

SUPPORTING DOCUMENTATION FOR THE RECORD

McCracken County Planning Commission | Public Comment | May 27, 2026

Proposed Development at and Adjacent to the Paducah Gaseous Diffusion Plant Superfund Site

PURPOSE OF THIS DOCUMENT

This document is submitted for the official public record in support of public comment delivered at the May 27, 2026 McCracken County Planning Commission meeting. It provides sourced data on five topics:

- The three current and proposed development projects at and adjacent to the Paducah Gaseous Diffusion Plant Superfund site
- The current contamination status of the Superfund site
- The economic return on investment of tax incentives committed to date, benchmarked against national data
- State legislative actions restricting data center development and the primary reasons cited
- The regulatory gap: why no existing federal process evaluates these projects cumulatively

Note: there is a table of contents on the last page of the document.

SECTION 1: The Three Projects — What Is Proposed and Where

Three distinct but geographically overlapping development projects are currently active or proposed in the Paducah area. Each involves nuclear industrial activity. Each is governed by a separate regulatory framework. None has been assessed in combination with the others.

Project	Location	Status	Investment	Permanent Jobs	KY Tax Incentives
General Matter <i>Uranium enrichment (HALEU)</i>	ON the Superfund site 100-acre DOE lease	Lease signed Aug. 2025; NRC licensing underway	\$1.5 billion	140 Over 15 years	\$14 million
Global Laser Enrichment (GLE) <i>Uranium enrichment</i>	ADJACENT to Superfund site 665 acres private land	NRC licensing review active; draft EIS published Mar. 2026	\$1.76 billion	240 Over 15 years	\$98.9 million
TOTALS (confirmed projects only)			\$3.26 billion	380	\$112.9 million

Sources: McCracken County press release (Aug. 5, 2025); Kentucky Cabinet for Economic Development; Governor Beshear office announcement (Mar. 26, 2026); DOE Office of Environmental Management RFO (Jul. 2025); Spectrum News; WPSD Local 6.

IMPORTANT DISTINCTION: GLE's facility is on privately owned land adjacent to — but not on — the federal Superfund reservation. This distinction matters because private land falls outside the CERCLA Federal Facilities Agreement governing the Superfund cleanup, meaning GLE's operations are not required to be assessed in the context of the active remediation next door. The NRC's Environmental Impact Statement evaluates GLE's facility in isolation only.

SECTION 2: Paducah Gaseous Diffusion Plant — Current Contamination Status

The Paducah Gaseous Diffusion Plant operated from 1952 to 2013 and was designated a Superfund site in 1988. The cleanup is active, legally binding, and federally funded — projected to cost \$17 billion and continue through 2065. The following contamination issues remain unresolved as of the most recent EPA and DOE site documentation.

Issue	Detail	Current Status
Cleanup timeline	Federally projected completion: 2065	ACTIVE — 39 years remaining
Total cleanup cost	\$17 billion in federal taxpayer funds	Ongoing appropriations required
Technetium-99	Radioactive fission product; half-life 200,000+ years. Primary contaminant in groundwater.	ACTIVE — pump-and-treat systems running continuously since 1995–1997
TCE plumes	Longest off-site contamination plumes in the entire DOE Environmental Management complex.	ACTIVE — enhanced pump-and-treat system being installed 2025
PFAS contamination	Discovered 2020 at Fire Training Area. 'Forever chemicals' — do not degrade.	MIGRATION NOT UNDER CONTROL as of most recent EPA documentation
PCBs in waterways	Detected in Big Bayou Creek and Little Bayou Creek — tributaries of the Ohio River.	Warning signs posted; surface water use restricted
Transuranics	Plutonium and neptunium detected in North-South Diversion Ditch adjacent to major buildings.	Not contained; exposed
C-400 Complex	Primary source of TCE groundwater plumes. Record of Decision anticipated 2024; fieldwork begun 2025.	Most intensive remediation phase NOW UNDERWAY

Sources: EPA Superfund Site Profile — Paducah Gaseous Diffusion Plant; DOE Office of Environmental Management Site Summary (2024); Kentucky Federal Facilities Agreement; Congressional testimony on PGDP site conditions; DOE EM 2025 progress reports.

SECTION 3: The Real Economic Return on Investment — A Complete Analysis

This section presents a complete accounting of what McCracken County will likely receive from the proposed development — and what it will pay or forgo in return. Unlike the headline investment figures announced by state and local officials, this analysis distinguishes between real, confirmed revenue flows and real, confirmed costs — and identifies where the critical unknowns lie.

AN IMPORTANT CLARIFICATION ON THE \$112.9 MILLION FIGURE: The \$112.9 million in tax incentives committed to GLE and General Matter does not represent money taken from McCracken County's existing budget. It represents future tax revenue that these projects themselves will generate — but that the companies will keep rather than pay to the county. This is a critical distinction. The correct argument is not 'we lost \$112.9 million we already had.' The correct argument is: 'These projects will generate significant tax activity — and the county has agreed to give most of it back to the companies. The question is whether what remains is worth what we are taking on.' Below is the analysis needed to answer that question.

3A. What McCracken County Will Actually Receive — Benefits Side

The following estimates are based on publicly available information about wages, job counts, and Kentucky tax rates. They represent the county's realistic revenue from these projects — before accounting for incentive programs that reduce or redirect that revenue.

Revenue source	How it's calculated	Estimated amount	Duration	Caveats
McCracken County occupational tax — GLE permanent jobs	240 workers × \$128,960 avg. wage (\$62/hr incl. benefits) × 1% county occupational tax	~\$309,504/yr ~\$4.64M over 15 yrs	15 years (KBI term)	GLE keeps a portion of employees' STATE income tax under KBI — reducing net public revenue from this workforce. County occupational tax is separate and is collected in full.
McCracken County occupational tax — General Matter permanent jobs	140 workers × ~\$100,000 est. wage × 1% county occupational tax	~\$140,000/yr ~\$2.10M over 15 yrs	15 years	Wage figure estimated — General Matter has not publicly disclosed compensation levels.
McCracken County occupational tax — construction workers	~2,000 peak workers × ~\$90,000/yr avg. wage × 1% × 1.25 years (15-month peak estimate).	~\$2.25 million	One time 12–18 months	Most workers likely out-of-region. Kentucky tax reciprocity with 7 states may reduce actual collection. This revenue disappears when construction ends.
Property tax — GLE facility	\$1.76B facility value × ~0.86% KY effective property tax rate = ~\$15M/yr at full assessment	UNKNOWN Full value: ~\$15M/yr Actual: ???	THIS IS THE CRITICAL UNKNOWN. Judge Clymer's NDA almost certainly covers a PILOT agreement, TIF district, or other mechanism that reduces or redirects this property tax revenue. Without NDA disclosure, McCracken County cannot calculate what it will receive.	
Sales tax — construction and equipment	Would normally apply to hundreds of millions in construction materials and equipment purchases.	WAIVED	25 years (HB 775) Term (KEIA)	HB 775 waives sales tax on data center equipment for 25 years. KEIA refunds GLE's construction sales tax up to \$3M. These are real foregone revenues.
ESTIMATED TOTAL REVENUE TO McCracken County — 15 YEARS (excluding unknown property tax)		~\$9M (Not Annually – that's for the 15 years)	Property tax revenue is unknown because of the NDA. At full value it would add \$225M over 15 years. Under a typical PILOT, it could be as little as \$30–50M. The difference — \$175M+ — is the cost of the secret deal.	

Sources: McCracken County Code of Ordinances § 35.37 (2025); McCracken County Tax Administrator (mccrackencountyky.gov); USDA NFC Kentucky payroll tax withholding tables (Feb. 2025); KEDFA GLE incentive agreement — \$62/hr avg. wage confirmed (Mar. 26, 2026); General Matter wage estimates based on comparable uranium enrichment roles.

3B. What McCracken County Will Pay or Forgo — Costs Side

The following costs are what McCracken County surrenders or absorbs in exchange for those benefits. Some are confirmed by public records. Others are hidden by the NDA. Others have not been estimated at all.

