



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

March 4, 2022

John Raymond Johnson
Governor
Absentee Shawnee Tribe
2025 S. Gordon Cooper Drive
Shawnee, OK 74801

SUBJECT: REQUEST TO INITIATE SECTION 106 CONSULTATION AND SCOPING PROCESS FOR KAIROS POWER HERMES NON-POWER TEST REACTOR CONSTRUCTION PERMIT REVIEW IN ROANE COUNTY, TENNESSEE (DOCKET NUMBER: 50-7513)

Dear Governor Johnson:

The U.S. Nuclear Regulatory Commission (NRC) is conducting an environmental review for a construction permit application submitted by Kairos Power, LLC (Kairos) for the proposed Hermes non-power demonstration reactor. The application was submitted by Kairos in a letter dated September 29, 2021, pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Part 50, "Domestic Licensing of Production and Utilization Facilities". Additionally, by letter dated October 31, 2021, Kairos submitted an environmental report in support of its Hermes construction permit application. The facility, if licensed, would be constructed on a site within the East Tennessee Technology Park (ETTP) in Oak Ridge, Roane County, Tennessee (See Enclosure 1).

The application is available through the NRC's Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible at <http://www.nrc.gov/readingrm/adams.html>. The environmental report portion of the application is listed under ADAMS Accession No. ML21306A131. The environmental report is also available on the Internet at <https://www.nrc.gov/docs/ML2130/ML21306A131.html>.

As part of the review, the NRC staff is preparing an environmental impact statement (EIS) as required by 10 CFR Part 51 "Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions," the NRC's regulations that implement the National Environmental Policy Act (NEPA) of 1969, as amended. In accordance with 36 CFR 800, "Protection of Historic Properties" Section 800.8(c), the NRC is using the NEPA process to comply with Section 106 of the National Historic Preservation Act of 1966, as amended (NHPA), in lieu of the procedures set forth in 36 CFR 800.3 through 800.6. The EIS will include identification of historic and cultural resources and historic properties, an analysis of potential effects of the proposed action, including potential effects on historic and cultural resources and historic properties as well as the NRC staff's preliminary determination. The purpose of this letter is to initiate NHPA Section 106 government-to-government consultation with the Absentee Shawnee Tribe, and to invite you to participate in the environmental scoping process pursuant to 10 CFR 51.28(a).

The proposed Kairos Hermes site is located within the ETTP in the northwest quadrant of the Oak Ridge Reservation, is adjacent to the Clinch River arm of Watts Bar Reservoir in Roane County and is approximately 13 miles west of downtown Oak Ridge Tennessee (see Enclosure 2). The site comprises approximately 185 acres and is located on a parcel that previously housed buildings K-31 and K-33, which were part of the K-25 complex and operated as the Oak Ridge Gaseous Diffusion Plant. Uranium enrichment operations at the K-25 site ceased in 1986, and restoration, decontamination, and decommissioning activities began soon thereafter. Reindustrialization of the ETTP began in 1996 by U.S. Department of Energy in cooperation with the Community Reuse Organization of East Tennessee in preparation for conversion of the site to a private sector industrial park, to be called the Heritage Center. The ETTP has been transformed into a multi-use industrial park and conservation area. The proposed Hermes site is located across Poplar Creek and west of the Manhattan Project National Historic Park (see Enclosure 3). The NRC has defined the direct and indirect area of potential effects for this construction permit review as the area at the Hermes reactor site and its immediate environs, which may be directly or indirectly impacted by land-disturbing and building activities associated with the construction and operation of the proposed facility.

Pursuant to 10 CFR 51.28 and 36 CFR 800.2(c), the NRC wishes to ensure that Indian Tribes that might attach religious and cultural significance to historic properties in the area of potential effect are afforded the opportunity to identify their concerns, provide advice on the identification and evaluation of historic properties, including those of traditional religious, and cultural importance, and, if necessary, participate in the resolution of any adverse effects to such properties.

As your Tribe has historic ties to Tennessee, the NRC invites you to submit any comments or concerns on the scope of the environmental review by April 19, 2022. Comments and concerns may be submitted by any of the following methods:

- Email comments to: KairosHermes-CPEIS@nrc.gov; or
- Mail comments to: Office of Administration, Mail Stop: TWFN-7-A60M, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, ATTN: Program Management, Announcements and Editing Staff; or
- Federal Rulemaking Website: Go to <https://www.regulations.gov> and search for Docket ID NRC-2021-0193.

The NRC expects to publish the draft EIS in November 2022. A copy of the draft EIS will be made available for your review and comment. After consideration of public comments, the NRC will prepare a final EIS, which is scheduled to be published in September 2023.

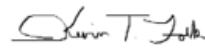
The NRC staff also plans to conduct a public outreach and environmental scoping meeting. The meeting is currently expected to be held on March 23, 2022. Meeting details will be available by March 11, 2022 at <https://www.nrc.gov/reactors/non-power/kairos-hermes.html> or at the NRC's Public Meeting Schedule website at <https://www.nrc.gov/pmns/mtg>.

