

III. Support

DOE's full written record to explain the basis for the new categorical exclusion, including a discussion of relevant NEPA reviews, is available at www.energy.gov/nepa.

In summary, advanced nuclear reactors have key attributes such as safety features, fuel type, and fission product inventory that limit adverse consequences from releases of radioactive or hazardous material from construction, operation, and decommissioning. Although past advanced reactor projects have been for solely experimental, testing and demonstration purposes, the advanced fuel forms, inherently safe designs, and inventories of potential fission products associated with these reactors indicate that reactors in this category developed for additional purposes, such as power production and industrial applications, are also appropriate for this categorical exclusion.

Advanced reactor projects in this category typically employ inherent safety features and passive safety systems, in addition to well-established fuel, coolant, and structural materials that support their associated DOE safety design basis. Performance of these fuels, systems, and materials is sufficient to provide reasonable assurance of adequate protection to the public, workers, and environment. New reactor designs and their associated fuels ensure containment of radionuclides in the event of an accident. Operational periods for these projects will be bounded by the potential fission product inventory and will vary depending on the design and fuel type. Previously completed NEPA reviews have established that advanced reactors, including construction, operation, and decommissioning, characterized by technologies and materials (1) that have been verified to prevent adverse offsite consequences from release of radioactive or hazardous materials and (2) demonstrate that any hazardous waste, radioactive waste, or spent nuclear fuel generated by the project can be managed in accordance with applicable requirements do not significantly affect the quality of the human environment.

IV. DOE Solicits Comment

As explained previously, DOE is adding the new categorical exclusion for advanced nuclear reactors to its NEPA implementing procedures published outside the Code of Federal Regulations. DOE previously received public comments requesting that DOE add a categorical exclusion for nuclear power

reactors (e.g., 84 FR 34074). DOE has elected voluntarily to solicit comments on its new categorical exclusion for advanced nuclear reactors. DOE is soliciting comment on this new categorical exclusion and the associated written record, and may make revisions to this categorical exclusion, if DOE's review of any comments submitted suggests that further revisions are warranted. Commenters have 30 days from the date of publication of this notice to submit comments.⁴

Signing Authority

This document of the Department of Energy was signed on January 28, 2026, by Chris Wright, Secretary of Energy, U.S. Department of Energy. That document with the original signature and date is maintained by DOE. For administrative purposes only, and in compliance with requirements of the Office of the Federal Register, the undersigned DOE Federal Register Liaison Officer has been authorized to sign and submit the document in electronic format for publication, as an official document of the Department of Energy. This administrative process in no way alters the legal effect of this document upon publication in the **Federal Register**.

Signed in Washington, DC, on January 29, 2026.

Jennifer Hartzell,

*Alternate Federal Register Liaison Officer,
U.S. Department of Energy.*

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⁴ Before February 2025, the executive branch's historical practice was to receive public comments before promulgating a categorical exclusion. This practice was established by CEQ's NEPA implementing regulations. See 43 FR 56003 through 56004 (November 29, 1978) (establishing 40 CFR 1508.4, which defined, in part, a categorical exclusion as "procedures adopted by a Federal agency in implementation of these regulations" and cross-cited 40 CFR 1507.3 which required those procedures to be "publish[ed] . . . in the **Federal Register** for comment and . . . adopted only after an opportunity for public review"); see also 89 FR 35573-35575 (May 1, 2024) (analogous provisions in the 2024 final rule revising CEQ's NEPA implementing regulations). This historical practice is no longer applicable to the executive branch given that CEQ's NEPA implementing regulations have been rescinded in their entirety. See 90 FR 10610 (February 25, 2025); see also 90 FR 8353 (January 29, 2025) Executive Order 14154 (Unleashing American Energy), section 5(c) (directing revision of agency NEPA implementing procedures to "[c]onsistent with applicable law, . . . prioritize efficiency" over all other policy objectives).

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings

Take notice that the Commission has received the following Natural Gas Pipeline Rate and Refund Report filings:

Filings Instituting Proceedings

Docket Numbers: RP26-413-000.

Applicants: ANR Pipeline Company.

Description: 4(d) Rate Filing; Just Energy NR Agmts 140994 & 140996 to be effective 8/1/2025.

Filed Date: 1/27/26.

Accession Number: 20260127-5235.

Comment Date: 5 p.m. ET 2/9/26.

Docket Numbers: RP26-414-000.

Applicants: Southern LNG Company, L.L.C.

Description: 4(d) Rate Filing; Dredging Surcharge Cost Adjustment—2026 to be effective 3/1/2026.

Filed Date: 1/28/26.

Accession Number: 20260128-5097.

Comment Date: 5 p.m. ET 2/9/26.

Any person desiring to intervene, to protest, or to answer a complaint in any of the above proceedings must file in accordance with Rules 211, 214, or 206 of the Commission's Regulations (18 CFR 385.211, 385.214, or 385.206) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

The filings are accessible in the Commission's eLibrary system (<https://elibrary.ferc.gov/idmws/search/fercgensearch.asp>) by querying the docket number.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: <http://www.ferc.gov/docs-filing/efiling/filing-req.pdf>. For other information, call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, contact the Office of Public Participation at (202) 502-6595 or OPP@ferc.gov.

Dated: January 28, 2026.

Carlos D. Clay,
Deputy Secretary.

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