

April 6, 2009

Mr. David A. Christian
President and Chief Nuclear Officer
Dominion Energy Kewaunee, Inc.
Innsbrook Technical Center – 2SW
5000 Dominion Blvd.
Glen Allen, VA 23060-6711

SUBJECT: ISSUANCE OF ENVIRONMENTAL SCOPING SUMMARY REPORT
ASSOCIATED WITH THE STAFF'S REVIEW OF THE APPLICATION BY
DOMINION ENERGY KEWAUNEE, INC., FOR RENEWAL OF THE
OPERATING LICENSE FOR KEWAUNEE POWER STATION (TAC NO.
MD9409)

Dear Mr. Christian:

The U.S. Nuclear Regulatory Commission (NRC) conducted a scoping process, from October 9, 2008 through December 8, 2008, to determine the scope of the NRC staff's environmental review of the application for renewal of the operating license for Kewaunee Power Station. As part of the scoping process, the NRC staff held two public environmental scoping meetings in the Town of Carlton, Wisconsin, on October 22, 2008, to solicit public input regarding the scope of the review. The scoping process is the first step in the development of a plant-specific supplement to NUREG-1437, "Generic Environmental Impact Statement for License Renewal of Nuclear Plants (GEIS)," for Kewaunee Power Station.

The NRC staff has prepared the enclosed environmental scoping summary report identifying comments received at the October 22, 2008 license renewal environmental scoping meetings, by letter, and by electronic mail. In accordance with 10 CFR 51.29(b), all participants of the scoping process will be provided with a copy of the scoping summary report. The transcripts of the scoping meetings are publicly available at the NRC Public Document Room (PDR), located at One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852, or from the NRC's Agencywide Documents Access and Management System (ADAMS).

The ADAMS Public Electronic Reading Room is accessible at <http://adamswebsearch.nrc.gov/dologin.htm>. The transcripts for the afternoon and evening meetings are listed under Accession Nos. ML083190734 and ML083190744, respectively. Persons who do not have access to ADAMS, or who encounter problems in accessing the documents located in ADAMS, should contact the NRC's PDR reference staff by telephone at 1-800-397-4209, or 301-415-4737, or by e-mail at pdr@nrc.gov.

D. Christian

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The next step in the environmental review process is the issuance of a draft supplement to the GEIS scheduled for October 2009. Notice of the availability of the draft supplement to the GEIS and the procedures for providing comments will be published in an upcoming *Federal Register Notice*.

If you have any questions concerning the NRC staff review of this LRA, please contact Ms. Sarah Lopas, Environmental Project Manager, at 301-415-1147 or by e-mail at sarah.lopas@nrc.gov.

Sincerely,

/RA/

David L. Pelton, Chief
Projects Branch 1
Division of License Renewal
Office of Nuclear Reactor Regulation

Docket No. 50-305

Enclosure:
As stated

cc w/encl: See next page

D. Christian

-2-

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If you have any questions concerning the NRC staff review of this LRA, please contact Ms. Sarah Lopas, Environmental Project Manager, at 301-415-1147 or by e-mail at sarah.lopas@nrc.gov.

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Office of Nuclear Reactor Regulation

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Enclosure:
As stated

cc w/encl: See next page

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ADAMS Accession No. **ML090770880**

OFFICE	LA:DLR	PM:DLR:RPB1	PM:DLR:RPB1	OGC	BC:DLR:RPB1
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Letter to D. Christian from D. Pelton, dated April 08, 2009

DISTRIBUTION:

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ASSOCIATED WITH THE STAFF'S REVIEW OF THE APPLICATION BY
DOMINION ENERGY KEWAUNEE, INC., FOR RENEWAL OF THE
OPERATING LICENSE FOR KEWAUNEE POWER STATION (TAC NO.
MD9409)

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Kewaunee Power Station

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Kewaunee Power Station

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**Environmental Impact Statement
Scoping Process**

Summary Report

**Kewaunee Power Station
Kewaunee, Wisconsin**

April 2009



**U.S. Nuclear Regulatory Commission
Rockville, Maryland**

ENCLOSURE

Introduction

On August 14, 2008, the Nuclear Regulatory Commission (NRC) received an application from Dominion Energy Kewaunee, Inc. (DEK) for renewal of the operating license of Kewaunee Power Station (KPS). KPS is located on the west-central shore of Lake Michigan in Kewaunee County, Wisconsin, approximately 30 miles east-southeast of Green Bay and 8 miles south of the City of Kewaunee. As part of the application, DEK submitted an environmental report (ER) prepared in accordance with the requirements of 10 CFR Part 51. 10 CFR Part 51 contains the NRC requirements for implementing the National Environmental Policy Act (NEPA) of 1969 and the implementing regulations promulgated by the Council on Environmental Quality (CEQ). Section 51.53 outlines requirements for preparation and submittal of environmental reports to the NRC.

Section 51.53(c)(3) was based upon the findings documented in NUREG-1437, "Generic Environmental Impact Statement for License Renewal of Nuclear Power Plants," (GEIS). The GEIS, in which the staff identified and evaluated the environmental impacts associated with license renewal, was first issued as a draft for public comment. The staff received input from Federal and State agencies, public organizations, and private citizens before developing the final document. As a result of the assessments in the GEIS, a number of impacts were determined to be small and to be generic to all nuclear power plants. These were designated as Category 1 impacts. An applicant for license renewal may adopt the conclusions contained in the GEIS for Category 1 impacts, absent new and significant information that may cause the conclusions to fall outside those of the GEIS. Category 2 impacts are those impacts that have been determined to be plant-specific and are required to be evaluated in the applicant's ER. The Commission determined that the NRC does not have a role in energy planning decision-making for existing plants, which should be left to State regulators and utility officials. Therefore, an applicant for license renewal need not provide an analysis of the need for power, or the economic costs and economic benefits of the proposed action. Additionally, the Commission determined that the ER need not discuss any aspect of storage of spent fuel for the facility that is within the scope of the generic determination in 10 CFR 51.23(a) and in accordance with 10 CFR 51.23(b). This determination was based on the Nuclear Waste Policy Act of 1982 and the Commission's Waste Confidence Rule, 10 CFR 51.23.

