

Vogtle, Units 3 and 4, to a similar standing as part 50 licensees, which are able to request voluntary adoption of 10 CFR 50.69.

Accordingly, special circumstances exist under 10 CFR 50.12(a)(2)(ii) in that application of the regulation in these particular circumstances would not serve the underlying purpose of the rule or is not necessary to achieve the underlying purpose of the rule. Notably, the Commission's findings pursuant to 10 CFR 52.103(g) confirm that the acceptance criteria of the combined license are met, which allows SNC to operate Vogtle, Units 3 and 4, in accordance with the terms and conditions of combined license numbers NPF-91 and NPF-92, respectively. Based on the above, the NRC staff finds that the special circumstances described in 10 CFR 50.12(a)(2)(ii) are present for these exemptions.

E. Environmental Considerations

With respect to the impact of the exemptions on the quality of the human environment, the NRC has determined that the issuance of the exemptions discussed herein meets the eligibility criteria for categorical exclusion from the requirement to prepare an environmental assessment or environmental impact statement, set forth in 10 CFR 51.22(c)(25).

Under 10 CFR 51.22(c)(25), the granting of exemptions from the requirements of any regulation of 10 CFR chapter I (which includes 10 CFR 50.69(b)(1)), is an action that is a categorical exclusion, provided that certain specified criteria are met. The basis for NRC's determination is provided in the following evaluation of the requirements in 10 CFR 51.22(c)(25)(i)-(vi).

Requirements in 10 CFR 51.22(c)(25)(i)

To qualify for a categorical exclusion under 10 CFR 51.22(c)(25)(i), the exemptions must involve no significant hazards consideration. The criteria for determining whether an action involves a significant hazards consideration are found in 10 CFR 50.92. The exemptions to 10 CFR 50.69(b)(1) would simply allow SNC to request a license amendment to voluntarily adopt a risk-informed categorization and treatment of SSCs for Vogtle, Units 3 and 4. There are no significant hazard considerations because granting the exemptions would not: (1) involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3)

involve a significant reduction in a margin of safety.

Requirements in 10 CFR 51.22(c)(25)(ii)

There is no significant change in the types or significant increase in the amounts of any effluents that may be released offsite. The exemptions to 10 CFR 50.69(b)(1) would simply allow SNC to request a license amendment to voluntarily adopt a risk-informed categorization and treatment of SSCs for Vogtle, Units 3 and 4, and do not involve any changes in the types or increase in the amounts of any effluents that may be released offsite.

Requirements in 10 CFR 51.22(c)(25)(iii)

There is no significant increase in individual or cumulative public or occupational radiation exposure. Since the exemptions to 10 CFR 50.69(b)(1) would simply allow SNC to request a license amendment to voluntarily adopt a risk-informed categorization and treatment of SSCs for Vogtle, Units 3 and 4, they do not contribute to any significant increase in individual or cumulative public or occupational radiation exposures.

Requirements in 10 CFR 51.22(c)(25)(iv)

There is no significant construction impact. Since the exemptions to 10 CFR 50.69(b)(1) would simply allow SNC to request a license amendment to voluntarily adopt a risk-informed categorization and treatment of SSCs for Vogtle, Units 3 and 4, they do not involve any construction impact.

Requirements in 10 CFR 51.22(c)(25)(v)

There is no significant increase in the potential for or consequences from radiological accidents. The exemptions to 10 CFR 50.69(b)(1) would simply allow SNC to request a license amendment to voluntarily adopt a risk-informed categorization and treatment of SSCs for Vogtle, Units 3 and 4, and do not impact the potential for or consequences from radiological accidents.

Requirements in 10 CFR 51.22(c)(25)(vi)(I)

The exemptions to 10 CFR 50.69(b)(1) involve other requirements of an administrative, managerial, or organizational nature because they would simply allow SNC to request a license amendment to voluntarily adopt a risk-informed categorization and treatment of SSCs for Vogtle, Units 3 and 4, pursuant to 10 CFR 50.69.