Cost / foregone revenue	Explanation	Estimated cost to county	Certainty
KBI payroll tax intercept — GLE	GLE's 240 employees pay Kentucky state income tax. Under KBI, GLE keeps a portion of that revenue as a credit against its own tax liability for 15 years. The state income tax pool that flows back to counties is reduced as a result.	Up to \$24M over 15 yrs	CONFIRMED — KEDFA agreement
KBI payroll tax intercept — General Matter	Same mechanism as GLE. General Matter's 140 employees generate state income tax — a portion of which General Matter keeps under its KBI agreement.	Up to \$14M over 15 yrs	CONFIRMED — KEDFA agreement
HB 775 equipment sales tax exemption — data center	Any data center investing \$100M+ in McCracken County is exempt from Kentucky sales tax on all equipment for 25 years. Data center equipment is refreshed on 3–5 year cycles — meaning this exemption applies repeatedly to hundreds of millions in purchases.	Tens of millions over 25 yrs (not yet calculable)	CONFIRMED by statute — HB 775 (2025)
KEIA construction tax refund — GLE	GLE can recoup Kentucky sales and use tax on construction costs, building fixtures, and R&D equipment under KEIA.	Up to \$3M	CONFIRMED — KEDFA approval
County NDA commitment — GLE	McCracken County has committed up to \$71.9 million in incentives to GLE through an undisclosed mechanism — PILOT, TIF, IRB, or other arrangement. Judge Clymer refused to disclose the amount or mechanism, citing a nondisclosure agreement with GLE.	Up to \$71.9M Mechanism UNKNOWN	CONFIRMED total by subtraction — WKMS reporting. Mechanism and terms SECRET under NDA.
Infrastructure upgrade costs	Roads, water system capacity, emergency services, grid infrastructure upgrades required to support these facilities. Water infrastructure alone for data center cooling can require major utility investment. In February 2026, three data center projects nationally required water infrastructure approaching \$1 billion combined.	NOT ESTIMATED Not publicly disclosed	UNQUANTIFIED — No public infrastructure cost estimate has been produced for McCracken County.
Ongoing emergency planning costs	NRC-mandated emergency planning for nuclear facilities falls on local government. Three co-located nuclear/industrial facilities require enhanced fire, hazmat, and evacuation planning — with associated equipment, training, and staffing costs borne by the county.	NOT ESTIMATED Perpetual obligation	UNQUANTIFIED — No emergency planning cost analysis has been publicly disclosed.
Public health burden	National Bureau of Economic Research study: data centers cost the U.S. economy \$25 billion per year in hidden health and environmental damages. A single northern Virginia data center	NOT ESTIMATED for Paducah	UNQUANTIFIED — No site-specific health cost analysis exists for Paducah.

Cost / foregone revenue	Explanation	Estimated cost to county	Certainty
	costs \$53–99M per year in health damages. These costs fall on local hospitals, families, and health systems.		
MINIMUM CONFIRMED COST TO McCRACKEN COUNTY (excluding NDA, infrastructure, emergency planning, and health costs)		\$41M+ (confirmed only)	With NDA commitment included: \$112.9M+ With infrastructure and health costs: unknown — potentially \$200M+

Sources: KEDFA KBI program agreements (Mar. 2026, Aug. 2025); HB 775 (2025 Kentucky General Assembly); KEIA guidelines; WKMS reporting on Clymer NDA (Mar. 26, 2026); UC Riverside water infrastructure study (Mar. 2026); NBER / Carnegie Mellon data center health cost study (Apr. 2026); Fortune (Apr. 2026); Lincoln Institute of Land Policy (Feb. 2026).

3C. The Bottom Line: Can McCracken County Calculate Its Return on Investment?

The following table attempts an honest summary of the benefits vs. costs — and identifies precisely where the analysis breaks down due to the NDA and missing public disclosures.

Category	Best-case estimate for McCracken County	Why this number is uncertain — and what would make it knowable
BENEFITS — confirmed revenue	~\$9M over 15 years (confirmed occupational tax — two uranium enrichment facilities + construction phase)	This figure is calculable from public information. It assumes workers are local, wages match announced levels, and occupational tax is collected at the confirmed 1% rate (McCracken County Code of Ordinances § 35.37). It excludes property tax because that depends on the NDA terms.
BENEFITS — property tax (if no PILOT/TIF)	Up to \$225M over 15 years (at full assessment — unlikely)	This is the theoretical maximum — the property tax McCracken County would receive if GLE and the other facilities paid full property taxes with no abatement, PILOT, or TIF. This figure almost certainly does not apply. The NDA exists precisely because the actual arrangement is far less favorable to the county.
COSTS — confirmed minimum	\$41M+ (KBI intercepts + KEIA refund)	This is only what can be confirmed from public records. It excludes the \$71.9M NDA commitment, infrastructure costs, emergency planning, and public health burden.
COSTS — with NDA and infrastructure	\$112.9M–\$200M+ (likely minimum)	Including the undisclosed \$71.9M county NDA commitment. Infrastructure costs, emergency planning, and public health burden add unknown additional amounts that no public estimate has attempted to calculate.

THE QUESTION THIS COMMISSION CANNOT CURRENTLY ANSWER: Do the benefits to McCracken County exceed the costs? The answer is: we don't know — because Judge Clymer signed a nondisclosure agreement that prevents the community from calculating it. Until the NDA terms are disclosed, no honest cost-benefit analysis of these projects is possible. That alone is a sufficient reason for this Planning Commission to pause all approvals.

All estimates based on publicly available data. Property tax figures use Kentucky's effective average property tax rate of ~0.86% applied to announced investment values. Actual assessed values may differ. All figures are estimates intended to frame the policy question, not to serve as legal or financial analysis.

3D. The Three Numbers McCracken County Must Demand Before Any Approval

Economic researchers and policy analysts consistently identify three disclosures that communities must require before approving major industrial development. None of these three numbers currently exists in the public record for Paducah.

- **1. NET annual tax revenue to McCracken County and its school district** — after all KBI intercepts, HB 775 exemptions, KEIA refunds, PILOT agreements, TIF redirections, and any other incentive mechanisms are calculated. Not gross revenue. Net revenue. After everything.
- **2. Full disclosure of the NDA county commitment** — what mechanism was used (PILOT, TIF, IRB, or other), what the county is obligated to provide annually, for how many years, and what happens if GLE fails to meet its job targets, closes, or relocates.
- **3. Infrastructure and emergency planning cost estimate** — a publicly available, independently produced estimate of the road, water, grid, and emergency services upgrades McCracken County will need to support these facilities, and who will pay for them.

THE PLANNING COMMISSION'S ROLE: This Commission does not set tax policy or approve incentive programs — those decisions are made at the state level by KEDFA and at the county level by the Fiscal Court. However, this Commission controls whether these facilities are permitted to build. Requiring the above three disclosures as a condition of any conditional use permit or site plan approval is within this Commission's authority — and is the minimum due diligence any responsible planning body should require before approving development of this scale, complexity, and permanence on or adjacent to an active federal Superfund site.

This revised Section 3 replaces the original Section 3 in this document. The revision reflects a more complete and precise analysis of the economic return on investment, correcting an earlier oversimplification of the incentive cost argument. All data sources are cited throughout.

3F. The Honest Cost-Benefit Comparison

The following table places the confirmed revenue against the confirmed and estimated costs — producing the only honest comparison of what McCracken County actually receives versus what it pays and foregoes.

	Amount	Notes
TOTAL CONFIRMED REVENUE to McCracken County (all projects, 15 years + construction)	~\$9 million	Permanent job occupational tax from confirmed uranium enrichment facilities (\$6.75M over 15 years) plus one-time construction phase estimate (\$2.25M). Data center jobs excluded — no company named, no commitment made. Does not include property tax — unknown due to NDA. Does not include any sales tax — largely waived under HB 775 and KEIA.
CONFIRMED COSTS (KBI intercept + KEIA refund)	\$41 million	KBI payroll tax intercept: \$38M (\$24M GLE + \$14M General Matter). KEIA construction tax refund: \$3M. Both confirmed in KEDFA agreements.
ADDITIONAL CONFIRMED COSTS (HB 775 + NDA commitment)	\$71.9M+ (undisclosed)	HB 775: 25-year sales tax exemption on all data center equipment — value not calculable until facility is built and equipment cycles are known. County NDA commitment to GLE: up to \$71.9M — mechanism and terms secret. Judge Clymer refused to disclose.
UNQUANTIFIED COSTS (infrastructure, emergency planning, public health)	NOT ESTIMATED for Paducah	Road upgrades, water system expansion, grid infrastructure, NRC-mandated emergency planning, ongoing hazmat capacity, public health burden. None of these have been publicly estimated for McCracken County.

THE BOTTOM LINE: McCracken County's confirmed revenue from the projects combined — permanent jobs from the two confirmed uranium enrichment facilities, plus a one-time construction phase estimate — is approximately \$9 million over 15 years — confirmed occupational tax from the two uranium enrichment facilities plus a one-time construction phase estimate. Its confirmed minimum cost is \$41 million, rising to over \$112 million once the undisclosed NDA commitment is included, and potentially \$200 million or more when infrastructure and public health burdens are estimated. On the confirmed numbers alone, the county pays out **at least \$4 for every \$1 it receives**. With the NDA commitment included, that ratio rises to over **\$11 paid for every \$1 received**.

Sources for Cost-Benefit Comparison Table: All figures sourced from: KEDFA agreements (Mar. 2026, Aug. 2025); HB 775 (2025 Kentucky General Assembly); KEIA program guidelines; WKMS — Clymer NDA statement (Mar. 26, 2026); McCracken County Code of Ordinances § 35.37; UC Riverside water infrastructure study (Mar. 2026); NBER/Carnegie Mellon public health study (Apr. 2026). NDA commitment derived by subtraction: \$98.9M total package minus \$27M confirmed state incentives = \$71.9M county commitment.

SECTION 4: States Restricting Data Center Development — and Why

As of May 2026, 69 jurisdictions have introduced or enacted legislation to restrict, pause, or reform data center development. This is a bipartisan movement — Republican senators in Georgia and Virginia are leading tax reform efforts alongside Democratic governors in Maine and New York. The reasons cited by lawmakers fall into four consistent categories: energy cost increases for residents, water use and environmental impact, the gap between tax subsidies and jobs created, and inadequate public transparency and input.