On October 9, 2008, the NRC published a Notice of Intent in the *Federal Register* (73 FR 59678), to notify the public of the staff's intent to prepare a plant-specific supplement to the GEIS regarding the renewal application for the KPS operating license. The plant-specific supplement to the GEIS will be prepared in accordance with NEPA, CEQ guidelines, and 10 CFR Part 51. As outlined by NEPA, the NRC initiated the scoping process with the issuance of the *Federal Register Notice*. The NRC invited the applicant, Federal, State, and local government agencies, local organizations, and individuals to participate in the scoping process by providing oral comments at the scheduled public meetings and/or submitting written suggestions and comments by December 8, 2008. The scoping process included two public scoping meetings, which were held at the Carlton Town Hall in Carlton, Wisconsin on October 22, 2008. The NRC issued press releases, placed ads in two local papers, and distributed flyers locally. Approximately 60 people attended the meetings. Both sessions began with NRC staff members providing a brief overview of the license renewal process and the NEPA process. Following the NRC's prepared statements, the meetings were open for public

ENCLOSURE

comments. Eleven attendees provided either oral comments or written statements that were recorded and transcribed by a certified court reporter. The transcripts of the meetings can be

found as an attachment to the meeting summary, which was issued on November 17, 2008. The meeting summary is available for public inspection in the NRC Public Document Room (PDR), located at One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852, or from the NRC's Agencywide Documents Access and Management System (ADAMS). The ADAMS Public Electronic Reading Room is accessible at <http://www.nrc.gov/reading-rm/adams/web-based.html>. The accession number for the meeting summary is ML083090452. Persons who do not have access to ADAMS, or who encounter problems in accessing the documents located in ADAMS, should contact the NRC's Public Document Room reference staff by telephone at 1-800-397-4209, or 301-415- 4737, or by e-mail at pdrr@nrc.gov.

The scoping process provides an opportunity for public participation to identify issues to be addressed in the plant-specific supplement to the GEIS and highlight public concerns and issues. The Notice of Intent identified the following objectives of the scoping process:

- Define the proposed action
- Determine the scope of the supplement to the GEIS and identify significant issues to be analyzed in depth
- Identify and eliminate peripheral issues
- Identify any environmental assessments and other environmental impact statements being prepared that are related to the supplement to the GEIS
- Identify other environmental review and consultation requirements
- Indicate the schedule for preparation of the supplement to the GEIS
- Identify any cooperating agencies
- Describe how the supplement to the GEIS will be prepared

At the conclusion of the scoping period, the NRC staff reviewed the transcripts and all written material received, and identified individual comments. Five letters and one e-mail containing comments were also received during the scoping period. All comments and suggestions received orally during the scoping meetings or in writing were considered. Each set of comments from a given commenter was given a unique alpha identifier (Commenter ID letter), allowing each set of comments from a commenter to be traced back to the transcript, letter, or email in which the comments were submitted. Some commenters submitted comments through multiple sources (e.g., written statement and afternoon scoping meeting).

Comments were consolidated and categorized according to the topic within the proposed supplement to the GEIS or according to the general topic if outside the scope of the GEIS. Comments with similar specific objectives were combined to capture the common essential issues that had been raised in the source comments. Once comments were grouped according

to subject area, the staff determined the appropriate action for the comment.

Table 1 identifies the individuals providing comments and the Commenter ID letter associated with each person's set(s) of comments. The Commenter ID letter is preceded by KPS (short for Kewaunee Power Station scoping). For oral comments, the individuals are listed in the order in which they spoke at the public meeting. Accession numbers indicate the location of the written comments in ADAMS.

TABLE 1 - Individuals Providing Comments During the Kewaunee Power Station Scoping Comment Period

Commenter ID	Commenter	Affiliation (If Stated)	Comment Source	ADAMS Accession Number
KPS-A	Dave Hardtke	Local Citizen	Afternoon Scoping Meeting; Evening Scoping Meeting	ML083190734; ML083190744
KPS-B	Stanley Lacrosse	Local Citizen	Afternoon Scoping Meeting; Written Comments	ML083190734; ML083100095; ML090440072
KPS-C	Ken Papham	Town of Carlton Board Supervisor	Afternoon Scoping Meeting	ML083190734
KPS-D	Francis Wojta	Local Citizen	Afternoon Scoping Meeting	ML083190734
KPS-E	Rich Langan	Congressman Steve Kagen's Office	Afternoon Scoping Meeting	ML083190734
KPS-F	Bob Garfinkel	Kewaunee County Board; Literacy Partners of Kewaunee County	Afternoon Scoping Meeting	ML083190734
KPS-G	Jennifer Brown	Kewaunee County Economic Development Corporation	Afternoon Scoping Meeting	ML083190734
KPS-H	Lori Hucek	Kewaunee County Emergency Management	Afternoon Scoping Meeting	ML083190734
KPS-I	Jim Soletzki	State of Wisconsin Assembly Representative	Afternoon Scoping Meeting; Written Comment	ML083100092
KPS-J	Mr. Carrole	Local Citizen	Evening Scoping Meeting	ML083190744
KPS-K	Steve Tadisich	Local Citizen	Evening Scoping Meeting	ML083190744
KPS-L	Bob Ziegelbauer	State Representative, 25 th Assembly District; Manitowoc County Executive	Letter	ML083100586; ML083100094