J. Johnson

3

If you have any questions concerning the NRC's Section 106 consultation and associated historic and cultural resources review, please contact Ms. Jennifer Davis, staff archaeologist at 301-415-3835 or by e-mail at Jennifer.Davis@nrc.gov; or Mr. Peyton Doub, Ecologist at 301-415-6703 or by e-mail at Peyton.Doub@nrc.gov.

Sincerely,



Folk, Kevin signing on behalf
of Erwin, Kenneth
on 03/04/22

Kenneth Erwin, Chief,
Environmental Review New Reactor Branch
Division of Rulemaking, Environment,
and Financial Support,
Office of Nuclear Material Safety
and Safeguards

Docket No. 50-7513

Enclosures:

1. Figure 1.1-1: Site Location
2. Figure 2.2-1: Hermes Reactor Site
3. Figure 3.6-1: Manhattan Project National Historical Park

cc w/encls:

Ms. Devon Frazier, THPO



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

March 4, 2022

Nita Battise
Tribal Council Chairwoman
Alabama-Coushatta Tribe of Texas
571 State Park Road 56
Livingston, TX 77351

SUBJECT: REQUEST TO INITIATE SECTION 106 CONSULTATION AND SCOPING
PROCESS FOR KAIROS POWER HERMES NON-POWER TEST
REACTOR CONSTRUCTION PERMIT REVIEW IN ROANE COUNTY,
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Dear Chairwoman Battise:

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The proposed Kairos Hermes site is located within the ETTP in the northwest quadrant of the Oak Ridge Reservation, is adjacent to the Clinch River arm of Watts Bar Reservoir in Roane County and is approximately 13 miles west of downtown Oak Ridge Tennessee (see Enclosure 2). The site comprises approximately 185 acres and is located on a parcel that previously housed buildings K-31 and K-33, which were part of the K-25 complex and operated as the Oak Ridge Gaseous Diffusion Plant. Uranium enrichment operations at the K-25 site ceased in 1986, and restoration, decontamination, and decommissioning activities began soon thereafter. Reindustrialization of the ETTP began in 1996 by U.S. Department of Energy in cooperation with the Community Reuse Organization of East Tennessee in preparation for conversion of the site to a private sector industrial park, to be called the Heritage Center. The ETTP has been transformed into a multi-use industrial park and conservation area. The proposed Hermes site is located across Poplar Creek and west of the Manhattan Project National Historic Park (see Enclosure 3). The NRC has defined the direct and indirect area of potential effects for this construction permit review as the area at the Hermes reactor site and its immediate environs, which may be directly or indirectly impacted by land-disturbing and building activities associated with the construction and operation of the proposed facility.

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As your Tribe has historic ties to Tennessee, the NRC invites you to submit any comments or concerns on the scope of the environmental review by April 19, 2022. Comments and concerns may be submitted by any of the following methods:

- Email comments to: KairosHermes-CPEIS@nrc.gov; or
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Sincerely,



Folk, Kevin signing on behalf
of Erwin, Kenneth
on 03/04/22

Kenneth Erwin, Chief,
Environmental Review New Reactor Branch
Division of Rulemaking, Environment,
and Financial Support,
Office of Nuclear Material Safety
and Safeguards

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1. Figure 1.1-1: Site Location
2. Figure 2.2-1: Hermes Reactor Site
3. Figure 3.6-1: Manhattan Project National Historical Park

cc w/encls:

Bryant Celestine, Historic
Preservation Officer



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

March 4, 2022

Wilson Yargee, Chief
Alabama-Quassarte Tribal Town
P.O. Box 187
Wetumka, OK 74883

SUBJECT: REQUEST TO INITIATE SECTION 106 CONSULTATION AND SCOPING
PROCESS FOR KAIROS POWER HERMES NON-POWER TEST
REACTOR CONSTRUCTION PERMIT REVIEW IN ROANE COUNTY,
TENNESSEE (DOCKET NUMBER 50-7513)

Dear Chief Yargee:

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The proposed Kairos Hermes site is located within the ETTP in the northwest quadrant of the Oak Ridge Reservation, is adjacent to the Clinch River arm of Watts Bar Reservoir in Roane County and is approximately 13 miles west of downtown Oak Ridge Tennessee (see Enclosure 2). The site comprises approximately 185 acres and is located on a parcel that previously housed buildings K-31 and K-33, which were part of the K-25 complex and operated as the Oak Ridge Gaseous Diffusion Plant. Uranium enrichment operations at the K-25 site ceased in 1986, and restoration, decontamination, and decommissioning activities began soon thereafter. Reindustrialization of the ETTP began in 1996 by U.S. Department of Energy in cooperation with the Community Reuse Organization of East Tennessee in preparation for conversion of the site to a private sector industrial park, to be called the Heritage Center. The ETTP has been transformed into a multi-use industrial park and conservation area. The proposed Hermes site is located across Poplar Creek and west of the Manhattan Project National Historic Park (see Enclosure 3). The NRC has defined the direct and indirect area of potential effects for this construction permit review as the area at the Hermes reactor site and its immediate environs, which may be directly or indirectly impacted by land-disturbing and building activities associated with the construction and operation of the proposed facility.