Based on the previously noted requirements, the exemptions to 10 CFR 50.69(b)(1) meet the eligibility criteria for the categorical exclusion set forth in

10 CFR 51.22(c)(25). Therefore, in accordance with 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared in connection with the NRC staff's issuance of these exemptions.

IV. Conclusions

Accordingly, the Commission has determined that, pursuant to 10 CFR 50.12, the exemptions are authorized by law, will not present an undue risk to public health and safety, and are consistent with the common defense and security. Also, special circumstances, pursuant to 10 CFR 50.12(a)(2)(ii), are present. Therefore, the Commission hereby grants SNC exemptions to extend the applicability of 10 CFR 50.69(b)(1) to allow SNC, a holder of a COL under part 52, to request a license amendment to voluntarily adopt a risk-informed categorization and treatment of SSCs for Vogtle, Units 3 and 4, pursuant to 10 CFR 50.69.

The exemptions are effective upon issuance.

Dated: February 10, 2026

For the Nuclear Regulatory Commission.

Aida Rivera-Varona,
*Acting Director, Division of Operating
Reactor Licensing, Office of Nuclear Reactor
Regulation.*

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NUCLEAR REGULATORY COMMISSION

[Docket No. 70-7027; NRC-2022-0201]

TRISO-X, LLC; Special Nuclear Material License Application for the TRISO-X Fuel Fabrication Facility; Final Environmental Impact Statement

AGENCY: Nuclear Regulatory
Commission.

ACTION: Notice; issuance.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) has issued a final Environmental Impact Statement (EIS) for a Special Nuclear Material License Application for the TRISO-X Fuel Fabrication Facility (FFF). TRISO-X, LLC (TRISO-X) would be authorized to possess and use special nuclear material to manufacture high-assay low enriched uranium (HALEU) fuel. The proposed fuel fabrication facility would be located on a 110-acre site at the Horizon Center in Oak Ridge, Roane County, Tennessee. **DATES:** The FEIS referenced in this document was made publicly available on February 12, 2026.

ADDRESSES: Please refer to Docket ID NRC-2022-0201 when contacting the

NRC about the availability of information regarding this document. You may obtain publicly available information related to this document using any of the following methods:

- *Federal Rulemaking Website*: Go to <https://www.regulations.gov> and search for Docket ID NRC-2022-0201.

- *NRC's Agencywide Documents Access and Management System (ADAMS)*: You may obtain publicly available documents online in the ADAMS Public Documents collection at <https://www.nrc.gov/reading-rm/adams.html>. To begin the search, select "Begin ADAMS Public Search." For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1-800-397-4209, at 301-415-4737, or by email to PDR.Resource@nrc.gov. The final EIS is available in ADAMS under Accession No. ML26033A130.

- *NRC's PDR*: The PDR, where you may examine and order copies of publicly available documents, is open by appointment. To make an appointment to visit the PDR, please send an email to PDR.Resource@nrc.gov or call 1-800-397-4209 or 301-415-4737, between 8 a.m. and 4 p.m. eastern time (ET), Monday through Friday, except Federal holidays.

- *Public Library*: A copy of the final EIS for a Special Nuclear Material License Application for the TRISO-X FFF will be available for public review at the Oak Ridge Public Library, 1401 Oak Ridge Turnpike, Oak Ridge, TN 37830.

FOR FURTHER INFORMATION CONTACT: Jill Caverly, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone: 301-415-7674; email: Jill.Caverly@nrc.gov.

SUPPLEMENTARY INFORMATION:

I. Background

In accordance with section 51.118 of title 10 of the *Code of Federal Regulations* (10 CFR) "Final environmental impact statement—notice of availability," the NRC is providing notice that the final EIS for a Special Nuclear Material License Application for the TRISO-X FFF is available for public inspection. The NRC issued a draft EIS for this action on September 26, 2025 (ADAMS Accession No. ML25267A128) and published a **Federal Register** (FR) notice on October 23, 2025 (90 FR 48508) to request comments on the draft EIS. On November 17, 2025, the NRC extended the public comment period for the draft EIS until December 8, 2025 (90 FR 51412). The final EIS includes responses

to comments on the draft EIS and conforming changes where appropriate.