Commenter ID	Commenter	Affiliation (If Stated)	Comment Source	ADAMS Accession Number
KPS-M	Nancy Crowley	Manitowoc County Emergency Services Coordinator	Letter	ML083100093
KPS-N	Gregory Veith	IUOE Local 310 President; Dominion Energy Kewaunee, Inc.	E-mail	ML083380455

The comments and suggestions received as part of the scoping process are documented in this section and the disposition of each comment is discussed. Comments are grouped by category. The categories are as follows:

1. Comments Expressing Support for License Renewal
2. Comments Concerning Taxes and Distribution of Revenues
3. Comments Concerning Spent Fuel Storage

Each comment the NRC received during the environmental scoping period for the KPS license renewal environmental review is contained in the following pages. For reference, the unique identifier for each comment (Commenter ID letter listed in Table 1 plus the comment number) is provided. In those cases where no new environmental information was provided by the commenter, no further evaluation will be performed.

The preparation of the plant-specific supplement to the GEIS (which is the SEIS) will take into account all the relevant issues raised during the scoping process. The SEIS will address both Category 1 and 2 issues, along with any new information identified as a result of scoping. The SEIS will rely on conclusions supported by information in the GEIS for Category 1 issues, and will include the analysis of Category 2 issues and any new and significant information. The draft plant-specific supplement to the GEIS will be made available for public comment. The comment period will offer the next opportunity for the applicant, interested Federal, State, and local government agencies, local organizations, and members of the public to provide input to the NRC's environmental review process. The comments received on the draft SEIS will be considered in the preparation of the final SEIS. The final SEIS, along with the staff's Safety Evaluation Report (SER), will provide much of the basis for the NRC's decision on the DEK license renewal application.

Kewaunee Power Station Public Scoping Meeting Comments and Responses

1. Comments Expressing Support for License Renewal

Comment: Well, I wanted to talk about how Dominion has helped our, our groups, okay. First of all I, I was aware of, a little bit about the problems the town of Carlton is having through Linda Sincula, if you're a local you know who she is. I'm on the county board. We've talked about this but there's a lot of, a lot of stuff here that I had no idea about it. And I guess I'm just kind of

jumping into the fire here. I'm going to look at the other side of Dominion. The community, the involvement area, is that okay that I -- Okay. I'm on the county board and I've, I'm the promotion and recreation committee. And the last couple of years Dominion has helped out, helped us out with various projects in our county parks providing people from Dominion who are released for the day they come out and, and they help us fix up the, the parks, paint, repair things. We have a recreation and promotion department right of two full time people and they work on seven or eight different parks plus the fair grounds. And they've, Dominion has helped us a lot in that area. I'm also the, the president of Literacy Partners of Kewaunee County. We, we teach adults how to read and write. And in some case speak English. Dominion has been crucial in the, in the area of funding and not only funding, Mark Cans from Dominion has been in on our five year plan and helped us with other things. We've developed a library. They've helped us with a recognition night which honors our students, our tutors and our donors. So Dominion has been a good neighbor to us. Maybe not to the Town of Carlton but they've helped us a lot in our endeavors. (KPS-F)

Comment: I am the executive director of Kewaunee County Economic Development Corporation. And I also did not know the issues that the Town of Carlton was having. I certainly sympathize. And the reason that I'm here today is to talk more about the economic environment. Obviously being from an economic development standpoint and I have worked closely with Mark Cans on a number of, of things. And certainly from the health of Kewaunee County's local economy obviously Dominion has been and is one of our largest employers and certainly has provided quality jobs to the community and the county for a long time. And certainly I think that, you know, that the wages that they provide to the community are certainly speak for themselves and the quality jobs and certainly the people that get active in the community obviously as Bob has stated is certainly raises the quality of life in the community to a level that is very important and has a significant impact on this county. So that's very relevant. And also as Bob has mentioned already the level of giving, the corporate citizenship of Dominion has had a significant impact on, on this county as well from an economic development standpoint. Certainly they were significant in getting the economic development corporation off the ground and also they've been involved in the, the food processing incubator which has launched a number of small business owners and really that's instrumental. It's, Bob and I were talking beforehand about how important it is and how, how difficult it is to really assist with, you know, businesses, business retention within the county and especially in these difficult economic times. It's so very important and to have good corporate citizenship is, is really important. And Dominion has done that. So that's really all I have to say, thanks. (KPS-G)

Comment: Well, thank you for giving me the opportunity to speak as well. Actually my name is Lori Hucek. I'm the Emergency Management director for Kewaunee County and I too want to just reiterate some of the things that we work with the plant. I have to say that if it wasn't for the plant, Kewaunee County would not be as prepared as we are today for any type of an event that would happen. With the plant and the planning that we have to do we are forced to work together under the incident command system to do what we have to do to respond to emergencies. And I have to say with the planning that we've done we are ready for any type of an emergency that could happen in Kewaunee County because our people have worked together for a number of years, well since the plant has been erected here and they are familiar with the things that they have to do to accomplish that and work together as a team. I work very closely with the emergency planning team at the plant and they integrate with us in our training programs so they understand at the plant's perspective on a local level what we need, what we

have to train for, and they train with, right with us if we ask them to. So I'm just happy with that,

the type of partnership that we have formed with them and hope that we can continue that for future years. (KPS-H)

