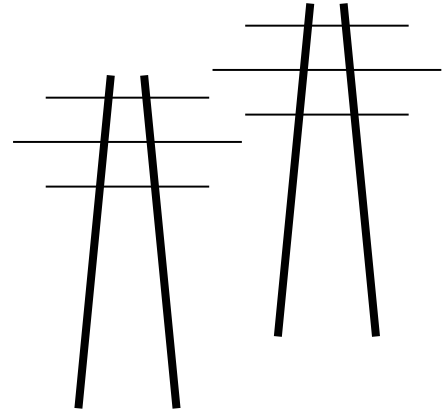


# Legalelectric, Inc.

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December 6, 2024

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

Rich Davis  
Environmental Review via eDockets only  
Dept. of Commerce - EERA  
85 7<sup>th</sup> 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?

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?

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.*

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.

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.*

... 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.

### 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.***

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 communities<sup>1</sup>. Property associated with the PINGP represents approximately 45% of the city of Red Wing’s 2023 net tax capacity.<sup>28</sup> 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.<sup>29</sup> Differences in tax revenues are related to variations in State and local taxation laws (**which continually change**), electricity output, plant size, and plant employment.<sup>30</sup>*

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<sup>1</sup> 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<sup>31</sup> 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.<sup>32</sup> Counties then use that market value to calculate, bill, and collect the taxes.<sup>33</sup> 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.<sup>34</sup> 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**.<sup>35</sup> Tax base changes would likely follow the project's schedule, depending on the timing of investments and their impact on the plant's valuation.<sup>36</sup> 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.<sup>37</sup> 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.<sup>38</sup>*

*(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.*

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 ISFSI 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.

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 depreciation<sup>8</sup> 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.*

***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,<sup>2</sup> the 2022 Report cited by Commerce-EERA in the DEIS, admits that there are liquid releases from PINGP.

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<sup>2</sup> 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.

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 Report<sup>3</sup> 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.

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:

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<sup>3</sup> 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.<sup>3</sup> 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.<sup>4</sup>*

<sup>3</sup> 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>

<sup>4</sup> 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.<sup>10</sup> 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.<sup>11</sup>*

*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.*

<sup>10</sup> 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](https://www.nap.edu/resource/11340/beir_vii_final.pdf).

<sup>11</sup> 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:

... 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).<sup>25</sup> However, these studies have largely concluded that additional analysis and interpretation is needed to establish any potential significance.<sup>26</sup> 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<sup>27</sup> argues that further research is needed to reevaluate this impact.**<sup>28</sup>

<sup>25</sup> 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>

<sup>26</sup> Ibid.

<sup>27</sup> 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.

<sup>28</sup> 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.

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 releases<sup>4</sup>. 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***

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<sup>4</sup> 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,*”<sup>5</sup> 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.

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?<sup>6</sup>
- 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?

Another aspect that is likely to alter treatment of radiological waste, specifically “Greater-Than-Class C” nuclear waste<sup>7</sup> in light of the proposed Andrews County, Texas nuclear waste site proposal, is the lead up<sup>8</sup> to and the **Proposed Rule Integrated Low-Level Radioactive Waste Disposal**<sup>9</sup>. The DEIS is inadequate to the extent that the impact of this rule change is not addressed.

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

<sup>6</sup> 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!)

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

<sup>8</sup> [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](#)

<sup>9</sup> <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.

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.

Thank you for the opportunity to submit these limited comments.

Very truly yours,

A handwritten signature in cursive script that reads "Carol A. Overland".

Carol A. Overland  
Attorney at Law



August 9, 2024

Will Seuffert  
Executive Secretary  
Minnesota Public Utilities Commission  
121 7<sup>th</sup> Place East, Suite 350  
St. Paul, Minnesota 55101-2147

**BY E-MAIL AND U.S. MAIL**  
[PublicComments.PUC@state.mn.us](mailto:PublicComments.PUC@state.mn.us)

**RE: Comments of the City of Red Wing in the Matter of Xcel Energy's 2024-2040 Upper Midwest Integrated Resource Plan of Northern States Power d/b/a Xcel Energy  
Docket Number: E002/RP-24-67**

Dear Mr. Seuffert:

The City of Red Wing ("City" or "Red Wing") submits these comments to Northern States Power d/b/a Xcel Energy's ("Xcel Energy") 2020-2034 Upper Midwest Integrated Resource Plan (the "2024 IRP") that has been filed with the Minnesota Public Utilities Commission (the "Commission") for its consideration and approval. As directed by the PUC, we address both Xcel Energy's compliance with the Commission's final order approving the 2019 Integrated Resource Plan (the "2019 Order") as well as our concerns about the 2024 IRP.

