, and we discuss all those 11 extremes that come with climate change, such as 12 temperature and flooding. Like you were saying, the 13 ISFSI is in a floodplain. Xcel Energy has done a 14 report to the NRC, I believe -- correct me if I'm 15 wrong, Xcel, to the NRC for the maximum probable 16 flood that would occur in the ISFSI, and the results 17 is that -- let me see if I can find this exact 18 language here. 19 And also the NRC, that's the Nuclear 20 Regulatory Commission, if I wasn't clear about that, 21 they approve these technologies. Xcel is only 22 allowed to choose a technology approved by the NRC, 23 and they evaluate each design for all sorts of 24 accident conditions: Tornados, flooding, and 25 that's -- that includes all sorts of equations, and	Page 14 1 it actually gets pretty complex. 2 And let's see what the result of that 3 study -- it says here: The ISFSI has been sited and 4 designed so that the lowest point of potential water 5 entry into the dry fuel storage is above the level 6 of the probable maximum flood. 7 So if you had more questions about 8 climate change or I didn't quite hit what you were 9 asking, I think you said something about the 10 Mississippi River. And there is a lock and dam 11 upstream from Prairie Island nuclear generating 12 plant, and that -- you can look at historical data 13 for that, and it has done a good job of managing 14 floodwaters as well. 15 Xcel, is there anything you wanted to add 16 on that? I know I talk about your studies and 17 reports a lot, so I just wanted to make sure I 18 wasn't off on anything. 19 MS. PAMPROCHASKA: No, Jenna. I think 20 you covered it, and it is -- can be found in both 21 the application and then the plant has safety 22 analysis reports that covers that as well. And, 23 again, happy to get back specific answers if that 24 would be helpful, but I think you got it. 25 MS. JENNA NESS: Okay. Thank you.
Page 15 1 Was there a call-in user, Craig? I saw 2 someone pop up, and I'm not sure if that means they 3 raised their hand. 4 MR. CRAIG JANEZICH: I think that might 5 have been an accident by me. I was trying to click 6 on Henry Stelten's name, and I inadvertently clicked 7 on somebody else's name. 8 But, again, if you are a call-in user and 9 you would like to ask a question, just hit *3 on 10 your phone, please, and we can unmute you and you 11 can proceed to ask your question. 12 MS. JENNA NESS: Now, we'll give people a 13 little bit to, maybe, figure that out and think of 14 any follow up. 15 What you suggested, Henry, for additional 16 studies that I may have missed or if they're really 17 recent, that's super helpful. So I appreciate those 18 sort of comments as well. 19 I'll give it just a bit longer here. Oh, 20 okay. Craig, if you don't mind, I'll -- oh, go 21 ahead. 22 MR. CRAIG JANEZICH: Yeah. Sure. It 23 looks like we have a comment, and I'll repeat it for 24 the stenographer so they can record it. Henry 25 Stelten said: I have a two-year-old in the	Page 16 1 background, so I'll ask here. Who conducted the 2 study that produced the maximum probable flood 3 elevations? Is that available to the public? 4 MS. JENNA NESS: I will ask Xcel for a 5 little backup on this. I think it is public. And I 6 believe Xcel did it and submitted it to the NRC, and 7 they kind of evaluate it to make sure it is 8 adequate. 9 MS. PAMPROCHASKA: Yeah. Jenna, thank 10 you. Yes, that's correct. It's through the NRC, 11 and I believe it's something that we can provide if 12 there's additional information that's wanted beyond 13 what is in the application. 14 MS. JENNA NESS: Yeah. Henry, so if you 15 want to e-mail me directly and have something 16 specific -- well, it sounds like you want access to 17 the study. I can get that for you, or get you an 18 answer at the very least and work with you on that. 19 Great. Yeah, Henry, if you want to 20 continue to ask in the chat, that's fine. Same with 21 anyone else who may have some disturbances in the 22 background. We do prefer unmuting you for our court 23 reporter, but we'll sit on this a bit. 24 All right. I'll throw out a last call. 25 *3 for anyone who is on the phone. Oh, there we go.