State	Action Taken	Status	Primary Reasons Cited by Lawmakers
Maine	Ban on data centers 20MW+ until Nov. 2027; data centers excluded from business tax incentives	Vetoed; tax bill signed	Grid strain; ratepayer protection; 'speed, scale and secrecy' of developer timelines
Vermont	Proposed ban through July 2030 — longest in U.S.	Active	Grid capacity; water use disclosure; required state study before any permitting
Georgia	Proposed ban through Mar. 2027; sales tax exemption pause passed legislature	Governor vetoed	Six electric rate increases in under two years; subsidies jumped 6,150% in 5 years; farmland loss
South Carolina	Halt on permits and incentives until Jan. 2028	Active	Ratepayer protection; incentive-to-jobs ratio under review
Wisconsin	Ban unless consumer protections enacted	Active	Water cost protection required; energy costs must not shift to residents; farmland loss
Virginia	Eliminate \$1.9B sales tax exemption; 30+ reform bills	Deadlocked	48 cents returned per dollar forfeited; \$444/yr projected per household by 2040
Ohio	Repeal of sales tax exemption for future data centers	Governor vetoed	\$142M/yr in foregone revenue — 7x the 2019 amount; farmland loss; grid cost-shifting
Maryland	Repeal of tax exemptions; ban without co-located power generation	Active	Only 5 jobs required to qualify; water impact study mandated
New Jersey	Data centers using 100MW+ must pay 85% of service costs	Passed; awaiting signature	Grid connection cost-shifting to ratepayers
New York	3-year pause; required study of energy, water, farmland, property value impacts	Active	70% of areas with rising electricity prices within 50 miles of data centers; water and farmland impacts
Michigan	Block data centers and incentives; utility water/sewer moratorium	Active	Water supply; electricity rate threats; farmland loss
Washington	Data centers must absorb own grid costs	Advancing	Ratepayer protection; carbon neutrality study required

Sources: MultiState Policy Watch (Apr. 2026); datacenterbans.com (Apr. 2026); Axios; CNN; Stateline; NY Senate Bill S9144; Good Jobs First; Brookings Institution. Status reflects conditions as of early May 2026.

SECTION 5: The Regulatory Gap — Why No One Is Looking at the Whole Picture

Three separate federal regulatory frameworks govern the development activity at and adjacent to the Paducah site. Each looks at one piece of the picture in isolation. None is required to assess the cumulative environmental or economic impact of all three projects together. This is not a temporary gap — it is a structural feature of how federal environmental law is organized, and it will not be filled without a direct, voluntary demand from local government or an independent assessment commissioned outside the federal process.

Regulatory Framework	What It Covers	What It Does NOT Cover	The Gap
NRC Licensing Review (GLE EIS — Mar. 2026)	GLE's uranium enrichment facility on its own private 665-acre parcel	Adjacent Superfund site contamination; General Matter operations; proposed data center/SMR; cumulative water impacts	Evaluates one facility in isolation. Does not assess interaction with active remediation next door.
CERCLA / Federal Facilities Agreement	Cleanup obligations on the federal Superfund reservation; DOE, EPA, and KY responsibilities	Private land adjacent to site (GLE's 665 acres); new private industrial operations on leased parcels; NRC-licensed facilities	Governs legacy cleanup only. Does not regulate new industrial activity layered on top of the contaminated site.
NEPA Review (Data Center/SMR)	Environmental impacts of the specific data center and SMR project — IF and WHEN an award is made	Has not started. Will not consider GLE's adjacent operations or General Matter as cumulative context unless specifically scoped.	Does not yet exist. When initiated, may not be required to assess cumulative impact of all three projects together.
Kentucky State Permitting	Air quality, water discharge, land use — for projects requiring state permits	Federal facility operations under DOE jurisdiction; NRC-licensed facilities operating under federal preemption	Partial coverage at best. Federal preemption limits state authority over nuclear facilities.

CONCLUSION: No single regulatory process is required to evaluate the cumulative environmental impact of General Matter + GLE + the proposed data center + the proposed SMR — together, on and adjacent to an active Superfund site, beside the Ohio River. This gap is not an oversight. It is a structural feature of how federal environmental law is organized. Only a voluntary, independent cumulative impact assessment — or a direct demand from local government — can fill it.

Sources: CERCLA Federal Facilities Agreement — Paducah (EPA/DOE/Commonwealth of Kentucky); NRC Draft Environmental Impact Statement — GLE Paducah Laser Enrichment Facility (Mar. 2026); DOE NEPA implementing procedures; National Environmental Policy Act (42 U.S.C. §4321); Price-Anderson Nuclear Industries Indemnity Act.

SECTION 6: The Local Workforce Problem — Who Actually Gets Those Construction Jobs?

Construction job counts are often presented as if they will all be filled by local workers. The evidence suggests otherwise — particularly in markets like Paducah that lack an established data center construction labor pool.

Factor	Finding
Local vs. out-of-region workers	In established markets (Northern Virginia, Dallas), a large share of construction workers are local because the labor pool has developed over decades. In NEW markets like Paducah, that pipeline does not exist — most peak construction workers would be imported from other regions.
Labor shortage — nationally	82% of construction firms building data center projects struggle to fill hourly craft positions (Associated General Contractors of America, 2024 survey). This means competition for any available local workers is fierce — and out-of-region specialists typically win.
Economic benefit to local community	Temporary workers from outside the region spend on hotels, restaurants, and fuel — a real but modest and time-limited economic injection. Once construction ends, that spending disappears entirely.
The 'whack-a-mole' problem	Multi-phase campuses create repeated construction spikes — which can feel like permanent employment growth, even when each spike is temporary. Communities should require developers to disclose: <ul style="list-style-type: none"> • Permanent on-site jobs after Year 2 stabilization • Peak construction jobs with duration and total labor hours • Percentage of construction workforce expected to be local hires

Sources: Built In (Jan. 2026); Data Center Geeks (May 2026); Associated General Contractors of America 2024 Survey; ThinkSet/BRG (2025); DataCenterNews.org (Feb. 2026).

THE THREE NUMBERS PADUCAH SHOULD DEMAND — IN WRITING — BEFORE ANY VOTE

Industry analysts and policy researchers consistently identify three disclosures communities must require of data center developers (which we can apply here):

1. Permanent on-site jobs after Year 2 stabilization — with a role-by-role breakdown, not a single headline number.
2. Peak construction jobs — with expected duration, total labor hours, and the percentage of workers expected to be local hires.
3. Any multiplier or "jobs supported" figures — with full methodology disclosed and construction jobs excluded from permanent job counts.

As one national policy researcher put it: *"Most confusion about data center jobs comes from mixing these two categories. They are both real — but they are not interchangeable."*

Full source list: ThinkSet/BRG; Built In; DataCenterNews.org; Data Center Geeks; AGC 2024 Survey; Epoch AI; Build Energy Hub; Opendock; BroadStaff Global; INGENIOUS.BUILD; Giga Energy; Airswift; MetaIntro; DC Knowledge. All data reflects publicly available industry research as of May 2026.

SECTION 7: Kentucky Tax Law — What HB 8, HB 775, and KBI Actually Mean for McCracken County

When companies announce billion-dollar investments in Kentucky, the headline figures and the community benefit to McCracken County are two very different numbers. This section explains the Kentucky tax incentive structure governing these projects — and what the county and its school district actually receive versus what the companies keep.

7A. The KBI Program — How Companies Keep Their Employees' Payroll Taxes

The Kentucky Business Investment program allows approved companies to keep a portion of the new payroll tax revenue generated by their own employees — applied as a credit against the company's income tax or wage assessments.

WHAT THIS MEANS: GLE's 240 employees generate payroll taxes. Under the KBI agreement, GLE keeps a portion of those taxes — for up to 10 years — rather than those funds flowing fully to McCracken County schools and services. The same applies to General Matter's 140 employees. The employees pay their taxes. The companies collect a portion of them back.

7B. The Full Incentive Picture — What McCracken County Actually Receives

Incentive Program	What It Is	Who Gets It	What McCracken County Actually Receives	Duration
KBI Program (Kentucky Business Investment)	Allows approved companies to keep a portion of the new payroll tax revenue generated by their own employees, applied as a credit against income tax or wage assessments.	General Matter (approved); GLE (approved)	REDUCED. Employee payroll taxes that would flow to county schools and services are partially recaptured by the company under the KBI agreement. The county receives less than full payroll tax benefit of the new jobs.	Up to 10 years
KEIA (Kentucky Enterprise Initiative Act)	Allows companies to recoup Kentucky sales and use tax on construction costs, building fixtures, and equipment used in R&D and electronic processing.	GLE: up to \$3 million approved	REDUCED. GLE recoups sales tax it paid on construction — reducing net tax contribution to the state during the recovery period.	Term of agreement
HB 775 (2025) Data Center Sales & Use Tax Exemption	Exemption from Kentucky sales and use taxes on all data center equipment — servers, cooling systems, routers, software. Renewed every equipment cycle (every 3–5 years).	Any data center investing \$100M+ in McCracken County (population 50,000–100,000)	NOTHING. The exemption means the state and county do not collect sales tax that would otherwise be owed. The county's share of that foregone revenue never materializes.	25 YEARS

BOTTOM LINE: McCracken County and its school district do not receive the full tax value of these investments. Sales taxes are waived for up to 25 years. Payroll taxes are partially recaptured by the companies. Construction cost taxes are refunded. What the county actually receives is property tax on the physical structures — and only after any property tax abatement periods expire.

