



PublicService Commission <psc@utah.gov>

CITIZEN NOTICE AND FORMAL PUBLIC COMMENT CONCERNING INDUSTRIAL ENERGY, DATA CENTER, AND NUCLEAR DEVELOPMENTS IN CARBON COUNTY UTAH

1 message

Leo Hardy <lhardylhardy@gmail.com>

Sun, Sep 27, 2026 at 7:35 PM

To: spencercox@utah.gov

Cc: clerks@carbon.utah.gov, engineers@carbon.utah.gov, attorneyoffice@carbon.utah.gov, deqinfo@utah.gov, psc@utah.gov, energy@utah.gov, opa.resource@nrc.gov

CITIZEN NOTICE AND FORMAL PUBLIC COMMENT CONCERNING INDUSTRIAL ENERGY, DATA CENTER, AND NUCLEAR DEVELOPMENTS IN CARBON COUNTY UTAH

TO:

Carbon County Board of Commissioners

Carbon County Planning and Zoning Commission

Carbon County Attorney & County Engineer

Carbon County Clerk / Auditor

Utah State Legislative Delegation (Carbon & Emery Counties)

Office of Governor Spencer J. Cox

Utah School and Institutional Trust Lands Administration (SITLA) Board of Trustees

Utah Division of Water Rights (Southeastern Regional Office)

Utah Division of Waste Management and Radiation Control (DWMRC)

Utah Public Service Commission

Utah Office of Energy Development

U.S. Nuclear Regulatory Commission

DATE: 9/27/26

FROM:

Leo Hardy

[1588 W. Coal Creek Road](#)

Price, Utah 84501

[435-636-9195](#)

REGARDING: Formal Public Scrutiny, Due Diligence, and Community Protections Regarding Proposed Large-Scale Data Centers, Off-Grid Power Generation, and Modular Nuclear Facilities in Carbon County Utah

To Whom It May Concern:

As a tax-paying resident, property owner, and stakeholder in Castle Country, I submit this formal public comment regarding the rapid push to permit and site heavy industrial power generation, AI data centers, and advanced modular nuclear reactors in our community (Wellington, Utah).

While economic diversification and rebuilding our local tax base are vital goals following coal plant retirements, economic growth must not come at the expense of agricultural lifelines, public transparency, water security, or long-term community safety. I urge local, county, and state officials to address the following critical concerns before granting land use permits, rights-of-way, zoning variances, or trust-land leases:

1. Water Rights and Agricultural Protection

Our region operates under strict water constraints where senior agricultural and municipal water rights are critical to the survival of local farms and ranches.

Any project—whether natural gas generation (such as Project Jurassic Spark) or advanced modular reactors (such as Valar Atomics)—must provide legally binding, independent hydrological assessments demonstrating that local aquifers, surface flows, and culinary/irrigation water systems will not be depleted or degraded.

Data center operators claiming to use "waterless" or closed-loop cooling systems must be bound to clear permit conditions prohibiting mid-stream conversions to evaporative water cooling if high summer ambient temperatures strain their electrical chilling systems.

2. Private Property Rights and Eminent Domain

Local government must never use or threaten the power of eminent domain, directly or indirectly, to condemn private agricultural ground, water shares, or rights-of-way for private corporate benefit. Every landowner must have the absolute, uncoerced right to decline purchase offers without administrative retaliation or compulsory condemnation.

3. Untested Commercial Nuclear Deployments and Spent Fuel Storage

Proponents often point to the U.S. Navy to argue that small nuclear reactors are completely routine. Submarines and aircraft carriers operate pressurized light-water reactors backed by an unlimited federal military budget, with a dedicated federal disposal route directly into Idaho National Laboratory and Hanford.

That federal military pipeline is legally unavailable to commercial startups. In contrast: The proposed commercial high-temperature gas-cooled reactor (HTGR) model has never been deployed commercially in a clustered private format in the United States.

With no federal high-level radioactive waste repository, high-temperature spent TRISO fuel pebbles and components will inevitably remain stranded on-site in dry storage casks in our backyard indefinitely.

Local citizens deserve clear, binding answers regarding emergency response training, long-term decommissioning bonding, liability coverage, and radiological monitoring before any pilot technology is scaled into a commercial facility.

4. Meaningful Public Notice and Transparent Due Process

Public trust is undermined when major industrial actions move forward through expedited review, opaque non-disclosure agreements (NDAs), or agendas containing incorrect parcel serial numbers and vague agenda items.

All future hearings, right-of-way agreements, and conditional use permits concerning industrial energy corridors and data centers must provide transparent public notice, accessible geospatial mapping, and

genuine opportunities for resident input.

Public meetings must be scheduled and formatted so working rural residents, farmers, and neighbors directly adjacent to proposed sites can attend, ask questions, and be heard.

Citizen Request for Action

Before issuing final approvals, pipeline transfers, special exceptions, or building permits for these projects, I formally request that our elected officials and regulatory bodies: Impose enforceable water caps and continuous third-party water-monitoring requirements.

Require private developers to post fully funded decommissioning and environmental cleanup bonds upfront to ensure local taxpayers are never left with contaminated land or abandoned infrastructure.

Affirm that county authority will not be used to condemn private land or water for private development.

Host dedicated, widely publicized town halls with independent technical experts—not just developer marketing teams—to answer citizen questions directly.

Respectfully submitted,

Leo Hardy

Resident and Agricultural Landowner in Carbon County Utah