At the outset, we want to be clear that Red Wing values and appreciates Xcel Energy's many contributions to the community. We support, with certain conditions, Xcel Energy's Preferred Plan (as that is defined in its 2024 IRP filings). That Preferred Plan has the Prairie Island Nuclear Generating Plant ("PINGP") as a key component as it attempts to fulfill the Minnesota Legislature's "100 by 2040" mandate and proposes the continued operation of the PINGP beyond its current licensing periods. We support what Xcel Energy refers to as a "historic transformation of our energy system to one that will be dramatically cleaner, while remaining safe, affordable and reliable for our customers"<sup>1</sup>. But we do so with an understanding that there are issues and concerns that need to be addressed as part of this process.

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<sup>1</sup> Xcel Energy 2024 IRP, page 1.





Comments - Docket No. E002/RP-24-67

August 9, 2024

Page 2

Xcel Energy is one of the City's largest employers and is the City's largest property taxpayer. The PINGP has been an economic engine for the City and the region. However, that partnership comes with tremendous and disproportionate burdens on the City and we want to share those with you.<sup>2</sup>

As is set forth in more detail below, the City is seeking more certainty related to both the continued operation of the PINGP and its retirement. In addition to compelling Xcel Energy to fulfill its directives from the Commission under the 2019 Order, the City requests that the Commission condition any approval of the 2024 IRP on the following:

- A Minimum Assessment Agreement for the Real and Personal Property Taxes that are paid to the City.
- An Annual Minimum Assessment Agreement for the Dry Cask Storage that is on-site within the City limits.
- Dry Cask Storage Evaluation.
- Create a Transition Plan and a Comprehensive Radiological Emergency Response Plan for the storage facilities during post PINGP operations.
- Provide a seat for Red Wing on the Renewable Development Account Advisory Board.

### **The City of Red Wing.**

Red Wing has a population of approximately 16,600 and has hosted the PINGP since Units 1 and 2 commenced operations in 1973 and 1974. Red Wing's interest in the PINGP facility is substantial as the PINGP facility is one of Red Wing's largest employers with approximately 600 high quality regular full-time jobs and hundreds of contract and support jobs. Many of PINGP's employees, contract, and support workers reside within Red Wing and Goodhue County. The PINGP facility is also the largest singular taxpayer within Red Wing currently representing approximately 45% of Red Wing's current taxable tax capacity.

The City accepted the PINGP within its borders and understood that it would operate for a 40-year period. But that time frame has changed as have many of the other aspects of the social

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<sup>2</sup> The City and Xcel Energy will continue to have differences of opinion and perspective as it relates to the spent nuclear fuel, nuclear waste and other highly irradiated materials generated by the PINGP. This is the legacy of the PINGP and is an externality that needs to be accounted for in the cost calculus of nuclear power generation. The fact that the spent nuclear fuel, nuclear waste, and other highly irradiated materials are ultimately the responsibility of the Federal Government to store on a permanent basis is cold comfort to the fact that until that time comes, these are the City's problems to address as host to a de facto stranded spent fuel storage installation. And the City does so solely for the benefit of Xcel Energy, its ratepayers, and shareholders. It is by any measure an unfair and disproportionate burden.



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compact between the City and Xcel Energy related to the PINGP. This creates great uncertainty for the City.

That uncertainty for us comes in at least two (2) forms. First, the uncertainty of the legacy the PINGP leaves behind with its spent fuel and highly irradiated nuclear waste (e.g.-those portions of the plant or facility that cannot be disposed of by conventional means). Xcel Energy continues to assert, as it has for the last 30 years before the Commission, that the permanent solution ultimately lies with the Federal Government. While this may be true, and the most recent Federal Court decisions striking down private temporary and permanent storage facilities support this supposition, there has been no progress to remove this waste. The spent nuclear fuel and other waste continues to pile up and be stockpiled in our community.

The second uncertainty is the property taxes that the City receives from the continued operation of the PINGP. Those property taxes from the PINGP are volatile, unpredictable, and unstable.<sup>3</sup> We have a responsibility to our citizens to provide basic services, maintain our infrastructure, develop responsible city budgets, and plan for the future to ensure Red Wing remains a great place to live, work, and play while minimizing the property tax burden on residents and businesses. We also must plan and provide for public safety-including the added burden of being prepared 24/7/365 to respond to any incident, radiological or otherwise, at the PINGP. To do so, we need predictability, certainty, stability and consistency in property tax revenues.