Sources: HB 8 (2024 Kentucky General Assembly); HB 775 (2025 Kentucky General Assembly); Kentucky Cabinet for Economic Development GLE announcement (Mar. 26, 2026); KBI Program Fact Sheet (KEDFA, Jan. 2026); Sities & Harbison client alert (May 2025); WDRB News (Mar. 2025); CSG South policy analysis (Mar. 2026).

SECTION 8: What the Announced 'Investment' Figures Actually Mean — and Don't Mean

When a company announces a '\$1.76 billion investment,' community members and public officials reasonably assume that money flows into the local economy. The reality is significantly more complicated — and significantly less beneficial to McCracken County than the headline suggests.

Company	Announced Investment	What It Actually Includes	What McCracken County Actually Sees
General Matter	\$1.5 billion	Company-wide capital investment including: <ul style="list-style-type: none"> • Construction costs at the Paducah site • Equipment purchases (largely tax-exempt under HB 775) • R&D and licensing costs (may be incurred elsewhere) • Investor capital not necessarily spent locally 	Property tax on physical structures (after abatements) Partial payroll tax from 140 employees (remainder recaptured by company under KBI) Local supplier spending (portion — not disclosed) Construction-phase spending (temporary; 6–12 months peak; largely out-of-region workers)
GLE	\$1.76 billion	Per Governor's press release: 'privately funded engineering, design, manufacturing and licensing investments across North Carolina AND Kentucky' — meaning a significant portion is spent outside McCracken County entirely. <i>Additionally: \$28.5M DOE federal grant and \$550M+ in prior multi-state investments are folded into the headline figure.</i>	Property tax on physical structures (after abatements) Partial payroll tax from 240 employees (remainder recaptured under KBI) KEIA refund of \$3M reduces net construction tax contribution Construction-phase spending (temporary; largely out-of-region) Note: portion of \$1.76B spent in North Carolina and other states, not McCracken County

THE QUESTION THIS COMMISSION SHOULD ASK: Of the total announced investment figures, what dollar amount is actually spent within McCracken County? What portion generates local tax revenue? What portion is recaptured by the companies? And what is the net annual tax benefit to McCracken County schools and services — after all exemptions, abatements, and recaptures — in Year 1, Year 5, and Year 15?

Sources: Governor Beshear office announcement — GLE (Mar. 26, 2026); Kentucky Cabinet for Economic Development; General Matter DOE lease announcement (Aug. 2025); KBI Program structure (KEDFA); KEIA program guidelines; Good Jobs First Subsidy Tracker methodology.

8A. What '\$1.76 Billion in Investment' Actually Means — and What It Doesn't

Governor Beshear called GLE's project 'the single largest capital investment in Western Kentucky history.' That framing is deliberately designed to make \$1.76 billion sound like a gift to the region. It is not. Understanding what that figure actually represents — and what it doesn't — is essential to evaluating whether this is genuinely a good deal for McCracken County.

THE CORE DISTINCTION: GLE's \$1.76 billion is their capital expenditure — the cost of building a commercial enterprise that will generate profit for Australian and Canadian shareholders for decades. It is not a contribution to McCracken County. It is GLE's cost of doing business. The community does not receive it. GLE profits from it.

The analogy is straightforward. When a manufacturer spends \$50 million building a new plant, that \$50 million is their business investment — necessary to produce goods they will sell for profit. Nobody describes it as a '\$50 million gift to the community.' The community receives the jobs and tax revenue the plant generates. The company receives a functioning facility and decades of commercial revenue.

GLE's \$1.76 billion works exactly the same way. Here is what it buys:

- Construction of a uranium enrichment facility on GLE's 665-acre site — a physical asset GLE owns and profits from
- Equipment and laser enrichment technology — GLE's proprietary commercial infrastructure
- Engineering, licensing, and design costs — GLE's cost of obtaining NRC approval to operate
- Prior multi-year investments and spending in North Carolina and other states — folded into the headline figure but not spent in McCracken County
- \$28.5 million in DOE federal grants — already received, already counted in the \$1.76 billion total

What GLE gets in return for that \$1.76 billion is commercially valuable beyond the facility itself. Once licensed, GLE has the right to re-enrich over 200,000 metric tons of depleted uranium stored at the adjacent Superfund site — uranium that McCracken County taxpayers helped store for decades as part of the federal remediation program — and sell the enriched product as nuclear fuel on the global market. The raw material is already there, already paid for by the public. GLE processes it and captures the revenue.

Scenario	What the company spends	Who actually benefits financially
A grocery chain opens a new store in McCracken County	\$10 million on construction, equipment, fixtures, and inventory — necessary to open a revenue-generating store	<p>Community gets:</p> <ul style="list-style-type: none"> • Jobs and payroll • Sales tax on purchases • Property tax on the building <p>Grocery chain gets:</p> <ul style="list-style-type: none"> • A functioning store • Years of revenue from sales <p><i>Nobody calls the \$10M a 'gift to the community.' It is the cost of opening a business.</i></p>
GLE builds the Paducah Laser Enrichment Facility	<p>\$1.76 billion on construction, equipment, licensing, and engineering — necessary to build a revenue-generating uranium enrichment facility</p> <p><i>Includes spending in North Carolina and other states, prior multi-year investments, and DOE-funded federal grant of \$28.5M folded into the headline figure.</i></p>	<p>McCracken County gets:</p> <ul style="list-style-type: none"> • ~\$6.75M in occupational tax over 15 years • Property tax (amount unknown — NDA) • 240 jobs over 15 years • Environmental risk on an active Superfund site • Emergency planning obligations <p>GLE gets:</p> <ul style="list-style-type: none"> • A functioning uranium enrichment facility • Commercial rights to re-enrich 200,000+ metric tons of depleted uranium stored at the Superfund site • Revenue from selling enriched uranium fuel on the global nuclear market • \$98.9M in public incentives to offset its costs <p>The \$1.76B is GLE's cost of building a commercial enterprise. McCracken County does not receive it. GLE profits from it.</p>

Sources: Governor Beshear press release — GLE announcement (Mar. 26, 2026); Kentucky Cabinet for Economic Development (Mar. 26, 2026); KEDFA approval notice (Mar. 26, 2026); NRC License Application — GLE Paducah Laser Enrichment Facility (2025); DOE GLE contract (2016); World Nuclear News (Nov. 28, 2013 and Mar. 26, 2026); WKMS (Mar. 26, 2026). Note: The \$1.76B figure includes prior multi-state investments. No itemized public breakdown of the \$1.76B has been released by GLE.

8B. What the 'Largest Investment in Western Kentucky History' Framing Obscures

The 'largest investment in Western Kentucky history' headline is designed to foreclose scrutiny. It implies that the sheer size of GLE's capital expenditure makes the deal self-evidently good for the community. This logic does not hold.

THE QUESTION THAT MATTERS: The relevant question is not how much GLE spends building its facility. It is what McCracken County receives in return — net of all incentives, exemptions, and obligations — relative to the environmental risk, the regulatory burden, and the long-term community commitment the county is being asked to make. A company can spend \$10 billion building a facility and the community can still get a bad deal if the tax structure, the incentive package, and the liability allocation all favor the company.

Consider what the framing omits:

- GLE receives \$98.9 million in public incentives — meaning taxpayers are subsidizing the cost of building GLE's commercial enterprise
- The \$1.76 billion generates profit for Australian and Canadian shareholders — not for McCracken County
- McCracken County's share of the economic activity — approximately \$6.75 million in occupational tax over 15 years — is less than 0.4% of GLE's announced investment
- The county's financial commitment to GLE (up to \$71.9 million) is itself nearly 4% of GLE's total investment — meaning McCracken County is effectively subsidizing 4 cents of every dollar GLE spends building its commercial facility
- No amount of headline investment changes the fact that the contaminated land, the emergency planning obligation, the infrastructure burden, and the long-term environmental risk all remain with Paducah — not with GLE's Australian and Canadian shareholders

IN PLAIN TERMS: GLE is spending \$1.76 billion to build a commercial uranium enrichment business in McCracken County. That is their investment — in their business. McCracken County is not GLE's investment partner. McCracken County is GLE's host community, its subsidy provider, and its environmental risk absorber. The 'largest investment in Western Kentucky history' is GLE's cost of doing business — paid for in part by McCracken County taxpayers, processed using uranium stored at the Paducah Superfund site, and profitable for decades to Australian and Canadian shareholders.