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Page 17 1 MR. CRAIG JANEZICH: I've got a question 2 in the chat from Janice Erickson. They're asking: 3 What are the potential risks? 4 MS. JENNA NESS: Of the project, I guess, 5 potential risks -- I wonder just specifically what 6 you're thinking about as a risk. The way we look at 7 it in the EIS is we look at potential human health 8 and environmental impacts, and we look at that 9 across the board. So we look at the risk of a 10 flood, like we were talking about, getting into the 11 storage area. And although that may be considered a 12 risk, most of these things are determined to have a 13 minimal potential for impact. 14 Yes, I'm trying to recall. I think 15 almost everything in the EIS was determined minimal, 16 and now I'm going to pull it up to see if anything 17 was determined more than minimal and so I can answer 18 your question. And if that doesn't answer your 19 question, please feel free to elaborate. 20 Yeah, I didn't find any impacts in here 21 other than minimal. There was no moderate or major. 22 Those are how we rate our impacts when we write 23 these documents. 24 And I suppose if you want to look at all 25 the potential risks that we went over in the EIS,	Page 18 1 you could look at the table of contents and find a 2 section that might interest you. Maybe you're most 3 interested in radiological impacts or, you know, how 4 it could impact the nearest neighbor. Or what's 5 something we haven't talked about? Wildlife, that 6 sort of thing, yeah. 7 MR. CRAIG JANEZICH: Janice Erickson 8 asked another question: Also, does your plan 9 include any traditional ecological knowledge? 10 MS. JENNA NESS: Thanks for the question, 11 Janice. So we did work with the Prairie Island 12 Indian community on the environmental justice 13 section of this EIS. They do not discuss 14 traditional ecological knowledge. 15 I do know with any groundbreaking 16 activity or -- and yes, Xcel, again, please correct 17 me if wrong, they have been and will be invited and 18 made aware of those activities. And Xcel has been 19 doing various collaborations with the Prairie Island 20 Indian community as well. 21 And if you have a specific plan, maybe 22 you're just talking about the project in general, 23 but if there's a plan you were talking about that I 24 didn't hit, please let me know. If there is any 25 specific traditional ecological knowledge I could
Page 19 1 take into account, maybe there's something with the 2 Mississippi River I didn't research and include, you 3 know, that sort of pointing in the right direction 4 for me could be really helpful, and I might be able 5 to add that to the final EIS. 6 MR. CRAIG JANEZICH: Hey, Jenna. An 7 additional question was asked by Janice Erickson, 8 they are wondering: Is there an emergency plan in 9 the process? 10 MS. JENNA NESS: So I know with the 11 certificate of need, an emergency plan, I don't know 12 if it was an addendum or an appendix, but that was 13 submitted into the record and it is publicly 14 available. If you want to see the emergency plan, 15 just e-mail me, like I told Henry, and I'll just get 16 you a copy so you don't have to dig through the 17 record. 18 Thank you for all the questions. They're 19 good questions, good comments. Kind of give it half 20 a minute here. People can keep -- keep coming, if 21 you would like. If your typing's taking a little 22 bit, maybe give us -- oh, okay. 23 MR. CRAIG JANEZICH: I'll just say it for 24 the record, Janice Erickson submitted a comment that 25 they do not have any more questions -- or they do	Page 20 1 have more questions and comments but will reach out 2 to us via e-mail. Thank you. 3 MS. JENNA NESS: That works great. Yeah. 4 And if anybody is typing something out 5 and it's taking a while, maybe just give us some 6 sort of indication, a quick message and then paste 7 the whole thing that you're working on, so we don't 8 accidentally end the meeting early here on you. 9 I put my e-mail in the chat, so I think 10 everyone has that. My information is up on the 11 slide right now, and just for good measure, I will 12 put my phone number in the chat as well. 13 Well, thank you, Janice and Henry, for 14 your good questions and comments. I appreciate it, 15 and I appreciate everyone's time tonight, too. 16 Everybody has busy lives, so this is an important 17 part of the process and -- 18 Oh, Craig, would you like to maybe say 19 that last one for the record? 20 MR. CRAIG JANEZICH: Sure. 21 Janice Erickson submitted a comment that says: I 22 was not aware of the public comments starting in 23 February. 24 MS. JENNA NESS: Yeah. So there's some 25 different processes going along at the same time

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1 here. The draft EIS is connected to the certificate 2 of need, as in, they're the same project. The EIS 3 will inform the certificate of need. So that 4 comment period is open now until December 6th. 5 So what happens in February -- and, 6 Craig, maybe -- I want to make sure I don't get my 7 wires crossed, but in February is when the 8 integrated resource plan for Xcel Energy's entire 9 plan may be completed, and then the certificate of 10 need can be decided on. So those are three 11 different things with three different comment 12 periods, unless I'm wrong about the IRP, Craig. 13 MR. CRAIG JANEZICH: No. Yeah, that's 14 accurate. The Commission won't decide the CN for 15 the project until the IRP is processed, but record 16 development may continue. We don't have an exact 17 date or schedule for the -- there will be public 18 hearings. We don't have an exact date or schedule 19 for those, but relative to the certificate of need 20 and the adequacy of the EIS. 21 And that will occur in March 2025. We 22 don't have an exact date for that, but it will be -- 23 there will be an ALJ convening the public meeting, 24 and they will write a report and conclusion. That 25 is due to the Commission on July 1st, I believe, the	1 report and conclusion. 2 After that period, it will be -- is when, 3 at some point, the Commission will make a final 4 decision on the certificate of need and the adequacy 5 of the DEIS -- of the final environmental impact 6 statement. So there will be another opportunity to 7 comment on the overall docket with an Administrative 8 Law Judge in March. 9 MS. JENNA NESS: Thank you, Craig. 10 And, Janice, we can get you signed up on 11 the mailing list, if you would like, for that 12 certificate of need as well. So you're going to, 13 kind of, get everything that's submitted into the 14 record, but at least you could see then when there's 15 a notice for a comment period or the meeting at the 16 Public Utilities Commission. And like I said, you 17 can do that through me, if that's easiest. 18 Okay. Everybody, I am going to make a 19 last call here. Again, I think this was a good 20 meeting, and I'm glad you all came. Reach out to 21 myself if you need anything else, and I guess I'll 22 conclude the meeting with that. Everybody have a 23 great night, and thanks, again. 24 (Public comment concluded.) 25

Response to Comments (November 20, 2024, Virtual Meeting)

Most of the public comments that were made at the November 20, 2024, virtual public meeting do not require further response because responses were given during the meeting, which can be seen in the transcript above. Comments of this nature are not given an ID number because they do not have a corresponding response below.

Oral public comments made at the November 20, 2024, virtual public meeting that do require additional response are assigned an ID number, which can be seen in the transcript above. Responses correspond to and are labeled with the same nomenclature as assigned to the comment.

Response 14-1:

EERA staff was not able to locate the study referenced by the commenter from the University of Minnesota College of Science and Engineering St. Anthony Falls Laboratory. The commenter suggests that sedimentation in Lake Pepin may change floodplain boundaries. It's uncertain whether any such change would alter the NRC's conclusions regarding the safety of the ISFSI or its location above the level of the probable maximum flood.

Response 15-1:

Thank you for your comment.