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Sincerely,



Folk, Kevin signing on behalf
of Erwin, Kenneth
on 03/04/22

Kenneth Erwin, Chief,
Environmental Review New Reactor Branch
Division of Rulemaking, Environment,
and Financial Support,
Office of Nuclear Material Safety
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Docket No. 50-7513

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1. Figure 1.1-1: Site Location
2. Figure 2.2-1: Hermes Reactor Site
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cc w/encls:

Samantha Robison, THPO



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

March 4, 2022

Chuck Hoskin, Jr., Principal Chief
Cherokee Nation
P.O. Box 948
Tahlequah, OK 74465

SUBJECT: REQUEST TO INITIATE SECTION 106 CONSULTATION AND SCOPING
PROCESS FOR KAIROS POWER HERMES NON-POWER TEST
REACTOR CONSTRUCTION PERMIT REVIEW IN ROANE COUNTY,
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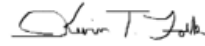
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Folk, Kevin signing on behalf
of Erwin, Kenneth
on 03/04/22

Kenneth Erwin, Chief,
Environmental Review New Reactor Branch
Division of Rulemaking, Environment,
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2. Figure 2.2-1: Hermes Reactor Site
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cc w/encls:

Elizabeth Toombs, THPO



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

March 4, 2022

Bill Anoatubby, Governor
Chickasaw Nation
P.O. Box 1548
Ada, OK 74821-1548

SUBJECT: REQUEST TO INITIATE SECTION 106 CONSULTATION AND SCOPING
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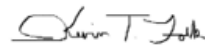
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B. Anoatubby

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Folk, Kevin signing on behalf
of Erwin, Kenneth
on 03/04/22

Kenneth Erwin, Chief,
Environmental Review New Reactor Branch
Division of Rulemaking, Environment,
and Financial Support,
Office of Nuclear Material Safety
and Safeguards

Docket No. 50-7513

Enclosures:

1. Figure 1.1-1: Site Location
2. Figure 2.2-1: Hermes Reactor Site
3. Figure 3.6-1: Manhattan Project National Historical Park

cc w/encls:

Karen Brunso, THPO



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

March 4, 2022

Richard Sneed, Principal Chief
Eastern Band of Cherokee Indians
Qualla Boundary
P.O. Box 1927
Cherokee, NC 28719

SUBJECT: REQUEST TO INITIATE SECTION 106 CONSULTATION AND SCOPING
PROCESS FOR KAIROS POWER HERMES NON-POWER TEST
REACTOR CONSTRUCTION PERMIT REVIEW IN ROANE COUNTY,
TENNESSEE (DOCKET NUMBER 50-7513)

Dear Principal Chief Sneed:

The U.S. Nuclear Regulatory Commission (NRC) is conducting an environmental review for a construction permit application submitted by Kairos Power, LLC (Kairos) for the proposed Hermes non-power demonstration reactor. The application was submitted by Kairos in a letter dated September 29, 2021, pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Part 50, "Domestic Licensing of Production and Utilization Facilities". Additionally, by letter dated October 31, 2021, Kairos submitted an environmental report in support of its Hermes construction permit application. The facility, if licensed, would be constructed on a site within the East Tennessee Technology Park (ETTP) in Oak Ridge, Roane County, Tennessee (See Enclosure 1).

The application is available through the NRC's Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible at <http://www.nrc.gov/readingrm/adams.html>. The environmental report portion of the application is listed under ADAMS Accession No. ML21306A131. The environmental report is also available on the Internet at <https://www.nrc.gov/docs/ML2130/ML21306A131.html>.

As part of the review, the NRC staff is preparing an environmental impact statement (EIS) as required by 10 CFR Part 51 "Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions," the NRC's regulations that implement the National Environmental Policy Act (NEPA) of 1969, as amended. In accordance with 36 CFR 800, "Protection of Historic Properties" Section 800.8(c), the NRC is using the NEPA process to comply with Section 106 of the National Historic Preservation Act of 1966, as amended (NHPA), in lieu of the procedures set forth in 36 CFR 800.3 through 800.6. The EIS will include identification of historic and cultural resources and historic properties, an analysis of potential effects of the proposed action, including potential effects on historic and cultural resources and historic properties as well as the NRC staff's preliminary determination. The purpose of this letter is to initiate NHPA Section 106 government-to-government consultation with the Eastern Band of Cherokee Indians, and to invite you to participate in the environmental scoping process pursuant to 10 CFR 51.28(a).