Analysis based on: KEDFA GLE incentive agreement (Mar. 26, 2026); DOE GLE contract terms (2016); NRC EIS documentation (2025–2026); McCracken County occupational tax calculation (Section 3E of this document); Section 11 NDA analysis; Governor Beshear press release (Mar. 26, 2026).

SECTION 9: Critical New Facts — What Has Emerged Since May 12, 2026

Three significant new facts have emerged or been confirmed since the May 12 City Commission meeting. Each materially strengthens the case for a moratorium and independent cumulative review.

9A. The Kentucky Resources Council Has Formally Challenged GLE's NRC License

On May 5, 2026 — just three weeks before this Planning Commission meeting — the Kentucky Resources Council (KRC), one of Kentucky's most established environmental law organizations, filed a formal petition with the NRC challenging GLE's license application for the Paducah Laser Enrichment Facility.

WHAT THE KRC PETITION ARGUES: The petition urges the NRC to address the legality of the 2016 deal struck between GLE and the DOE, and calls into question the NRC's environmental review — specifically citing the agency's reliance on 'generic,' not site-specific, data in assessing impacts on the air, land, water resources, and communities of western Kentucky.

This is not a minor administrative filing. The KRC petition formally contests both the legal basis for GLE's DOE contract and the adequacy of the environmental review the NRC is conducting. If the NRC grants the petition — which it may — a full contested hearing would be required before any license could be issued. The Planning Commission should be aware that the federal licensing process for GLE is actively contested.

The KRC petition also directly supports this Commission's ask for a site-specific cumulative environmental assessment. The NRC itself, according to KRC, is relying on generic data rather than Paducah-specific analysis. If the federal regulator is not doing site-specific work — who is?

9B. GLE Is Majority Foreign-Owned — Public Wildlife Land Was Traded to a Foreign Corporation

GLE is a Delaware LLC — but its actual ownership is entirely foreign:

- 51% owned by **Silex Systems Limited** — an Australian company
- 49% owned by **Cameco Corporation** — a Canadian corporation

There is no American corporate parent. GLE is, in substance, a foreign-owned entity operating under a Delaware LLC wrapper.

THE LAND SWAP: The 665 acres GLE now owns were previously part of the West Kentucky Wildlife Management Area — publicly owned Kentucky land held by the Kentucky Department of Fish and Wildlife Resources for hunting and fishing. That public land was transferred to GLE through an arrangement with the Paducah-McCracken County Industrial Development Authority, funded by GLE. In exchange, Kentucky Fish and Wildlife received 1,043 acres in Fulton County — land that is frequently flooded by the Mississippi River.

To summarize: McCracken County's public wildlife land was exchanged for flood-prone farmland in another county, so that a majority foreign-owned corporation could build a uranium enrichment facility adjacent to an active federal Superfund site. This transaction was facilitated by a local industrial development authority — without, as far as public record shows, any Planning Commission vote on the land use change.

9C. The Zoning Is Already Heavy Industry — But Construction Cannot Begin Without More

The NRC's own Federal Register notice confirms that GLE's 322-acre development site is already zoned for heavy industry in McCracken County. This means the foundational zoning decision enabling GLE's facility has already been made — and there is no public record of meaningful community input into that decision.

HOWEVER — THIS COMMISSION STILL HAS AUTHORITY: Heavy industry zoning permits the category of use. A uranium enrichment facility — or a data center, or a small modular reactor — still requires conditional use permit approval, site plan approval, and development plan approval from this Planning Commission before construction can begin. The NRC license has not been issued. No construction has started. This Commission retains meaningful authority over what happens next.

The moratorium ask is not moot because of the existing zoning. It is more urgent because of it. If the zoning was changed to heavy industry without adequate public process, this Commission has both the opportunity and the obligation to ensure that the next round of approvals — conditional use, site plan, development plan — does not repeat that failure.

Sources: Kentucky Resources Council NRC petition (May 5, 2026); LPM/Louisville Public Media (May 14, 2026); WKMS (May 14, 2026); Federal Register — NRC Notice of Intent to Prepare EIS (Sept. 5, 2025); Federal Register — NRC Notice of Receipt of GLE License Application (Mar. 6, 2026); WPSD Local 6 (Nov. 28, 2024); Kentucky Department of Fish and Wildlife Resources land transfer announcement (Nov. 27, 2024).

SECTION 10: The Secret Deal — \$71.9 Million in Undisclosed County Incentives, and What KBI Costs McCracken County

10A. The \$71.9 Million Nobody Is Allowed to Talk About

The total GLE incentive package announced on March 26, 2026 is \$98.9 million. The state of Kentucky accounts for \$27 million of that — \$24 million through the KBI program and \$3 million through KEIA. That leaves \$71.9 million unaccounted for.

WHAT WKMS REPORTED — MARCH 26, 2026

When WKMS asked McCracken County Judge Executive Craig Clymer directly how much the local government was contributing to the GLE incentive package and what funding mechanism the county planned to use, Clymer said he was **unable to confirm either figure** — because he was **under a nondisclosure agreement**.

To be precise about what this means: the elected head of McCracken County government signed a nondisclosure agreement with a foreign-owned private corporation about a public financial commitment — and then used that NDA to refuse to answer a reporter's direct questions about how public money is being spent.

THIS IS NOT A MINOR PROCEDURAL DETAIL: A county government made a financial commitment of up to \$71.9 million — potentially through property tax relief, bond arrangements, or other public mechanisms — and the community has no legal right to know what that commitment is, how long it lasts, or what McCracken County is obligated to provide in return. The community's own elected official cannot tell them, because he agreed in writing not to.

10B. What Mechanisms Could Account for \$71.9 Million

There are a limited number of ways a Kentucky county government can deliver \$71.9 million in economic incentives to a private company. Each represents a real, long-term financial commitment by McCracken County taxpayers. The community does not know which of these was chosen — or whether a combination was used — because of the NDA.

- **PILOT Agreement (Payment In Lieu Of Taxes):** The company pays a negotiated annual fee to the county instead of full property taxes. The difference between the fee and what full property taxes would be represents the county's ongoing subsidy. PILOT agreements can run 10–30 years and are common for large industrial facilities in Kentucky. A \$71.9 million PILOT commitment spread over 20 years would mean approximately \$3.6 million per year in foregone property tax revenue — money that would otherwise fund schools, roads, fire departments, and county services.
- **Tax Increment Financing (TIF) District:** A TIF district freezes the property tax base at its current level and redirects any increase in tax revenue generated by the new development back to pay for the infrastructure costs of that development. Instead of new tax revenue flowing to county schools and services, it is redirected to subsidize GLE's facility. McCracken County taxpayers continue funding public services at pre-development levels while the county captures none of the new tax revenue for up to 20 years.
- **Industrial Revenue Bonds (IRBs):** The county issues tax-exempt bonds on behalf of GLE, effectively lending the company the county's borrowing capacity at below-market interest rates. The county's creditworthiness subsidizes GLE's construction financing. If GLE defaults, the county may bear exposure depending on how the bonds are structured.
- **Direct County Appropriation or Grant:** Unlikely at this scale, but possible through the county's economic development budget or industrial development authority. Any direct appropriation would require Fiscal Court approval and would appear in public budget documents — making it the most transparent option and therefore the least likely to require an NDA.

THE QUESTION FOR THIS COMMISSION: Which of these mechanisms did McCracken County use? For how many years? What is the county obligated to provide if GLE fails to meet its job targets — or if it closes, relocates, or declares bankruptcy before the agreement term expires? These are not hypothetical questions. They are the basic due diligence any public body should require before approving further development.

10C. The Corrected Full Incentive Picture

The following table reflects the corrected and complete picture of GLE and General Matter incentives — including the undisclosed county commitment.

Company	State incentives (confirmed)	County incentives	Total package	Status of county commitment
General Matter	\$14M <i>KBI program (state)</i>	<i>Not publicly disclosed</i>	\$14M+ confirmed	County contribution terms not publicly disclosed
GLE (Global Laser Enrichment)	\$27M <i>\$24M KBI + \$3M KEIA (state)</i>	\$71.9M <i>Mechanism UNKNOWN — Judge Clymer under NDA</i>	\$98.9M total	UNDER NONDISCLOSURE AGREEMENT <i>Judge Clymer told WKMS he could not confirm the amount or the funding mechanism because he was under an NDA.</i>
TOTAL — confirmed incentives only		\$112.9M	if NDA county commitment included:	\$184.9M+

Sources: WKMS (Mar. 26, 2026) — Clymer NDA statement; Kentucky Cabinet for Economic Development GLE announcement (Mar. 26, 2026); KEDFA meeting minutes (Mar. 26, 2026); General Matter DOE lease announcement (Aug. 2025); Kentucky Enterprise Initiative Act program guidelines.

SECTION 11: The Kentucky Business Investment Program — What It Is and What It Costs McCracken County

Every public announcement about GLE and General Matter references 'incentives' without explaining what those incentives actually are or who actually pays for them. This section explains the KBI program in plain language — because understanding it changes how you read every headline about these projects.

The KBI program is not a grant. It is not a rebate. It is a tax intercept.

It allows a company to keep a portion of the income taxes paid by its own employees — for up to 15 years — rather than those taxes flowing to the state and county.