### **The 2019 IRP Order**

In its 2019 Order, the Commission approved Xcel Energy's proposed long-term plan to continue to operate the PINGP.<sup>4</sup> In its 2019 Order, the Commission also recognized that there is a burden on certain PINGP stakeholders that should be addressed by Xcel Energy. From the City's perspective, this directive by the Commission in the 2019 Order was welcomed and a recognition that the City carried a unique burden for being a host city to a nuclear power plant. Unlike other host cities, after the plant is retired, the property that the PINGP sits on cannot simply be repurposed. There will be an extended and protracted period for decommissioning and then after that an undetermined time before the stranded spent fuel rods and other highly irradiated materials are removed. During the period that this material remains onsite, many of the storage facilities (casks) will become obsolete and/or will need to be recasked. At a minimum, over 60

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<sup>3</sup> The use of the term property taxes includes both the taxes generated by real and personal property (the latter being by far the larger category) of portions of the PINGP. Indeed, the purported \$756 million that is to be invested into the Monticello plant and the PINGP will consist largely of personal property and be subject to diminishing property taxes as the facilities depreciate.

<sup>4</sup> This continued use is contingent upon an extension or relicensing by the Nuclear Regulatory Commission and an approval of a Certificate of Need by the Commission.





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will need to be recasked in order to transport them to a different site. Unlike society, which in the aggregate bears the burden of carbon emissions and the potential harmful effects of that by-product, the City and other neighbors carry a very specific burden as a result of the stranded and extraordinarily toxic spent nuclear fuel and other wastes produced by the PINGP.

The Commission ordered that Xcel Energy, under paragraphs 22 and 23 of the 2019 Order, address both the future of the PINGP and provide, among other things, a “[t]rue comprehensive cost-benefit analysis, which includes potential environmental and economic impacts to neighboring communities - in particular, the Prairie Island Indian Community and its Treasure Island Resort & Casino.” Order, pages 38-39. As it relates to the City, Xcel Energy has done neither.<sup>5</sup>

In response to paragraph 23, Xcel Energy reached out to the Prairie Island Indian Community (the “PIIC”) to discuss the “future of the PINGP” and agreed to, as it was required to do, to create a report. IRP, Appendix M, page 9. The City, despite being the host community, was not included in any discussions or the scope of this report. For some of the factors that Xcel Energy agreed to address, the City has a large stake and should have been consulted. This includes but is not limited to the “economic costs and benefits of different plant retirement dates” and “an analysis of environmental externalities i.e. the costs of retiring the PINGP in 2033/34 and replacing its generation and capacity with other resources.” Appendix M, page 9.

While the PIIC is undoubtedly impacted and burdened, the City is similarly impacted and, in many matters, more burdened with significant obligations to the PINGP as well as general public health and safety. The City is the primary responder to any incident and is required to maintain readiness 24 hours a day, 7 days a week and 365 days a year. Whether any final report addresses the City’s concerns is uncertain since the City was not consulted, had no input, and Xcel Energy has not filed any cost-benefit analysis report. Appendix M, pages 10, 11, and 12. The City reserves the right to comment on the same once this cost-benefit analysis, which was required by the Order, is filed.<sup>6</sup>

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<sup>5</sup> Xcel Energy did not, in any meaningful way, discuss with the City these issues or other issues such as what the future of the plant would be when it eventually shuts down. While there were extensive discussions with other stakeholders and agreements reached to address the long-term issues associated with the externalities of the PINGP (including payments that are directly related to the storage of the spent fuel), the City was not invited to participate in those discussions. Whether intentional or not, we take offense over our exclusion and view the legacy as being a matter that is to easily dismissed by Xcel Energy just as it has dismissed other environmental justice concerns raised by other stakeholders. See: <https://www.epa.gov/environmentaljustice>.

<sup>6</sup> During the time that we were putting together these comments, a copy of this report was provided by Xcel Energy for our review. Since this report is neither public nor filed with the Commission, we decline to comment on the same but, again, reserve the right to do so once it is filed in this proceeding.