Comment: I'm a state representative in the City of Green Bay. And I serve on the Energy and Utilities Committee in Madison. And we've had votes on lifting the moratorium on, on construction of nuclear plants in Wisconsin. And in the spirit of complete disclosure I have worked at the Kewaunee Nuclear Plant from 1972 to 2006 off and on. And that's a number of years I spent out there. So I wish to express my strong support for the Kewaunee Power Station being granted a 20 year extension to the reactor license. Since 1974 almost 35 years now the Kewaunee Power Station has operated with exemplary performance. It generates 560 megawatts of electricity from a single unit that is enough energy to meet the needs of 140,000 homes. The energy that it produces through the use of nuclear power is cheap, safe and reliable. As we try to balance the growing demand for energy and the need for reducing carbon emissions the use of nuclear power is an important component. It would be a major step backwards if Wisconsin did not continue to produce inexpensive non combustion able electricity at the Kewaunee Power Station. And hopefully some day expand the use of this important component in addressing our energy and greenhouse gas environmental concerns. Given its sound record and our need for clean reliable energy it would be a grave mistake not to renew the Kewaunee Power Station license. Wisconsin currently imports 15 percent of our electric needs and it would be a mistake to allow that deficit to grow. Not only would we lose the support, the source of energy we would lose hundreds of good paying family supporting jobs creating a ripple effect and the loss of good neighbors. As we are seeing happen, that's something that we are seeing happening in Kimberly and Janesville. When good jobs are lost all the community suffers. Wisconsin can ill afford more lost jobs in our struggling economy. I strongly urge that the license renewal be granted. (KPS-I-1)

Comment: I wish to express my strong support for the Kewaunee Power Station being granted a 20-year extension to the reactor license.

Since 1974, almost 35 years now, the Kewaunee Power Station has operated with exemplary performance. It generates 568 megawatts of electricity from its single unit. That is enough energy to meet the needs of 140,000 homes. The energy that it produces through the use of nuclear power is cheap, safe and reliable.

As we try to balance the growing demand for energy and the need for reducing carbon emissions, the use of nuclear power is an important component. It would be a major step backwards, if Wisconsin did not continue to produce inexpensive, non-combustion electricity at the Kewaunee Power Station. And, hopefully, someday expand the use of this important component in addressing our energy and green house gas environmental concerns.

Given its sound record and our need for clean reliable energy, it would be a grave mistake not to renew the Kewaunee Power Station license. Wisconsin currently imports 15% of our electrical energy needs and it would be a mistake to allow that deficit to grow. Not only would we lose this important source of energy, we would lose hundreds of good paying family supporting jobs, creating a ripple effect and the loss of good neighbors. As we are seeing happening in Kimberly

and Janesville, when good jobs are lost all of the community suffers. Wisconsin can ill afford more lost jobs in our struggling economy. I strongly urge that the license renewal be granted. (KPS-I-2)

Comment: We highly value the Kewaunee Power Station as an important part of our community. The former owners, Wisconsin Public Service, and now Dominion Energy Kewaunee, have been good neighbors to the people of Manitowoc County since the plant began operating. Throughout that time, the plant has performed at the highest levels of quality. KPS owners and operating staff have demonstrated an ongoing and sincere concern for the well being of Northeastern Wisconsin communities as well as the entire state of Wisconsin.

I am pleased to take this opportunity to offer these thoughts in my unequivocal support of their application for license renewal. (KPS-L)

Comment: I provide this letter in my capacity as the Emergency Management Director for Manitowoc County as you consider the renewal of the Kewaunee Power Station's operating license. I have been especially impressed with the high value Dominion Energy Kewaunee places on employee, plant, and community safety.

During my twenty seven years as the Manitowoc County Emergency Management Director, I have coordinated and facilitated numerous emergency drills and exercises with the Kewaunee Station. There has been an obvious improvement in the quality of those activities in recent years, with a noticeable interest shown by Dominion Corporate staff through increased attendance at county and state planning meetings and actual drill and exercise events. That involvement demonstrates that this company takes plant and offsite safety seriously, which is something that I value as Manitowoc County's Emergency Management Director. (KPS-M)

Comment: My name is Greg Veith. I am the President of IUOE Local 310, the labor union that represents 1200 utility workers in northeast Wisconsin. 170 of these members work at the Kewaunee Nuclear power station. I have worked at Kewaunee for 28 years, all in the Operations department. I received an RO license in 1987 and currently hold an SRO license received in 1990 (Docket # 50-305). I support Dominion's request for license renewal based on plant health, community involvement, employment opportunities, financial contributions and environmental considerations.

The health of the Kewaunee Power Station gets better every day. The facility has relatively new steam generators and Dominion has demonstrated in just 3 years a willingness to invest the capital needed to fix or prevent problems. The replacement of the main transformers, scheduled heater drain pump upgrades, and charging pump improvements are just 3 examples of major projects that have or will improve the operability of Kewaunee. The investment in dry cask storage of used fuel assemblies is a testament to Dominion's long term commitment. Dry cask storage requires a financial investment that does not directly contribute to megawatts produced, but makes a strong statement that the facility is here for the long term. Yes, it can be stated that Kewaunee is 35 years old, but it should be noted that many improvements and replacements have occurred over the life of the plant (condenser tube replacement for one) which make the station younger. I have seen two owners and three management teams operate Kewaunee and Dominion has demonstrated time and again that equipment gets fixed, the facility is upgraded and that Dominion is here for the duration.