KBI element	Plain-language explanation — and what it costs McCracken County
What KBI is	The Kentucky Business Investment program is a state economic development incentive administered by the Kentucky Economic Development Finance Authority (KEDFA). It is performance-based — meaning the company earns the incentive over time by hitting job creation and wage targets. It is not a grant paid upfront. It is a structured, multi-year arrangement that allows a company to intercept tax revenue that would otherwise flow to the state — and indirectly to the county.
How it works mechanically	GLE's 240 employees earn wages and pay Kentucky income taxes and wage assessments on those earnings. Under the KBI agreement, GLE is allowed to keep a portion of those employee-generated taxes — applied as a credit against GLE's own state income tax or wage assessment liability. The employees pay their taxes in full. But a portion of what they pay — rather than flowing into state and county revenue — is redirected back to GLE as a credit for up to 15 years.
What the KBI program is worth to GLE	Up to \$24 million over 15 years — the value of the employee tax revenue GLE gets to keep rather than it flowing into the public revenue stream.
Why officials say it 'costs nothing'	Because no money is written out of the county's checkbook. The KBI benefit is invisible — money that was never collected rather than money that was spent. Officials frequently describe tax incentive programs like KBI as 'costing the county nothing' for this reason. That framing is misleading. Foregone revenue is a real financial cost. A dollar not collected is a dollar not available for schools, roads, fire departments, or water systems.
What it actually costs McCracken County	Kentucky's state tax revenue sharing means that a portion of state income tax collected flows back to county governments. When GLE intercepts its employees' state income taxes as KBI credits, that reduces the pool of state revenue available for redistribution to counties — including McCracken County. Additionally, McCracken County's school district and local taxing authorities receive funding tied in part to payroll and income tax activity in the county. The KBI program's 15-year tax intercept reduces the net revenue flowing from GLE's workforce into county and school coffers. The bottom line: McCracken County does not receive the full economic benefit of 240 GLE employees' payroll for 15 years. GLE does.

IN PLAIN ENGLISH: GLE's workers pay their taxes. GLE keeps a portion of them. For 15 years. That is what the KBI program does — and it is one reason why the announced '\$1.76 billion investment' and '240 jobs' do not translate into the full economic benefit to McCracken County that those numbers suggest.

Sources: Kentucky Business Investment Program Fact Sheet (KEDFA, Jan. 2026); KRS 154.32 (Kentucky Business Investment program statute); Kentucky Cabinet for Economic Development GLE announcement (Mar. 26, 2026); Good Jobs First Subsidy Tracker methodology; Funding Landscape Kentucky grants analysis (Mar. 2026).

11A. Why This Matters for the Planning Commission

Planning commissions do not typically review tax incentive programs — those decisions are made at the state level by KEDFA and at the county level by the Fiscal Court. However, the KBI program and the undisclosed county incentive commitment are directly relevant to this Commission's deliberations for one reason:

THE CORE ISSUE: Every conditional use permit, site plan approval, and development plan application this Commission considers for GLE or any data center project will be presented as an economic development benefit to McCracken County. The KBI program, the 25-year HB 775 sales tax exemption, and the \$71.9 million undisclosed county commitment mean that the actual net economic benefit to McCracken County — after all incentives, exemptions, and tax intercepts are calculated — is a fraction of the headline investment figures. This Commission deserves to know the real number before it votes.

Specifically, this Commission should require — as a condition of any approval — that the applicant provide a plain-language accounting of: the net annual tax revenue McCracken County will receive after all incentive programs are applied; what the county is obligated to provide under any NDA agreement; and what happens to those obligations if the company fails to meet its job targets, closes, or leaves.

This supplement was prepared for submission as official public comment to the McCracken County Planning Commission on May 27, 2026. All data is drawn from publicly available records. The WKMS reporting on Judge Clymer's NDA statement is independently verifiable at wkms.org.

SECTION 12: The Pocatello Precedent — A Hearing Examiner Denied a Data Center CUP Six Days Ago

BREAKING — MAY 18, 2026

Six days before this Planning Commission meeting, a local hearing examiner in Pocatello, Idaho denied a conditional use permit for a \$2.26 billion AI data center — overruling her own planning staff who had recommended approval — after more than 300 residents showed up to oppose it.

12A. What Happened in Pocatello

On May 14, 2026, more than 300 residents packed a public hearing in Pocatello, Idaho to testify on a conditional use permit application by Lex Developments, LLC — an Arizona-based company — to build a \$2.26 billion AI data center campus on the former Hoku Materials polysilicon plant site.

- Over 90 people gave public testimony at a hearing that ran nearly four and a half hours
- More than 60 people spoke in opposition. Only three spoke in favor
- 120 written comments were submitted to the record
- The overwhelming community concern: water — specifically that the data center would pull from state agriculture and Pocatello's own municipal water resources

Four days later, on May 18, 2026, Hearing Examiner Kathleen Lewis issued her decision — denying the conditional use permit application, finding it did not meet the standards for approval under Pocatello's municipal code. She did this despite the fact that city planning staff had recommended approval.

THE CRITICAL DETAIL: The Hearing Examiner overruled her own planning staff. Professional planners said yes. A hearing examiner listened to the community and said no. This is precisely the kind of independent judgment this Planning Commission is empowered to exercise.

12B. Why the Application Was Denied — and Why It Directly Applies to Paducah

The specific grounds for denial under Pocatello's code Section 17.02.130.D4 ask whether the project could be adequately served by public facilities and services. The Hearing Examiner found the answer was no — because the applicant had not conducted the basic impact studies necessary to answer that question.

The Hearing Examiner required the following studies be completed before any new application could be submitted:

Study required by Pocatello Hearing Examiner before any new CUP application	Has this study been conducted for McCracken County?	Why it matters for Paducah
Wastewater discharge quantities	NO No public wastewater study exists for the proposed Paducah data center or SMR.	A co-located data center and SMR on the Ohio River requires discharge analysis. The Superfund site already has documented discharge contamination — PCBs in Big Bayou Creek and Little Bayou Creek. Adding industrial cooling discharge without a wastewater study compounds an unresolved problem.
Identification of pretreatment systems if needed	NO No pretreatment analysis has been publicly disclosed.	Data center cooling discharge carries biocides, corrosion inhibitors, and chemical treatment residue. On a Superfund site with active groundwater contamination, pretreatment requirements are critical — and completely unaddressed.
Potential chemical discharge	NO	The Superfund site already has PFAS migration not under control, TCE plumes, and PCBs in surface

Study required by Pocatello Hearing Examiner before any new CUP application	Has this study been conducted for McCracken County?	Why it matters for Paducah
	No chemical discharge analysis exists for Paducah.	water. Chemical discharge from an SMR cooling system and data center on or adjacent to this site adds new contamination sources to an already compromised watershed feeding the Ohio River.
Water demand calculations	NO No water demand analysis has been publicly conducted or disclosed.	A hyperscale data center can consume 3–5 million gallons per day. An SMR requires additional cooling water. Five million people downstream drink from the Ohio River. No public water demand calculation exists for this site or its impact on the river.
Long-term electrical infrastructure requirements	NO No grid infrastructure analysis exists for McCracken County.	The proposed SMR is intended to power the data center — but what happens when the SMR goes offline for maintenance, refueling, or an incident? Grid backup requirements, transmission infrastructure needs, and ratepayer cost impacts have not been publicly analyzed.
Environmental impacts related to emissions, water utilization, and wastewater discharge	NO No comprehensive environmental impact analysis exists for the Paducah proposal.	This is the cumulative assessment gap at the heart of this community's concern. The NRC is reviewing GLE in isolation. CERCLA governs the Superfund cleanup in isolation. The NEPA review for the data center hasn't started. No one is required to assess all of these impacts together.

POCATELLO'S STANDARD FOR McCracken County: Every study that Pocatello's Hearing Examiner required before a new data center application could be submitted — none of them exist for the Paducah proposal. Pocatello denied a \$2.26 billion data center application because the applicant couldn't answer basic questions about water, power, and wastewater. The proposed Paducah development — far larger and far more complex, on an active Superfund site beside the Ohio River — has not been asked to answer those same questions. This Planning Commission can require that they be answered before any approval is granted.

Sources: *East Idaho News* (May 18–19, 2026); *Idaho State Journal* (May 19, 2026); *KIFI Local News 8* (May 18, 2026); *KTVB* (May 18, 2026); *Startup Fortune* (May 19, 2026); *BoiseDev* (May 14, 2026). Hearing Examiner decision: Pocatello Municipal Code Chapter 17.02.130.D.

12C. The Hoku Shadow — Why Pocatello's Experience Resonates for Paducah

The Pocatello denial carries particular resonance because the proposed site was the former Hoku Materials plant — a Hawaii-based company that declared bankruptcy in 2013 with \$1 billion in debt, leaving behind a contaminated industrial site that the city is still working to clean up. Residents who lived through Hoku's failure were not prepared to repeat the experience.