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In response to paragraph 22, Xcel Energy, as previously mentioned, only met with the PIIC for discussions. There were no meaningful discussions about the “future of the PINGP” or about the community’s issues and concerns. Appendix M, page 6 and 8. We support the PIIC’s and Xcel Energy’s agreement(s) that address some of our neighboring PIIC’s concerns. We also hold firmly that the City, as a key stakeholder, and as previously ordered by the PUC, must be consulted by Xcel Energy in the same capacity regarding our community’s issues and concerns. Our community will bear the burden of a retired plant and the remaining nuclear spent fuel and highly irradiated waste that is left behind and stranded within the City’s borders. In fact, with the stigma of stored waste, the inability to develop that land until that stored waste is gone and the virtual cessation of any meaningful property tax payments, the City bears the greatest burdens. However, rather than address these concerns, Xcel Energy either dismisses our concerns or excludes us from any discussions it had with others that would address our concerns. This form of environmental injustice should not be condoned by the Commission.

The City believes that the Commission should direct that Xcel Energy not only comply with the Order as it was required to do under paragraphs 22 and 23 but that additional conditions be imposed. None of these conditions, which are set out below, are unique to Xcel Energy but rather are a collection of past actions it has taken and are consistent with Xcel Energy’s stated intent.

### **The 2024 IRP.**

As noted by Xcel Energy, the 2024 IRP, building off the 2019 Order, is the start of the transformation towards the satisfaction of the renewable and clean energy policies of the State. While these are wonderful and laudable goals, and ones that should be pursued, there are some entities and people that will be disproportionately impacted by them - one of which is the City and its residents. Under the Preferred Option, the PINGP will continue to generate spent fuel and nuclear waste, on top of what it has been producing since 1973 with nowhere for it to go other than within the City’s limits. While it meets the laudable goals for clean energy, the externality costs of continued storage that are placed upon the City are not accounted for anywhere.

As previously stated, the City supports Xcel Energy’s requests— but with conditions. We believe the conditions outlined below are consistent with Xcel Energy’s stated intent to have “customers who benefit from the nuclear power pay *all the costs associated with that power at the time it is generated-including the costs to eventually decommission the plants*” (emphasis added), per the 2024 IRP, Appendix BB, page 8-9.<sup>7</sup> These conditions will address some of the community’s issues

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<sup>7</sup> Ironically, only the costs of decommissioning the PINGP are referenced or considered by Xcel Energy. The City believes that the *costs of holding* the highly irradiated waste generated by the decommissioning, as well as the spent fuel generated during operations, should also be considered. Both are a required part of the production of energy by the PINGP.





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and concerns and also allow the City to plan while also supporting the PINGP and the policy requirements of the State Legislature and Commission.

These conditions are not unique to Xcel Energy since it has, in the past, voluntarily agreed to many of them with stakeholders similarly situated to Red Wing.

**1. Minimum Assessment Agreement.**

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 depreciation<sup>8</sup> 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.

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.

This unpredictability results in a greater burden on our citizens and other businesses. The legacy of the PINGP, which is an unwanted burden, will continue to be stockpiled over the next 30 years and thereafter remain stranded in temporary storage, within the City's limits, for an unknown amount of time. A minimum assessment agreement will assist the City to plan as it continues to support the PINGP and its operations in the future to meet the needs of not only Xcel Energy but the policy requirements of the State Legislature and the Commission. While Xcel Energy has current agreement(s) with the PIIC, it also has agreements with Pueblo County, Colorado regarding post-closure payments. There is nothing prohibiting Xcel Energy from agreements

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<sup>8</sup> Minnesota Rule 8100.





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stabilizing the community's tax base and establishing a base line to ensure that there are adequate resources for public safety, radiological emergency preparedness, planning and execution within the City.

## **2. Provide Red Wing with an Annual Minimum Assessment Cask Payment.**

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.

In 2023, Xcel Energy and the PIIC had discussions and renegotiated their contract related to the storage of spent fuel. Xcel Energy agreed to increase PIIC's base amount from \$2.5 million per year to \$10 million per year, and the parties agreed that PIIC will be paid \$50,000 annually for every dry storage cask that is stored within the City limits and adjacent to the PIIC until the casks are removed. These payments are independent of any other obligation or payment that Xcel Energy has agreed to make to PIIC. In today's dollars, the cask storage payments alone are approximately \$2.5 to \$3.0 million annually. The cask storage payments will increase as the stockpiling of spent nuclear fuel increases with continued operation of the PINGP.

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.<sup>9</sup> Absent from this explanation was the reduction in Xcel's property taxes the City has experienced, the public safety burden the PINGP and the ISFSI 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.