The proposed Kairos Hermes site is located within the ETTP in the northwest quadrant of the Oak Ridge Reservation, is adjacent to the Clinch River arm of Watts Bar Reservoir in Roane County and is approximately 13 miles west of downtown Oak Ridge Tennessee (see Enclosure 2). The site comprises approximately 185 acres and is located on a parcel that previously housed buildings K-31 and K-33, which were part of the K-25 complex and operated as the Oak Ridge Gaseous Diffusion Plant. Uranium enrichment operations at the K-25 site ceased in 1986, and restoration, decontamination, and decommissioning activities began soon thereafter. Reindustrialization of the ETTP began in 1996 by U.S. Department of Energy in cooperation with the Community Reuse Organization of East Tennessee in preparation for conversion of the site to a private sector industrial park, to be called the Heritage Center. The ETTP has been transformed into a multi-use industrial park and conservation area. The proposed Hermes site is located across Poplar Creek and west of the Manhattan Project National Historic Park (see Enclosure 3). The NRC has defined the direct and indirect area of potential effects for this construction permit review as the area at the Hermes reactor site and its immediate environs, which may be directly or indirectly impacted by land-disturbing and building activities associated with the construction and operation of the proposed facility.

Pursuant to 10 CFR 51.28 and 36 CFR 800.2(c), the NRC wishes to ensure that Indian Tribes that might attach religious and cultural significance to historic properties in the area of potential effect are afforded the opportunity to identify their concerns, provide advice on the identification and evaluation of historic properties, including those of traditional religious, and cultural importance, and, if necessary, participate in the resolution of any adverse effects to such properties.

As your Tribe has historic ties to Tennessee, the NRC invites you to submit any comments or concerns on the scope of the environmental review by April 19, 2022. Comments and concerns may be submitted by any of the following methods:

- Email comments to: KairosHermes-CPEIS@nrc.gov; or
- Mail comments to: Office of Administration, Mail Stop: TWFN-7-A60M, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, ATTN: Program Management, Announcements and Editing Staff; or
- Federal Rulemaking Website: Go to <https://www.regulations.gov> and search for Docket ID NRC-2021-0193.

The NRC expects to publish the draft EIS in November 2022. A copy of the draft EIS will be made available for your review and comment. After consideration of public comments, the NRC will prepare a final EIS, which is scheduled to be published in September 2023.

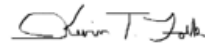
The NRC staff also plans to conduct a public outreach and environmental scoping meeting. The meeting is currently expected to be held on March 23, 2022. Meeting details will be available by March 11, 2022 at <https://www.nrc.gov/reactors/non-power/kairos-hermes.html> or at the NRC's Public Meeting Schedule website at <https://www.nrc.gov/pmns/mtg>.

R. Sneed

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If you have any questions concerning the NRC's Section 106 consultation and associated historic and cultural resources review, please contact Ms. Jennifer Davis, staff archaeologist at 301-415-3835 or by e-mail at Jennifer.Davis@nrc.gov; or Mr. Peyton Doub, Ecologist at 301-415-6703 or by e-mail at Peyton.Doub@nrc.gov.

Sincerely,



Folk, Kevin signing on behalf
of Erwin, Kenneth
on 03/04/22

Kenneth Erwin, Chief,
Environmental Review New Reactor Branch
Division of Rulemaking, Environment,
and Financial Support,
Office of Nuclear Material Safety
and Safeguards

Docket No. 50-7513

Enclosures:

1. Figure 1.1-1: Site Location
2. Figure 2.2-1: Hermes Reactor Site
3. Figure 3.6-1: Manhattan Project National Historical Park

cc w/encls:

Russell Townsend, THPO
Qualla Boundary
P.O. Box 455
Cherokee, NC 28719



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

March 4, 2022

Glenna J. Wallace, Chief
Eastern Shawnee Tribe of Oklahoma
12705 South 705 Road
Wyandotte, OK 74370

SUBJECT: REQUEST TO INITIATE SECTION 106 CONSULTATION AND SCOPING
PROCESS FOR KAIROS POWER HERMES NON-POWER TEST
REACTOR CONSTRUCTION PERMIT REVIEW IN ROANE COUNTY,
TENNESSEE (DOCKET NUMBER 50-7513)

Dear Chief Wallace:

The U.S. Nuclear Regulatory Commission (NRC) is conducting an environmental review for a construction permit application submitted by Kairos Power, LLC (Kairos) for the proposed Hermes non-power demonstration reactor. The application was submitted by Kairos in a letter dated September 29, 2021, pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Part 50, "Domestic Licensing of Production and Utilization Facilities". Additionally, by letter dated October 31, 2021, Kairos submitted an environmental report in support of its Hermes construction permit application. The facility, if licensed, would be constructed on a site within the East Tennessee Technology Park (ETTP) in Oak Ridge, Roane County, Tennessee (See Enclosure 1).