THE PADUCAH PARALLEL: Paducah has already lived through exactly this story — a federal industrial operation that ran for 61 years, left behind a Superfund site, and handed the community a \$17 billion cleanup bill projected to run through 2065. The community members speaking at this Planning Commission meeting on May 27th are making exactly the same argument Pocatello's residents made on May 14th: we have already paid for one industrial promise that didn't deliver. We are not prepared to pay for another.

12D. What the National Commentators Are Saying

The Pocatello decision has already drawn national attention as a signal of where local land use authority is headed on data center development.

"Pocatello should be read as a signal, not an outlier. If a smaller Idaho city can turn public resistance into a formal rejection, other municipalities can follow the same path. Power is necessary, but permission is everything."
— Startup Fortune, May 19, 2026

12E. What This Means for This Planning Commission — Tonight

The McCracken County Planning Commission has the same authority Pocatello's Hearing Examiner exercised six days ago. The same questions Pocatello required to be answered before a new application could be submitted have not been answered — and have not even been asked — for the proposed data center, SMR, and uranium enrichment development on and adjacent to the Paducah Gaseous Diffusion Plant Superfund site.

Pocatello denied a \$2.26 billion application on a formerly contaminated industrial site because the applicant couldn't answer basic questions about water, power, and wastewater. The proposed Paducah development — larger in scale, more complex in technology, involving nuclear operations on an active Superfund site beside the Ohio River — has not been asked to answer those same questions.

This Commission can require those answers tonight — as a condition of any conditional use permit, site plan, or development plan approval. That is not obstruction. That is due diligence.

Full source list: East Idaho News (May 18–19, 2026); Idaho State Journal (May 19, 2026); KIFI Local News 8 (May 18, 2026); KTVB (May 18, 2026); BoiseDev (May 14, 2026); Startup Fortune (May 19, 2026). Pocatello Municipal Code Chapter 17.02.130.D. Hoku Materials bankruptcy: Reuters (2013).

SECTION 13: The Zoning Question, the Infrastructure Subsidy, and the Land Transfer Nobody Voted On

Three findings have emerged from research into GLE's land acquisition and development plans that this Planning Commission should have on the record. Each raises a question that has not been publicly answered.

13A. The Rezoning With No Public Record — When Did Wildlife Land Become Heavy Industry?

The NRC's own Federal Register notice from September 2025 describes GLE's 665-acre parcel as 'privately owned land zoned for heavy industry.' This is presented as an established fact — but it was not always true, and the process by which it became true is not in the public record.

THE SEQUENCE: The land was part of the West Kentucky Wildlife Management Area — publicly owned Kentucky hunting and fishing land — until November 2024. Public wildlife management areas are not zoned heavy industry. The rezoning that enabled a foreign-owned uranium enrichment facility to be sited on this land occurred sometime between early 2024 and September 2025 — and no McCracken County Planning Commission vote, public hearing, or community notice for that rezoning appears in any searchable public record.

This is not a minor procedural question. The rezoning of public wildlife land to heavy industry is one of the most consequential land use decisions a planning commission can make. It is permanent. It cannot be undone once a facility is built. And it appears to have happened without the body whose job it is to make such decisions — this Planning Commission — leaving any documented public record of having done so.

THE QUESTION FOR MAY 27TH: When was the 665-acre GLE parcel rezoned from public wildlife use to heavy industry? What body approved that rezoning? Where is the public record of that decision? Was there a public hearing? If this Commission cannot answer those questions tonight, that alone is grounds for the moratorium requested in Ask 1.

13B. The Complete Timeline — What Happened, When, and What Was Never Made Public

The following table reconstructs the sequence of events surrounding GLE's land acquisition and the zoning change that enabled it — identifying precisely where the public record goes dark.

Date	Event	Significance
2013	DOE selects GLE for Paducah depleted uranium contract	GLE's original proposal explicitly included 'the potential lease or use of existing Paducah Gaseous Diffusion Plant facilities, infrastructure, and utilities.' The business model was always designed around accessing the Superfund site's existing power, water, and utility infrastructure — not building independent systems from scratch.
2014	GLE applies to NRC for license to build at Paducah	License application filed. NRC review begins. Site is still public wildlife land at this point.
Early 2024	GLE secures option to purchase 665-acre parcel	An option to purchase public wildlife land is arranged through the Paducah-McCracken County Industrial Development Authority — a body that operates without direct Planning Commission oversight or public vote. No public notice of this option agreement has been found in McCracken County planning records.
Before Nov. 2024	Land rezoned from public wildlife use to HEAVY INDUSTRY	THIS IS THE CRITICAL UNKNOWN. The NRC's September 2025 Federal Register notice describes the site as 'privately owned land zoned for heavy industry' — but no McCracken County Planning Commission vote, public hearing, or community notice for this rezoning appears in any public record. The rezoning of public wildlife land to heavy industry — enabling a foreign-owned uranium enrichment facility — may have occurred without a public process.

Date	Event	Significance
Nov. 27, 2024	Land transfer finalized — 665 acres from Kentucky Fish & Wildlife to GLE	Governor Beshear announces the transfer. The Paducah-McCracken County Industrial Development Authority facilitated the transaction. In exchange, Kentucky Fish and Wildlife receives 1,043 acres in Fulton County — acquired by the Industrial Development Authority and funded by GLE. The replacement land is described in reporting as frequently flooded Mississippi River bottomland.
Aug. 2025	NRC accepts GLE's license application for detailed review	NRC acceptance review complete. Environmental Impact Statement process begins. Site confirmed as 'privately owned land zoned for heavy industry' — 322 acres of the 665-acre parcel designated as the development footprint.
Mar. 2026	\$98.9M incentive package approved; \$1.76B investment announced	Kentucky and McCracken County approve incentive package. County portion (\$71.9M) remains undisclosed under NDA. No public infrastructure cost estimate published.
May 5, 2026	Kentucky Resources Council files NRC petition challenging GLE license	KRC challenges both the legality of the 2016 DOE-GLE contract and the adequacy of the NRC's site-specific environmental review. Petition is active and pending.
May 27, 2026	THIS PLANNING COMMISSION MEETING	No conditional use permit, site plan, or development plan application has been approved for GLE. The NRC license has not been issued. No construction has started. This Commission retains meaningful authority over what happens next.

Sources: World Nuclear News (Nov. 28, 2024); WPSD Local 6 (Nov. 28, 2024); Federal Register — NRC Notice of Intent (Sept. 5, 2025); DOE press release (Nov. 27, 2013); GLE website; Kentucky Cabinet for Economic Development (Mar. 26, 2026); Kentucky Resources Council NRC petition (May 5, 2026); WKMS (Mar. 26, 2026).

13C. The Infrastructure Subsidy Nobody Counted — GLE's Business Model Depends on the Superfund Site

GLE's \$98.9 million incentive package — KBI, KEIA, and the undisclosed county NDA commitment — is the publicly announced public subsidy. It is not the total public subsidy. GLE's business model was designed from the beginning around accessing infrastructure, feedstock, and workforce built and maintained at public expense on the adjacent Superfund site.

Infrastructure asset	What GLE's original proposal contemplated	Why this matters for McCracken County
Electrical infrastructure	GLE's 2013 DOE proposal included 'potential lease or use of existing Paducah Gaseous Diffusion Plant facilities, infrastructure, and utilities.' The former plant had a 125+ megawatt electrical capacity. Greater Paducah Economic Development cited 'proximity of our electrical infrastructure' as making the site uniquely attractive for large-scale industrial development.	The Superfund site's electrical infrastructure was built by the federal government and maintained at taxpayer expense as part of the cleanup operation. Access to that infrastructure — whether through lease or connection — represents a significant subsidy-in-kind to GLE that has never been valued or disclosed as part of the incentive package. <i>If GLE had to build equivalent electrical infrastructure from scratch on its 665-acre greenfield site, the cost would be substantial — and would properly be borne by GLE, not absorbed by the federal cleanup program.</i>
Water systems	The former Paducah Gaseous Diffusion Plant operated large-scale industrial water systems for cooling and process use. GLE's proposal contemplated accessing these existing systems.	A uranium enrichment facility requires significant water access for cooling and processing. The Superfund site's water infrastructure sits adjacent to GLE's 665-acre parcel. No independent water demand analysis for GLE's facility has been publicly conducted — one of the specific studies Pocatello's hearing examiner required before any data center permit could be resubmitted.

Infrastructure asset	What GLE's original proposal contemplated	Why this matters for McCracken County
Depleted uranium feedstock	GLE's entire business model is built around re-enriching the DOE's stockpile of 200,000+ metric tons of depleted uranium 'tails' stored at the Paducah site — uranium left over from 61 years of federal enrichment operations.	GLE is not bringing uranium to Paducah. It is processing uranium that is already here — stored on the Superfund site — as a legacy of federal operations. The feedstock itself is a DOE asset being transferred to a foreign corporation for commercial processing and sale on the global nuclear fuel market. McCracken County taxpayers stored this uranium for decades. GLE profits from it.
Skilled nuclear workforce	DOE explicitly cited 'the skilled nuclear workforce' of the former Paducah plant as a resource being leveraged by General Matter's lease. GLE would draw from the same regional workforce pool.	The existing skilled nuclear workforce in McCracken County is itself a product of 61 years of federal investment. Its availability is a subsidy-in-kind to private operators that is never counted in economic impact analyses.