When the PINGP ceases operations, the spent fuel and other irradiated materials will continue to reside in the City. The City will not be able to recover or develop that land. No third party can

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<sup>9</sup> Xcel Energy stated that personal property taxes have "more than doubled" in its testimony to the Minnesota House of Representatives. The City disputes this characterization-but more importantly would focus on the percentage of the taxes as a whole and the continued reduction as discussed above.



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develop it. The land will simply sit in City limits with spent nuclear fuel and other highly radioactive material store on it, generating little in property taxes. This is a heavy financial weight the City deserves to be compensated for.

Red Wing also deserves an annual cask payment to help offset the public safety obligations the City is responsible for as host to the PINGP and its ISFSI. The City is the primary responder to any nuclear incident and is required to maintain readiness every hour of every day, 365 days a year. This payment, like the one to the PIIC, could come from the Renewable Development Account.

### **3. Dry Cask Storage Evaluation.**

We know the casks with spent fuel will be resident within the community for many, many years. Xcel Energy asserts, as it has for the last three decades, that the solution of permanently disposing of that fuel lies with the federal government. Recent federal court decisions that strike down private temporary and permanent storage facilities support this. All told, efforts over the last three decades have brought the Xcel Energy and the nation no closer to identifying and finding a permanent storage solution for spent nuclear fuel and other highly radioactive waste. Those wastes remain, and will remain, stranded where they were produced for the foreseeable future.

For that reason, Red Wing requests Xcel provide the State and our community clarity around the issues of dry cask replacement. With the PINGP licenses being expanded to 2053 and 2054, it is necessary to start analyzing the need for dry cask replacement. The spent fuel and other highly irradiated materials will be present for 100 years or more, and this presents a tremendous burden that imposes unique and significant concerns, challenges, and issues, on our community.

As noted, the 2019 IRP and the 2024 IRP contemplate, and plan for, significant and additional spent fuel storage in our community as the operations of the PINGP are extended another 20 years to 2053 and 2054. We strongly encourage the Commission to require Xcel Energy model and analyze the costs of recasking within the scope of this 2024 IRP. That is and will be a cost that Xcel Energy and the City will ultimately bear.

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**4. Create a Transition Plan and a Comprehensive Radiological Emergency Response Plan for the ISFSI During Post PINGP Operations.**

We also ask that the Commission require Xcel Energy to discuss a transition plan with the City for the time after PINGP's operations end, including a comprehensive radiological emergency response plan for the ISFSI<sup>10</sup>.

The City recently been precluded from accessing resources to support its transition planning because eligibility for those programs required a plant retirement timeline. In fact, the ambiguous status of PINGP in 2019 IRP prevented the City from utilizing a program created by the Minnesota State Legislature to support communities confronting an eventual plant retirement. The Community Energy Transition Grant Program was created in 2020 to provide grants to local governments to assist with planning, research, or efforts to diversify their tax base to mitigate the energy transition's impact on their communities. Because PINGP's status was not addressed in the 2019 IRP, the City of Red Wing was the only city that hosts an Xcel plant to be excluded from the program. Others received awards of up to \$500,000.

The lack of clarity around PINGP's future has also had other impacts. It has essentially halted our ability to plan and invest in the critical and necessary infrastructure improvement projects that ensure the City's future success and relevance. Making decisions about long-term infrastructure is virtually impossible when there is significant volatility and uncertainty about the City's future tax base.

Discussions about a transition plan would assist all stakeholders. This process, like the discussions on stored nuclear waste, is not foreign to Xcel Energy as demonstrated by discussions and agreements with Pueblo County, Colorado and other parties.

**5. Provide a Seat for Red Wing on the Renewable Development Account Advisory Board.**

The Renewable Development Account ("RDA") was created by the State as a component of the legislation initially authorizing dry cask storage at the nuclear power plants located in Monticello and Prairie Island. A fee was assessed for each dry cask (in today's dollars between \$350,000 and \$500,000 per year per cask) with the funds being accumulated and used for, among other things, research and development of alternative energy production sources. An advisory board was created that reviewed requests for grants and other requests for expenditures.

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<sup>10</sup> Xcel Energy continues to assert that there is no obligation to have a radiological emergency response plan in place for the storage facilities post PINGP operations as it is not required by the Nuclear Regulatory Commission. We disagree and believe it is irresponsible and dismissive of public health and safety not to have one in place. Regardless of the federal government's requirements, the health, safety and welfare of the citizens of the State of Minnesota are the responsibility of the State as it oversees a temporary stranded nuclear fuel storage facility.