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As part of the review, the NRC staff is preparing an environmental impact statement (EIS) as required by 10 CFR Part 51 "Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions," the NRC's regulations that implement the National Environmental Policy Act (NEPA) of 1969, as amended. In accordance with 36 CFR 800, "Protection of Historic Properties" Section 800.8(c), the NRC is using the NEPA process to comply with Section 106 of the National Historic Preservation Act of 1966, as amended (NHPA), in lieu of the procedures set forth in 36 CFR 800.3 through 800.6. The EIS will include identification of historic and cultural resources and historic properties, an analysis of potential effects of the proposed action, including potential effects on historic and cultural resources and historic properties as well as the NRC staff's preliminary determination. The purpose of this letter is to initiate NHPA Section 106 government-to-government consultation with the Eastern Shawnee Tribe of Oklahoma, and to invite you to participate in the environmental scoping process pursuant to 10 CFR 51.28(a).

The proposed Kairos Hermes site is located within the ETTP in the northwest quadrant of the Oak Ridge Reservation, is adjacent to the Clinch River arm of Watts Bar Reservoir in Roane County and is approximately 13 miles west of downtown Oak Ridge Tennessee (see Enclosure 2). The site comprises approximately 185 acres and is located on a parcel that previously housed buildings K-31 and K-33, which were part of the K-25 complex and operated as the Oak Ridge Gaseous Diffusion Plant. Uranium enrichment operations at the K-25 site ceased in 1986, and restoration, decontamination, and decommissioning activities began soon thereafter. Reindustrialization of the ETTP began in 1996 by U.S. Department of Energy in cooperation with the Community Reuse Organization of East Tennessee in preparation for conversion of the site to a private sector industrial park, to be called the Heritage Center. The ETTP has been transformed into a multi-use industrial park and conservation area. The proposed Hermes site is located across Poplar Creek and west of the Manhattan Project National Historic Park (see Enclosure 3). The NRC has defined the direct and indirect area of potential effects for this construction permit review as the area at the Hermes reactor site and its immediate environs, which may be directly or indirectly impacted by land-disturbing and building activities associated with the construction and operation of the proposed facility.

Pursuant to 10 CFR 51.28 and 36 CFR 800.2(c), the NRC wishes to ensure that Indian Tribes that might attach religious and cultural significance to historic properties in the area of potential effect are afforded the opportunity to identify their concerns, provide advice on the identification and evaluation of historic properties, including those of traditional religious, and cultural importance, and, if necessary, participate in the resolution of any adverse effects to such properties.

As your Tribe has historic ties to Tennessee, the NRC invites you to submit any comments or concerns on the scope of the environmental review by April 19, 2022. Comments and concerns may be submitted by any of the following methods:

- Email comments to: KairosHermes-CPEIS@nrc.gov; or
- Mail comments to: Office of Administration, Mail Stop: TWFN-7-A60M, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, ATTN: Program Management, Announcements and Editing Staff; or
- Federal Rulemaking Website: Go to <https://www.regulations.gov> and search for Docket ID NRC-2021-0193.

The NRC expects to publish the draft EIS in November 2022. A copy of the draft EIS will be made available for your review and comment. After consideration of public comments, the NRC will prepare a final EIS, which is scheduled to be published in September 2023.

The NRC staff also plans to conduct a public outreach and environmental scoping meeting. The meeting is currently expected to be held on March 23, 2022. Meeting details will be available by March 11, 2022 at <https://www.nrc.gov/reactors/non-power/kairos-hermes.html> or at the NRC's Public Meeting Schedule website at <https://www.nrc.gov/pmns/mtg>.

G. Wallace

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If you have any questions concerning the NRC's Section 106 consultation and associated historic and cultural resources review, please contact Ms. Jennifer Davis, staff archaeologist at 301-415-3835 or by e-mail at Jennifer.Davis@nrc.gov; or Mr. Peyton Doub, Ecologist at 301-415-6703 or by e-mail at Peyton.Doub@nrc.gov.

Sincerely,



Folk, Kevin signing on behalf
of Erwin, Kenneth
on 03/04/22

Kenneth Erwin, Chief,
Environmental Review New Reactor Branch
Division of Rulemaking, Environment,
and Financial Support,
Office of Nuclear Material Safety
and Safeguards

Docket No. 50-7513

Enclosures:

1. Figure 1.1-1: Site Location
2. Figure 2.2-1: Hermes Reactor Site
3. Figure 3.6-1: Manhattan Project National Historical Park

cc w/encls:

Paul Barton, THPO and Cultural Preservation
Director



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

March 4, 2022

Brian Givens, Town King
Kialegee Tribal Town
P.O. Box 332
Wetumka, OK 74883

SUBJECT: REQUEST TO INITIATE SECTION 106 CONSULTATION AND SCOPING
PROCESS FOR KAIROS POWER HERMES NON-POWER TEST
REACTOR CONSTRUCTION PERMIT REVIEW IN ROANE COUNTY,
TENNESSEE (DOCKET NUMBER 50-7513)

Dear Town King Givens:

The U.S. Nuclear Regulatory Commission (NRC) is conducting an environmental review for a construction permit application submitted by Kairos Power, LLC (Kairos) for the proposed Hermes non-power demonstration reactor. The application was submitted by Kairos in a letter dated September 29, 2021, pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Part 50, "Domestic Licensing of Production and Utilization Facilities". Additionally, by letter dated October 31, 2021, Kairos submitted an environmental report in support of its Hermes construction permit application. The facility, if licensed, would be constructed on a site within the East Tennessee Technology Park (ETTP) in Oak Ridge, Roane County, Tennessee (See Enclosure 1).