THE UNDISCLOSED SUBSIDY: GLE's \$98.9 million incentive package covers KBI, KEIA, and the undisclosed county NDA commitment. It does not account for the value of access to the Superfund site's electrical infrastructure, water systems, and depleted uranium feedstock — all of which are assets built and maintained at federal and state taxpayer expense. The total public subsidy to GLE, properly calculated, is significantly larger than \$98.9 million. No one has been required to calculate it.

Sources: DOE press release — GLE selection (Nov. 27, 2013); World Nuclear News (Nov. 28, 2013); NS Energy (Nov. 28, 2013); Nuclear Engineering International; GLE website (gle-us.com); WPSD Local 6 — Greater Paducah Economic Development (Aug. 26, 2025); World Nuclear News — General Matter (Aug. 6, 2025).

13D. The Industrial Development Authority — The Body That Facilitated Everything Without a Public Vote

The Paducah-McCracken County Industrial Development Authority facilitated the land transfer that gave GLE its 665-acre site — acquiring the replacement land in Fulton County, coordinating the swap with Kentucky Fish and Wildlife, and providing GLE with its option to purchase. None of this required a Planning Commission vote or a public hearing.

- The Industrial Development Authority is not an elected body
- It operates without direct Planning Commission oversight
- Its decisions do not require public hearings under most circumstances
- The land it transferred to GLE was public Kentucky wildlife land — held in trust for all Kentucky citizens
- The replacement land GLE funded — 1,043 acres in Fulton County — is described in reporting as frequently flooded Mississippi River bottomland
- No public vote by any elected body in McCracken County has been identified as approving this transaction

THE PATTERN: The industrial development authority arranged the land option. The Governor announced the transfer. The state approved the incentives. The county signed an NDA. And now GLE is seeking NRC licensing — all without a single public vote by an elected body in McCracken County on the fundamental question of whether this is the right use of this land. This Planning Commission is the first elected body with direct authority over this project's future in McCracken County. It may be the last.

Full source list for Section 14: World Nuclear News (Nov. 28, 2024 and Nov. 28, 2013); WPSD Local 6 (Nov. 28, 2024); WKDZ Radio (Nov. 30, 2024); DOE press releases (2013, 2025); Federal Register (Sept. 5, 2025); Kentucky Cabinet for Economic Development (Mar. 26, 2026); GLE website; WKMS (Mar. 26, 2026 and Apr. 28, 2026); Kentucky Resources Council NRC petition (May 5, 2026); Fissile Materials Blog (Mar. 26, 2026).

CITIZEN REQUESTS TO THE McCRACKEN COUNTY PLANNING COMMISSION
Three Specific, Actionable Asks — May 27, 2026

THE NATIONAL CONTEXT: As of May 2026, 69 U.S. jurisdictions have active moratoriums blocking new data center construction — up from just 8 one year ago. Four of those are permanent. From March to April alone, 14 new restrictions were enacted. This is a bipartisan national reckoning — crossing party lines, crossing state lines, and now arriving at this Planning Commission. Six days ago, a hearing examiner in Pocatello, Idaho denied a \$2.26 billion data center conditional use permit, overruling her own planning staff, after 300 residents showed up to oppose it. McCracken County is not alone — and this Commission is not without precedent.

The following three requests are submitted by concerned citizens to the McCracken County Planning Commission for formal consideration and action. Ask 1 is actionable tonight. Asks 2 and 3 flow directly from it.

ASK 1 IS ACTIONABLE TONIGHT: The moratorium requires no further study, no external agency, no state or federal action. It requires only a vote of this Planning Commission. Every other ask flows from that one decision.

#	The Ask	What We Are Requesting — and Why	Planning Commission Authority
1	IMMEDIATE MORATORIUM on All Conditional Use Permits, Site Plan Approvals, and Development Plan Applications	<p>Place an immediate moratorium on all conditional use permits, site plan approvals, and development plan applications for data center and nuclear industrial development on or adjacent to the Paducah Gaseous Diffusion Plant Superfund site — until the independent cumulative assessment required in Ask 2 has been completed and made publicly available for a minimum 90-day public review period.</p> <p>The moratorium should not lift after a fixed number of months. It should lift when the work is done — and not before.</p>	<p>DIRECT AND IMMEDIATE PLANNING COMMISSION AUTHORITY. This Commission controls conditional use permits, site plan approvals, and development plan applications. Heavy industry zoning is in place — but no conditional use permit or site plan has been approved for GLE, the proposed data center, or the proposed SMR. This Commission can vote on this tonight.</p>
2	Require Applicants to Fund an Independent Cumulative Environmental and Economic Impact Assessment	<p>This Commission should require GLE, General Matter, and any data center/SMR applicant to each contribute proportionally to the cost of a single, comprehensive, independent cumulative environmental and economic impact assessment — as a condition of permit consideration. The assessment must evaluate all current and proposed projects together, not in isolation, and must be conducted by a party with no financial relationship to any applicant.</p> <p>The assessment must address at minimum:</p> <ul style="list-style-type: none"> • Cumulative water impacts on the Ohio River from all facilities combined • Interaction with and risk to active Superfund remediation infrastructure — including the pump-and-treat systems that have prevented contamination from reaching the Ohio River for nearly 30 years • Wastewater discharge quantities and chemical discharge risk • Long-term electrical infrastructure requirements and grid impact • Emergency planning capacity for all facilities simultaneously 	<p>STANDARD PLANNING PRACTICE. Planning commissions routinely require applicants to fund independent environmental impact studies as a condition of permit consideration. This is standard practice nationwide and is legally defensible under Kentucky planning law (KRS Chapter 100).</p> <p>WHY APPLICANTS SHOULD PAY: GLE's parent company Cameco has a market capitalization of approximately \$20 billion. GLE received a \$28.5 million federal grant. General Matter is backed by Peter Thiel's Founders Fund with a \$1.5 billion project valuation. Any data center applicant proposing a \$1 billion+ investment can afford the cost of an independent study of its own project's impact. It is not the responsibility of McCracken County taxpayers to fund the due diligence that protects them from these companies' projects.</p>

#	The Ask	What We Are Requesting — and Why	Planning Commission Authority
		<ul style="list-style-type: none"> Net economic impact to McCracken County — including all incentive programs, KBI tax intercepts, NDA commitments, and infrastructure costs Decommissioning costs and liability exposure for McCracken County <p>The completed assessment must be released publicly and a minimum 90-day public comment period must conclude before the moratorium in Ask 1 is lifted.</p>	
3	<p>Go On Record Demanding Public Disclosure of the NDA Between McCracken County and GLE — Before Any Further Approvals</p>	<p>This Planning Commission should formally go on record demanding that the nondisclosure agreement between McCracken County and GLE be publicly disclosed before any further planning approvals are granted for GLE or any related development.</p> <p>The math indicates that McCracken County has committed up to \$71.9 million in public incentives to GLE through an undisclosed mechanism — potentially a PILOT agreement, TIF district, or industrial revenue bond arrangement. Judge Clymer has refused to confirm the amount or mechanism, citing the NDA. The terms, duration, and county obligations under this agreement are unknown to the public.</p> <p>A planning commission is a public body. It should not approve development whose financial terms the public is legally prohibited from knowing. This Commission approving conditional use permits for GLE while the county's financial commitment to GLE remains secret would be approving development in the dark — on behalf of a community that deserves to vote, and pay taxes, in the light.</p>	<p>PLANNING COMMISSION CAN ACT TONIGHT.</p> <p>This Commission can adopt a formal resolution stating that no conditional use permit, site plan, or development plan application related to GLE or any Superfund-adjacent industrial development will be considered until the county's NDA with GLE is publicly disclosed.</p> <p>This Commission can also formally communicate that resolution to the McCracken County Fiscal Court, which has budget authority and direct accountability for the NDA commitment.</p>

WHY THREE ASKS — NOT MORE

These three asks are deliberately focused. Ask 1 pauses the clock. Ask 2 fills the single most critical information gap — with the applicants paying for it, not the county. Ask 3 demands the transparency that is the minimum precondition for any honest evaluation of these projects. Together they accomplish what no existing federal regulatory process is required to do: treat all of these projects as what they are — a cluster of nuclear industrial development on an active Superfund site beside the Ohio River, requiring a single comprehensive evaluation before McCracken County commits to anything it cannot undo.

"Pocatello should be read as a signal, not an outlier. If a smaller Idaho city can turn public resistance into a formal rejection, other municipalities can follow the same path. Power is necessary — but permission is everything." — Startup Fortune, May 19, 2026

Sources for national moratorium figures: U.S. Data Center Moratorium Tracker (Interconnected Capital, LLC, May 2026); Tom's Hardware (May 9, 2026); Deseret News (May 16, 2026); Nevada Independent (May 15, 2026); datacenterbans.com (May 2026). Note: Tracker is maintained by an industry-adjacent source; figures are confirmed by multiple independent news organizations. Kentucky Planning Authority: KRS Chapter 100.

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