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However, as private industry (including Xcel Energy) develops and funds their own renewable energy sources, there are changes happening in how funds are being expended from the RDA. We believe the City, like the PIIC, should have a seat on the RDA Advisory Board. Minnesota Statute Section 116.779, subd. 1 (l). Nuclear power will allow the State of Minnesota and Xcel Energy to achieve the mandates and established goals but the plants that do so will not be there forever. These funds are generated by the nuclear facilities in Red Wing and Monticello and could or should be directed, in part, to ensuring those cities contributions and burdens are recognized and their future relevance and viability is taken into consideration.

This too is not unprecedented. Payments to the PIIC by Xcel Energy for storage of spent fuel (\$50,000 per cask) is supposed to, and will, originate from the RDA. The City should be afforded a seat on the board to assist in the development of the renewables as well as the direction of resources that originate from the casks that are kept in the City.

### **Thank you**

We support, with certain conditions, Xcel Energy's Preferred Plan. We thank you for your service to our State and your consideration of these comments. With questions about these comments or to coordinate future discussions, please contact Marshall Hallock, CPA, at 651-385-3602 or [marshall.hallock@ci.red-wing.mn.us](mailto:marshall.hallock@ci.red-wing.mn.us).

Respectfully submitted,

CITY OF RED WING, MINNESOTA

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Kim Beise, Council President

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Michael Wilson, Mayor





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## Company that leaked radioactive material will build barrier to keep it away from Mississippi River



1 of 2 | FILE - People walk on a trail at the Montissippi County Park near the Xcel Energy Monticello Generating Plant, a nuclear power plant, in Monticello, Minn., March 24, 2023. Xcel Energy, the energy company responsible for leaking radioactive material from its nuclear plant in Monticello, in recent months has announced [Read More](#)

BY TRISHA AHMED

Updated 3:11 PM CST, August 18, 2023

The energy company responsible for [leaking radioactive material](#) from its nuclear plant in Monticello, Minnesota, in recent months has announced that it will build an underground metal barrier to keep affected groundwater away from the nearby Mississippi River.

Xcel Energy said construction will last several weeks and should begin between Friday and Monday, according to a statement [posted](#) on the city of Monticello's website Thursday.

"Constructing the barrier wall is another step the company is taking to try and ensure that the small amount



## Attachment B\_Company that leaked radioactive material...

of tritium still present in the groundwater remains within the plant boundaries and can be safely recovered, stored and reused on site,” Xcel said in the statement.

Xcel discovered in November that about 400,000 gallons (1.5 million liters) of water containing tritium — a radioactive isotope of hydrogen — had leaked from a faulty pipe. The utility made a temporary fix but learned in March that hundreds more gallons of tritium-laced water had leaked, leading to a dayslong [shutdown](#) to fix the pipe.

The leaks were contained within the plant’s boundaries and did not enter the river, the company has said.

Xcel has permanently fixed the source of the leaks, and the plant has returned to normal operations, according to the company’s [website](#) Thursday. About 80% of the leaked tritium has been recovered as of August.

“We will continue recovering impacted groundwater until our monitoring wells indicate the groundwater meets the EPA’s Safe Drinking Water Act standards,” the company’s website said.

The U.S. Environmental Protection Agency [has said](#) water with tritium is safe enough to drink if the amount of tritium is less than 20,000 picocuries per liter.

The tritium level was about 5 million picocuries per liter in November in groundwater within the plant’s boundaries, the company’s website said.

As of August, the highest tritium level was 900,000 picocuries per liter — which is not considered safe enough to drink — within the plant’s boundaries.

In the water adjacent to the Mississippi River, the highest tritium level was 1,000 picocuries per liter, which is safe enough to drink.

Leaked tritium still has not been detected in the river, the company’s website said.

Although the utility and health officials say the leak is not dangerous, the issue has [prompted concerns among residents](#) and raised questions about aging pipelines.

The nuclear plant, which provides carbon-free energy for the region, is about 40 miles (64 kilometers) northwest of Minneapolis.

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Trisha Ahmed is a corps member for the Associated Press/Report for America Statehouse News Initiative. [Report for America](#) is a nonprofit national service program that places journalists in local newsrooms to report on under-covered issues. Follow Trisha Ahmed on Twitter: [@TrishaAhmed15](#)