Dominion is an excellent corporate neighbor. Since 2006, Dominion has contributed \$264,000 to nonprofit organizations in the Kewaunee, Brown, and Manitowoc county areas as well as some other surrounding areas. In particular, Dominion has contributed \$12,000 to the Ag Heritage Farm; contributions to local schools in support of PTO, Spanish class trip and new electronic sign; \$20,000 to the Lakeshore Technical College Foundation for the Health Physics/Radiation Safety Pilot; \$3500 annually to the Manitowoc/Two Rivers Chamber of Commerce Foundation Junior Leadership Program; \$5000 to the Woodland Dunes Nature Center and Preserve Environmental Education programs; and \$54,000 to the United Way. As important financial support is to these worthy organizations, Dominion also encourages and supports employee participation in community and civic activities through flexible work schedules and allowed time away from work. Dominion is also fully aware of the facility's impact on the local area and continually reminds employees of the importance of being good neighbors in our work and travel to and from the plant.

The Kewaunee Power station provides employment for approximately 450 families. These jobs are secure and offer competitive compensation. These employees live and spend money in the local communities and along with the day to day cost of operating the facility, provide a significant share of the area's financial well being. The loss of this facility would have far reaching negative affects on the local communities as well as Wisconsin. On a global scale, as concern for green house emissions grows, nuclear power's contribution to the nation's electrical needs with little impact on the environment increases its worth as a viable energy source. Now is the time to continue and grow the use of nuclear power.

Finally, the new training building encapsulates much of what Dominion is accomplishing in Wisconsin. This structure does not directly contribute to megawatts produced, but does provide a state of the art facility where employees are trained to operate the power station in a safe manner. It is a commitment to the future. But Dominion went a step further situating this building outside the secure area and offering it to the surrounding communities for meeting needs. Every time I view the new training facility I see commitment to safe operation, commitment to the future, and commitment to neighbors.

Dominion is an experienced nuclear plant operator and has earned the right to continue operating Kewaunee for another 20 years. Dominion has demonstrated commitment to the facility, the local communities, the employees and the safe operation of nuclear power plants. It is for these reasons that I request the Nuclear Regulatory Commission grant Dominion's request to renew the operating license of the Kewaunee Nuclear Power Station.

Should there be any questions about these comments or if I may be of assistance in any way concerning this matter, please do not hesitate to contact me.

Thank-you for you time and consideration of this matter. I look forward to the NRC's favorable ruling. (KPS-N)

Response: *The comments are noted. The comments are supportive of DEK and license renewal of KPS, and are general in nature. The comments provide no new information and will not be evaluated further.*

2. Comments Concerning Taxes and Distribution of Revenues

Comment: The nuclear plant also pays over \$6 million in utility taxes to the state of Wisconsin every year. Wisconsin is the only state in which that utility does not stay in the municipality where the plant is located. Why is that? All property owners in the town of Carlton are currently paying full taxes as well, and deserve to be compensated. (KPS-B-1)

Comment: One reason the people of the Township of Carlton are upset is the distribution of the money from the utility tax which the Kewaunee Nuclear Power Plant pays. The plant occupies 1000 acres of what was once prime agricultural land. It purchased said land from 13 "small farms" which includes 1 mile of lake frontage where it is possible to walk out to the water's shore. Now the rest of the taxpayers have had to pay extra property taxes to help make up for the lost valuation of those farms. It is simply a matter of getting compensated for what the town has lost. (KPS-B-2)

Comment: Okay. Ms. Lopas you said that your committee oversees the, like land use and the water and the natural resources and all that. I have a question about land use. I'm from the town of Carlton. I live about three miles north of the nuclear plant. The way I understand it right now the utility taxes that we get from having that plant here just about equals the taxes that we would have gotten from homes that would have been built on that property. That means that in my opinion that means that nothing is gained by having the nuclear waste being stored here on this property which is what is going on right now. Above ground is the waste storage. The pools are full. So my question is what, what's going to happen when the plant closes and then the utility tax no longer applies? The waste is still going to be there. We're not getting anything for that waste. What do we have to gain by extending the license, having more and more waste being piled up there, high level waste. That's part of my concern. (KPS-A-1)

Comment: You know, it, it's a shame to listen and we have to listen and it's not fair because I can tell you right now the perception of our town of Carlton by the public service commission, the NRC and all our elected officials as being a tax free township is not true. We pay more taxes than our neighboring town. And this is not right for the simple reason we had 480 signatures out of a possibly I think there's maybe a little over 600 people that are voting in this town and we had 480 signatures against letting them put the caskets on top of the ground unless we get compensated. And our town officials gave them the building permit. They scared them into it. Giving them a line. And this is what's all wrong because they ruined our zoning book because they said they didn't need a variance, they didn't need a conditional use, they didn't need that so they turned around and gave them the building permit and now they don't even, they don't know us no more. They're supposed to work without trying to get a little more money out of the state. The state gets six million, very close, for utility tax but none of it stays. We have to share it with the county for 19 percent.

And I have to sort of correct Cindy a little bit. If they could put this town back the way it was without the nuclear plant we would pay less taxes. And this is what really makes it bad because in 1968 when they broke ground they bought this land real cheap. And the state says the assessor will be within ten percent of 100 so the assessor has to keep raising the rest of us to make up the difference so that's why our taxes are higher than the Town of Franklin or the Town

of Kewaunee. And I don't think this is right and that's why I'm opposing it and all the 480 signatures are opposing relicensing that plant until this gets settled.