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The proposed Kairos Hermes site is located within the ETTP in the northwest quadrant of the Oak Ridge Reservation, is adjacent to the Clinch River arm of Watts Bar Reservoir in Roane County and is approximately 13 miles west of downtown Oak Ridge Tennessee (see Enclosure 2). The site comprises approximately 185 acres and is located on a parcel that previously housed buildings K-31 and K-33, which were part of the K-25 complex and operated as the Oak Ridge Gaseous Diffusion Plant. Uranium enrichment operations at the K-25 site ceased in 1986, and restoration, decontamination, and decommissioning activities began soon thereafter. Reindustrialization of the ETTP began in 1996 by U.S. Department of Energy in cooperation with the Community Reuse Organization of East Tennessee in preparation for conversion of the site to a private sector industrial park, to be called the Heritage Center. The ETTP has been transformed into a multi-use industrial park and conservation area. The proposed Hermes site is located across Poplar Creek and west of the Manhattan Project National Historic Park (see Enclosure 3). The NRC has defined the direct and indirect area of potential effects for this construction permit review as the area at the Hermes reactor site and its immediate environs, which may be directly or indirectly impacted by land-disturbing and building activities associated with the construction and operation of the proposed facility.

Pursuant to 10 CFR 51.28 and 36 CFR 800.2(c), the NRC wishes to ensure that Indian Tribes that might attach religious and cultural significance to historic properties in the area of potential effect are afforded the opportunity to identify their concerns, provide advice on the identification and evaluation of historic properties, including those of traditional religious, and cultural importance, and, if necessary, participate in the resolution of any adverse effects to such properties.

As your Tribe has historic ties to Tennessee, the NRC invites you to submit any comments or concerns on the scope of the environmental review by April 19, 2022. Comments and concerns may be submitted by any of the following methods:

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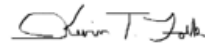
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B. Givens

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Sincerely,



Folk, Kevin signing on behalf
of Erwin, Kenneth
on 03/04/22

Kenneth Erwin, Chief,
Environmental Review New Reactor Branch
Division of Rulemaking, Environment,
and Financial Support,
Office of Nuclear Material Safety
and Safeguards

Docket No. 50-7513

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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

March 4, 2022

David Hill, Principal Chief
Muscogee (Creek) Nation
P.O. Box 580
Okmulgee, OK 74447

SUBJECT: REQUEST TO INITIATE SECTION 106 CONSULTATION AND SCOPING
PROCESS FOR KAIROS POWER HERMES NON-POWER TEST
REACTOR CONSTRUCTION PERMIT REVIEW IN ROANE COUNTY,
TENNESSEE (DOCKET NUMBER 50-7513)

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As your Tribe has historic ties to Tennessee, the NRC invites you to submit any comments or concerns that you may have to offer on the scope of the environmental review by April 19, 2022. Comments and concerns may be submitted by any of the following methods:

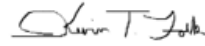
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Sincerely,



Folk, Kevin signing on behalf
of Erwin, Kenneth
on 03/04/22

Kenneth Erwin, Chief,
Environmental Review New Reactor Branch
Division of Rulemaking, Environment,
and Financial Support,
Office of Nuclear Material Safety
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Docket No. 50-7513

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cc w/encls:

Corain Lowe-Zepeda, THPO



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

March 4, 2022

Stephanie A. Bryan, Tribal Chair
Poarch Band of Creek Indians
5811 Jack Springs Road
Atmore, AL 36502

SUBJECT: REQUEST TO INITIATE SECTION 106 CONSULTATION AND SCOPING
PROCESS FOR KAIROS POWER HERMES NON-POWER TEST
REACTOR CONSTRUCTION PERMIT REVIEW IN ROANE COUNTY,
TENNESSEE (DOCKET NUMBER 50-7513)

Dear Tribal Chair Bryan:

The U.S. Nuclear Regulatory Commission (NRC) is conducting an environmental review for a construction permit application submitted by Kairos Power, LLC (Kairos) for the proposed Hermes non-power demonstration reactor. The application was submitted by Kairos in a letter dated September 29, 2021, pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Part 50, "Domestic Licensing of Production and Utilization Facilities". Additionally, by letter dated October 31, 2021, Kairos submitted an environmental report in support of its Hermes construction permit application. The facility, if licensed, would be constructed on a site within the East Tennessee Technology Park (ETTP) in Oak Ridge, Roane County, Tennessee (See Enclosure 1).