II. Discussion

The NRC has prepared a final EIS as part of its environmental review of the TRISO-X application for a 40-year license to possess and use special nuclear material at a FFF that would be located on a 110-acre greenfield site in Oak Ridge, Roane County, Tennessee. This final EIS assesses the potential environmental impacts of the TRISO-X license application and the associated proposal to construct, operate, and decommission the FFF, as well as the no-action alternative to the proposed action.

The proposed Federal action is the issuance of a license, under 10 CFR part 70, "Domestic Licensing of Special Nuclear Material," to authorize TRISO-X to possess and use special nuclear material to manufacture HALEU fuel at a to-be-constructed FFF. The facility would produce tri-structural isotropic-based coated particles and final fuel forms using uranium enriched to less than 20 weight percent uranium-235. Issuance of a license enabling the possession and use of special nuclear material at the FFF would be for a first-of-its-kind fabrication operation in the United States.

The final EIS for TRISO-X's license application includes the NRC staff's analysis that evaluates the environmental impacts of the proposed action and the no-action alternative to the proposed action. The final EIS also contains the NRC staff's final recommendation on the action to be taken, which is based on the following factors:

- The NRC staff's review of TRISO-X's environmental report (included as part of the TRISO-X license application) and associated responses from TRISO-X to requests from the NRC staff for clarifying information;
- The NRC staff's review of comments received as part of the scoping process;
- The NRC staff's communications with Federal, State, and local agencies, as well as Tribal officials;
- The NRC staff's review of comments on the draft EIS; and
- The NRC staff's independent environmental review.

The NRC staff's final recommendation, unless safety issues mandate otherwise, is that the NRC issue the license to possess and use special nuclear material to TRISO-X.

Dated: February 9, 2026.

For the Nuclear Regulatory Commission.

Robert Sun,

Chief, Environmental Project Management, Branch 2, Division of Rulemaking, Environmental, and Financial Support, Office of Nuclear Material Safety, and Safeguards.

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NUCLEAR REGULATORY COMMISSION

[NRC-2025-2062]

State of Wyoming: NRC Staff Assessment of a Proposed Amendment to the Agreement Between the Nuclear Regulatory Commission and the State of Wyoming

AGENCY: Nuclear Regulatory Commission.

ACTION: Proposed amendment to state agreement; request for comment.

SUMMARY: As required by Section 274e. of the Atomic Energy Act of 1954, as amended (AEA), the U.S. Nuclear Regulatory Commission (NRC or Commission) is publishing the proposed Agreement for public comment (Appendix A). The NRC is also publishing the summary of a draft assessment by the NRC staff of the State of Wyoming's regulatory source material program. Comments are requested on the proposed amendment to the Agreement and its effect on public health and safety. Comments are also requested on the draft staff assessment, the adequacy of the State of Wyoming's source material program, and the adequacy of the staffing of the State's program, as discussed in this document. **DATES:** Submit comments by March 2, 2026. Comments received after this date will be considered if it is practical to do so, but the Commission is able to ensure consideration only for comments received on or before this date.

ADDRESSES: You may submit comments by any of the following methods; however, the NRC encourages electronic comment submission through the Federal Rulemaking website:

- *Federal Rulemaking website*: Go to <https://www.regulations.gov> and search for Docket ID NRC-2025-2062. Address questions about Docket IDs in Regulations.gov to Bridget Curran; telephone: 301-415-1003; email: Bridget.Curran@nrc.gov. For technical questions, contact the individuals listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

- *Mail comments to*: Office of Administration, Mail Stop: TWFN-5-A85, U.S. Nuclear Regulatory Commission, Washington, DC 20555-