I've got them all, all our officials, even the governor. They want to take the moratorium off to build a nuclear plant because it's the safest, the cleanest. Like I wrote in a letter to them when I sent them all the signatures. Where are you going to put the waste. We've stored it for 34 years under water and we finally got 50,000 and then Dominion devaluated the plant and we lost, how much? \$37,000. Now you just said just a few minutes ago that they update, update, update. It's running at full capacity. How come you can devalue it? I mean that's not your doing, but it, that's lost us \$37,000. (KPS-B-3)

Comment: I would like to like to make a little comment on that. It's only pocket change for Dominion. But at the same time -- all this volunteer that we have to take is on our fire departments. And the fire departments don't get a penny to do exactly what Dominion wants to get in so that everything is perfect. Us guys never get a penny. We don't even get paid for the gas in the, in the trucks that do all the running. So I don't -- The volunteer, the volunteer fire departments don't get paid. (KPS-B-4)

Comment: I'd like to differ with that. They do get paid. Any type of response that they have with us whether it's training or for real they bill us. We pay them from our county's budget that we get reimbursed from the plant. If a person has to take off of work we pay their wages that day because they have responded to a training or an exercise or a real event. That is not true. (KPS-H-2)

Comment: If NRC can come over here and overrule our zoning because they are that big and they can step on us, it's like I told our state senator, we have only 600 voting people in the town and you don't give a damn about us. And that was Herb Cole. And it's the same with Kagen's office and it's the same with everyone of them. We met with them all. And Gary Visor is the only one that is trying to fight for us. But the State of Wisconsin is the only state that takes all the utility tax and sends back what they want. (KPS-J-1)

There's no incentive for Yucca Mountain to have something done when the rods can be stored at the facility when they get 95 percent of the money. We get the five percent of the money where I think if we got compensated at the very least maybe Yucca Mountain would say hey this is goes here we should get that. That's just the way I feel. (KPS-D-1)

Response: *The KPS SEIS will include a discussion of the regional tax structure and distribution of the present revenues to each jurisdiction and district, however, the NRC has no role in how states and local jurisdictions tax their utilities, assess power plant value, or how tax money is distributed. These comments will not be addressed in the KPS SEIS.*

3. Comments Concerning Spent Fuel Storage

Comment: I'm Ken Paplham. I'm on the town board here for 34 years as supervisor. And back in January of '93 the town board passed a resolution that there would be no outdoor storage at the power plant. We passed a resolution at that time. And now we're getting these stored outside and I think the municipality should be compensated from the federal government of \$250,000 a year plus \$40,000 for each containment that's stored there as long as they're stored

there. I don't know why these municipalities have to put up with this storage when we had a resolution back in '93 that there was going to be no storage. I know the plant is in problems with Yucca Mountain but so I think something has to be done. Why should we live with that and like Cindy said right out in the open and Yucca Mountain is going to be a mile under the ground or in the, in a shaft there so. (KPS-C-1)

Comment: I am sending this letter to our officials on behalf of the citizens and taxpayers from the Town of Carlton, in Kewaunee County. State and Federal officials need to take a good look at an alternative storage facility in order to keep the Kewaunee Nuclear Power Plant in operation. The storage the plant has in existence will soon be depleted; by the year 2011 operation may have to be suspended until a suitable solution is found. We have come to know that nuclear energy is the most affordable, cleanest, most reliable, and safest way to achieve the emission savings that our nation has to strive for. That is why it is important to address this matter with the attention it deserves.

The nuclear plants new owners, Dominion, recently came to the town meeting seeking approval to construct the dry storage facility for spent fuel rods on site. This is due to the fact that the pools which currently store the spent rods are reaching their maximum capacity. It had been promised by the Wisconsin Public Service that the rods were to be moved to Yucca Mountain, yet they are unfairly being forced to be stored in the town without being fully compensated. The nuclear plant has paid millions, if not billions, of dollars to the Federal Government over more than a 30 year span for a place to store the spent rods. And yet, regrettable, nothing has ever happened. Every spent rod since operation began in 1974 is still stored at the plant site.

The dry storage location needs serious consideration. If nuclear power is less expensive than coal or natural gas, as well as cleaner, all the more important to work our hardest to maintain operation of the Kewaunee nuclear plant. We need our State and US Senators as well as Representatives to help do what is necessary and fair for the property owners here in the town of Carlton. The need for this dry storage is present and understood; let us work together for the benefit of everyone to create a workable solution. (KPS-B-5)

Comment: "We the undersigned believe that if Dominion (Kewaunee Nuclear Power Plant) is allowed to construct the dry storage facility on site which is being proposed the land owners of the town of Carlton should be compensated accordingly. Meaning until the spent rods are moved to an alternate location, only then would it be fair if compensation were to cease." (KPS-B-6)

The complete petition is available at accession number ML083100095.

Comment: We have sent this letter to our officials on behalf of the citizens and taxpayers from the Town of Carlton, in Kewaunee County. State and Federal officials need to take a good look at an alternative storage facility in order to keep the Kewaunee Nuclear Power Plant in operation. The storage the plant has in existence will soon be depleted; by the year 2011 operation may have to be suspended until a suitable solution is found. We have come to know that nuclear energy is the most affordable, cleanest, most reliable, and safest way to achieve the emission savings that our nation has to strive for. That is why it is important to address this matter with the attention it deserves.

Another concern is the “promise” once made that the spent fuel rods from this plant would be moved to Yucca Mountain, that has failed to happen as of yet. We are all concerned for our well-being and also that of our families and neighbors, the entire community. We believe this is God’s country and need to protect what we have for our future generations, our grandchildren and great-grandchildren.