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The proposed Kairos Hermes site is located within the ETTP in the northwest quadrant of the Oak Ridge Reservation, is adjacent to the Clinch River arm of Watts Bar Reservoir in Roane County and is approximately 13 miles west of downtown Oak Ridge Tennessee (see Enclosure 2). The site comprises approximately 185 acres and is located on a parcel that previously housed buildings K-31 and K-33, which were part of the K-25 complex and operated as the Oak Ridge Gaseous Diffusion Plant. Uranium enrichment operations at the K-25 site ceased in 1986, and restoration, decontamination, and decommissioning activities began soon thereafter. Reindustrialization of the ETTP began in 1996 by U.S. Department of Energy in cooperation with the Community Reuse Organization of East Tennessee in preparation for conversion of the site to a private sector industrial park, to be called the Heritage Center. The ETTP has been transformed into a multi-use industrial park and conservation area. The proposed Hermes site is located across Poplar Creek and west of the Manhattan Project National Historic Park (see Enclosure 3). The NRC has defined the direct and indirect area of potential effects for this construction permit review as the area at the Hermes reactor site and its immediate environs, which may be directly or indirectly impacted by land-disturbing and building activities associated with the construction and operation of the proposed facility.

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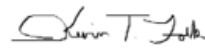
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The NRC expects to publish the draft EIS in November 2022. A copy of the draft EIS will be made available for your review and comment. After consideration of public comments, the NRC will prepare a final EIS, which is scheduled to be published in September 2023.

The NRC staff also plans to conduct a public outreach and environmental scoping meeting. The meeting is currently expected to be held on March 23, 2022. Meeting details will be available by March 11, 2022 at <https://www.nrc.gov/reactors/non-power/kairos-hermes.html> or at the NRC's Public Meeting Schedule website at <https://www.nrc.gov/pmns/mtg>.

If you have any questions concerning the NRC's Section 106 consultation and associated historic and cultural resources review, please contact Ms. Jennifer Davis, staff archaeologist at 301-415-3835 or by e-mail at Jennifer.Davis@nrc.gov; or Mr. Peyton Doub, Ecologist at 301-415-6703 or by e-mail at Peyton.Doub@nrc.gov.

Sincerely,



Folk, Kevin signing on behalf
of Erwin, Kenneth
on 03/04/22

Kenneth Erwin, Chief,
Environmental Review New Reactor Branch
Division of Rulemaking, Environment,
and Financial Support,
Office of Nuclear Material Safety
and Safeguards

Docket No. 50-7513

Enclosures:

1. Figure 1.1-1: Site Location
2. Figure 2.2-1: Hermes Reactor Site
3. Figure 3.6-1: Manhattan Project National Historical Park

cc w/encls:

Larry D. Haikey, THPO



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

March 4, 2022

Greg P. Chilcoat, Principal Chief
Seminole Nation of Oklahoma
P.O. Box 1498
Wewoka, OK 74884

SUBJECT: REQUEST TO INITIATE SECTION 106 CONSULTATION AND SCOPING
PROCESS FOR KAIROS POWER HERMES NON-POWER TEST
REACTOR CONSTRUCTION PERMIT REVIEW IN ROANE COUNTY,
TENNESSEE (DOCKET NUMBER 50-7513)

Dear Principal Chief Chilcoat:

The U.S. Nuclear Regulatory Commission (NRC) is conducting an environmental review for a construction permit application submitted by Kairos Power, LLC (Kairos) for the proposed Hermes non-power demonstration reactor. The application was submitted by Kairos in a letter dated September 29, 2021, pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Part 50, "Domestic Licensing of Production and Utilization Facilities". Additionally, by letter dated October 31, 2021, Kairos submitted an environmental report in support of its Hermes construction permit application. The facility, if licensed, would be constructed on a site within the East Tennessee Technology Park (ETTP) in Oak Ridge, Roane County, Tennessee (See Enclosure 1).

The application is available through the NRC's Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible at <http://www.nrc.gov/readingrm/adams.html>. The environmental report portion of the application is listed under ADAMS Accession No. ML21306A131. The environmental report is also available on the Internet at <https://www.nrc.gov/docs/ML2130/ML21306A131.html>.

As part of the review, the NRC staff is preparing an environmental impact statement (EIS) as required by 10 CFR Part 51 "Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions," the NRC's regulations that implement the National Environmental Policy Act (NEPA) of 1969, as amended. In accordance with 36 CFR 800, "Protection of Historic Properties" Section 800.8(c), the NRC is using the NEPA process to comply with Section 106 of the National Historic Preservation Act of 1966, as amended (NHPA), in lieu of the procedures set forth in 36 CFR 800.3 through 800.6. The EIS will include identification of historic and cultural resources and historic properties, an analysis of potential effects of the proposed action, including potential effects on historic and cultural resources and historic properties as well as the NRC staff's preliminary determination. The purpose of this letter is to initiate NHPA Section 106 government-to-government consultation with the Seminole Nation of Oklahoma, and to invite you to participate in the environmental scoping process pursuant to 10 CFR 51.28(a).