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The dry storage location needs serious consideration. If nuclear power is less expensive than coal or natural gas, as well as cleaner, all the more important to work our hardest to maintain operation of the Kewaunee nuclear plant. We need our State and US Senators as well as Representatives to help do what is necessary and fair for the property owners here in the town of Carlton. The need for this dry storage is presenting and understood; let us work together for the benefit of everyone to create a workable solution. (KPS-B-7)

Comment: Resolution of Conditional Approval

The Town Board of the Town of Carlton, Kewaunee County, Wisconsin, meeting in a regularly scheduled session on the 12 day January, 1993, upon consideration of the matter and upon vote duly taken, hereby resolves that:

The Town Board of the Town of Carlton, Kewaunee County, Wisconsin, approves and supports the proposal before the State of Wisconsin to modify the addendum payment formula of utility tax if, and only if, all affected utilities are prohibited by law from moving or removing any spent fuel currently stored in pools, or to be stored in pools in the future, unless such removal is for the sole purpose of immediate transport out of the Town of Carlton.

The basis for this Resolution is that the Town Board strongly believes that the remuneration to the Town of Carlton from and on behalf of the nuclear power plant in the Town is unfairly and disproportionately low, in light of the environmental and

health risks to the residents, livestock, and land of the town of Carlton and surrounding communities. (KPS-B-8)

The above Resolution is available at accession number ML090440072. Town of Carlton board meeting proceedings dated May 13, June 10, and July 10, 2008, were attached to the resolution, and are also available at ML090440072.

Comment: How can it be just as safe above ground with a fence around it compared to being under the ground about a mile under the ground with a 5000 I believe, 5000 foot high mountain on top of it? How can it be just as safe sitting out there a few miles from my house and who knows how long it's going to sit there? (KPS-A-2)

Comment: My name is Stanley Lacrosse and I've lived in this town for 54 years and I've heard nothing but lies all the way through. I've attended every meeting. And what I'm against, strongly oppose licensing this plant until we get these issues solved for the simple reason we have these caskets up there. We have to take your word for it, the NRC word for it that they're safe. And you say they'll be moved. That's not true. They'll never move because I got the CRS report updates since October of 2008 and it says right in there possibly the year 2020 they might start receiving. But it also states that if everyone goes there there's not enough room. So you know the furthest one away will never go. (KPS-B-9)

Comment: Yeah, I'm Francis Wojta. I'm just a dairy farmer down the road. I'm probably just an average joe farmer. But, whoops, I just, you know, the NRC takes care of the licensing process, the DOE takes care of the energy process of it. And I know it's, the federal government is a big bureaucracy. And if somehow they could get together because we say our concerns to you well that's the department, DOE, you have to talk to those people. And we never, the local people never get clear cut answers, you know. You started out with public service they said no rods would be stored here. Dominion came, we have rods stored here. They're a good partner I feel and they do everything safely. We feel safe with the plant but now we're storing nuclear rods. Part of the, part of our tax money goes to pay for the electric bill, goes to Washington for fuel storage which is supposed to go to Yucca Mountain. So Yucca Mountain gets 95 percent of our tax money to build Yucca Mountain that was supposed to be done in 1998. Now they're saying it's supposed to be done in 2018, okay. Or whatever date it's supposed to be done. We aren't sure of that, okay. Here the rods sit here. There's no incentive for Yucca Mountain to have something done when the rods can be stored at the facility when they get 95 percent of the money. We get the five percent of the money where I think if we got compensated at the very least maybe Yucca Mountain would say hey this is goes here we should get that. That's just the way I feel. (KPS-D-2)

Comment: I just want to inform you a little bit that 26 plants already have gotten billions of dollars from the Department of Energy. One just got 56 million last March. So it's, the Department of Energy is paying it out but it is not coming from the, the nuclear fund. It has come from us taxpayers. (KPS-C-2)

Comment: I'm from Congressman Kagen's office. Okay. When we talk about suing the federal government what happens is that anybody who is served by a nuclear power plant there's a surcharge put on your electric bill. I live in Ashwaubenon and a couple of communities away. It's served by and I pay a surcharge. That surcharge goes into a big pot of dollars to the Department of Energy. The Department of Energy holds these dollars for the formulation of a place like Yucca Mountain. Now some of these nuclear plants are running out of room. So they're saying what do you want us to do about this federal government you're not taking our garbage. We want the garbage taken out. And the federal government, DOE is saying sorry we can't accept it just yet. So what happens here now is that okay we're going to sue you. Well yes, that's fine, we're not suing the NRC we're going to sue the DOE because the DOE is charged with

formulating Yucca Mountain here. So Congress said okay if you're going to sue we're not going to let this money come from the Yucca Mountain fund. We're going to put a pot of dollars over here in another pot from the general treasury of the United States. And if any nuclear plant is successful in suing the federal government the money will not come out of Yucca Mountain fund it will come out of the general treasury fund. So what happens now is that that money that's coming out of the general treasury fund is not as, has never been issued or given out to municipalities. It has only been given back to the nuclear plant that has successfully sued the government and the only use of this money is for constructing dry cask storages, okay. So that's the long and the short of it. It's only going to be used for construction of casks and it's not going to go back to the municipality that is, right where the light waste is located. So I hope that kind of gives everybody a little bit of heads up on when we are able to sue successfully sue Uncle Sam. (KPS-E)

Comment: Yeah, let's just clear the issue up here. This isn't against Carlton against Dominion. Dominion is a good electrical provider and that. We need, we need power. Nuclear power is, we hope it's safe. The big problem with nuclear power is the waste issue. Dominion's good as far as civil projects and helping people out and being a good neighbor, okay. We're not against that. We want to get the issue of the, the waste solved and we just don't like to have it here, you know. (KPS-D-3)

Comment: I just want to ask a question here. Do anyone of these people that they would take one of those dry casks in their village or the City of Green Bay. Or like I asked Senator Cole if I put one in his parking lot -- over in the ballpark. You know what the answer is? You know what the answer is? No, no not in my backyard. And Mr. Soletzki said the same thing. Human error. Human error is all it takes just remember that. This is what we're all worried about is that human error. Mr. Munsin said it's so safe. I told him I'll tell you what if it's that safe how about putting it in writing so I can have it recorded in the courthouse that it's good for a hundred years, so then I don't have to worry about my grandkids and my great grandkids. You know I've been here first. (KPS-B-10)

Comment: I think that's what's broken in the system. You stand up there and say it's not your issue. We go to the DOE. DOE is not in control of those rods yet. They belong to Dominion. And so we're stuck with them. So who do we talk to? Dominion says they, they aren't going to settle anything with us. You said you aren't in control. The DOE says they aren't in control but now whose taking responsibility for them? (A-3)

Comment: Well, I've got the CRS report here. And it's an updated one for October 9th. And Yucca Mountain might be ready by the year 2020. It says might be. But it also says that every, every nuclear plant is getting reimbursed from DOE because they're being sued so they'll get it. So this is the big thing right now is when Dominion put in for theirs there was no reason why they couldn't have put in for compensation for this because that would have been an expense for them. (KPS-J-2)

Comment: I'm Steve Tadisich. I'm a resident here. And we're talking about this high level waste storage. How is that going to affect an addition to the plant or any new plants in the state or the United States? Are they going to give new licenses even though Yucca Mountain is not going to be running at the time or are they going to just prorata it kind of and -- then hope that it's

running? The only thing is I was going to say it also says that those spent fuel rods have to be in the water for five years -- before it can go in the casks. (KPS-K)

Comment: Okay. Ms. Lopas you said that your committee oversees the, like land use and the water and the natural resources and all that. I have a question about land use. I'm from the town of Carlton. I live about three miles north of the nuclear plant. The way I understand it right now the utility taxes that we get from having that plant here just about equals the taxes that we would have gotten from homes that would have been built on that property. That means that in my opinion that means that nothing is gained by having the nuclear waste being stored here on this property which is what is going on right now. Above ground is the waste storage. The pools are full. So my question is what, what's going to happen when the plant closes and then the utility tax no longer applies? The waste is still going to be there. We're not getting anything for that waste. What do we have to gain by extending the license, having more and more waste being piled up there, high level waste. That's part of my concern. (KPS-A-1)

Comment: I've got them all, all our officials, even the governor. They want to take the moratorium off to build a nuclear plant because it's the safest, the cleanest. Like I wrote in a letter to them when I sent them all the signatures. Where are you going to put the waste. We've stored it for 34 years under water and we finally got 50,000 and then Dominion devaluated the plant and we lost, how much? \$37,000. Now you just said just a few minutes ago that they update, update, update. It's running at full capacity. How come you can devalue it? I mean that's not your doing, but it, that's lost us \$37,000. (KPS-B-3)

Response: *The safety and environmental effects of spent fuel storage on site have been evaluated by the NRC and, as set forth in the Waste Confidence Rule (10 CFR 51.23), the NRC generically determined that such storage could be accomplished without significant environmental impacts. In the Waste Confidence Rule, the Commission determined that spent fuel can be safely stored onsite for at least 30 years beyond the plants life, including license renewal. Onsite spent fuel storage is considered a Category 1 issue, which was evaluated in the GEIS, NUREG-1437; therefore, accidents would be included within the analysis of the Category 1 issue of on site spent fuel storage. The GEIS is based upon the assumption that storage of the spent fuel onsite is not permanent. The GEIS considered a variety of spent fuel and waste storage scenarios, including onsite storage of these materials for up to 30 years following expiration of the operating license, transfer of these materials to a different plant, and transfer of these materials to an Independent Spent Fuel Storage Installation (ISFSI). For each potential scenario, the GEIS determined that existing regulatory requirements, operating practices, and radiological monitoring programs were sufficient to ensure that impacts resulting from spent fuel and waste storage practices would be SMALL, and therefore were a Category 1 issue.*

Furthermore, requirements for dry cask storage are outside the scope of license renewal. During dry cask storage, spent nuclear fuel must be "encased" in NRC-approved casks. An NRC-approved cask is one that has undergone a technical review of its safety aspects and been found to meet all of the NRC's requirements. These requirements are specified in 10 CFR Part 72. The comments provide no new and significant information and, therefore, will not be evaluated further.

Comment: Okay. My name is Dave Hardtke. I have a question on the financial environmental issue with this plant. If they are allowed to continue to operate we are sitting on a growing pile of

nuclear waste. And when this plant shuts down, and it's going to shut down someday, I have kids and grandchildren in the area, who is going to make up the financial loss to the town when this plant shuts down because we will not be getting any money from the utility tax at that point. And we are sitting on a pile of growing waste out here and some day our kids are going to have to pay the price for it. So I am against the, the license renewal right now. (A-4)

Response: *The economic costs and benefits of the proposed action are inquiries that are, generally, outside of the scope of the environmental review (10 CFR 51.95(c)(2)). While the comment regarding the cost of storing spent fuel on site is noted, it provides no new information and, therefore, will not be evaluated further.*