The proposed Kairos Hermes site is located within the ETTP in the northwest quadrant of the Oak Ridge Reservation, is adjacent to the Clinch River arm of Watts Bar Reservoir in Roane County and is approximately 13 miles west of downtown Oak Ridge Tennessee (see Enclosure 2). The site comprises approximately 185 acres and is located on a parcel that previously housed buildings K-31 and K-33, which were part of the K-25 complex and operated as the Oak Ridge Gaseous Diffusion Plant. Uranium enrichment operations at the K-25 site ceased in 1986, and restoration, decontamination, and decommissioning activities began soon thereafter. Reindustrialization of the ETTP began in 1996 by U.S. Department of Energy in cooperation with the Community Reuse Organization of East Tennessee in preparation for conversion of the site to a private sector industrial park, to be called the Heritage Center. The ETTP has been transformed into a multi-use industrial park and conservation area. The proposed Hermes site is located across Poplar Creek and west of the Manhattan Project National Historic Park (see Enclosure 3). The NRC has defined the direct and indirect area of potential effects for this construction permit review as the area at the Hermes reactor site and its immediate environs, which may be directly or indirectly impacted by land-disturbing and building activities associated with the construction and operation of the proposed facility.

Pursuant to 10 CFR 51.28 and 36 CFR 800.2(c), the NRC wishes to ensure that Indian Tribes that might attach religious and cultural significance to historic properties in the area of potential effect are afforded the opportunity to identify their concerns, provide advice on the identification and evaluation of historic properties, including those of traditional religious, and cultural importance, and, if necessary, participate in the resolution of any adverse effects to such properties.

As your Tribe has historic ties to Tennessee, the NRC invites you to submit any comments or concerns on the scope of the environmental review by April 19, 2022. Comments and concerns may be submitted by any of the following methods:

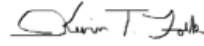
- Email comments to: KairosHermes-CPEIS@nrc.gov; or
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If you have any questions concerning the NRC's Section 106 consultation and associated historic and cultural resources review, please contact Ms. Jennifer Davis, staff archaeologist at 301-415-3835 or by e-mail at Jennifer.Davis@nrc.gov; or Mr. Peyton Doub, Ecologist at 301-415-6703 or by e-mail at Peyton.Doub@nrc.gov.

Sincerely,



Folk, Kevin signing on behalf
of Erwin, Kenneth
on 03/04/22

Kenneth Erwin, Chief,
Environmental Review New Reactor Branch
Division of Rulemaking, Environment,
and Financial Support,
Office of Nuclear Material Safety
and Safeguards

Docket No. 50-7513

Enclosures:

1. Figure 1.1-1: Site Location
2. Figure 2.2-1: Hermes Reactor Site
3. Figure 3.6-1: Manhattan Project National Historical Park

cc w/encls:

David Frank, THPO



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

March 4, 2022

Marcellus W. Osceola, Jr.
Chairman
Seminole Tribe of Florida
6300 Stirling Road
Hollywood, FL 33024

SUBJECT: REQUEST TO INITIATE SECTION 106 CONSULTATION AND SCOPING
PROCESS FOR KAIROS POWER HERMES NON-POWER TEST
REACTOR CONSTRUCTION PERMIT REVIEW IN ROANE COUNTY,
TENNESSEE (DOCKET NUMBER 50-7513)

Dear Chairman Osceola:

The U.S. Nuclear Regulatory Commission (NRC) is conducting an environmental review for a construction permit application submitted by Kairos Power, LLC (Kairos) for the proposed Hermes non-power demonstration reactor. The application was submitted by Kairos in a letter dated September 29, 2021, pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Part 50, "Domestic Licensing of Production and Utilization Facilities". Additionally, by letter dated October 31, 2021, Kairos submitted an environmental report in support of its Hermes construction permit application. The facility, if licensed, would be constructed on a site within the East Tennessee Technology Park (ETTP) in Oak Ridge, Roane County, Tennessee (See Enclosure 1).

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The proposed Kairos Hermes site is located within the ETTP in the northwest quadrant of the Oak Ridge Reservation, is adjacent to the Clinch River arm of Watts Bar Reservoir in Roane County and is approximately 13 miles west of downtown Oak Ridge Tennessee (see Enclosure 2). The site comprises approximately 185 acres and is located on a parcel that previously housed buildings K-31 and K-33, which were part of the K-25 complex and operated as the Oak Ridge Gaseous Diffusion Plant. Uranium enrichment operations at the K-25 site ceased in 1986, and restoration, decontamination, and decommissioning activities began soon thereafter. Reindustrialization of the ETTP began in 1996 by U.S. Department of Energy in cooperation with the Community Reuse Organization of East Tennessee in preparation for conversion of the site to a private sector industrial park, to be called the Heritage Center. The ETTP has been transformed into a multi-use industrial park and conservation area. The proposed Hermes site is located across Poplar Creek and west of the Manhattan Project National Historic Park (see Enclosure 3). The NRC has defined the direct and indirect area of potential effects for this construction permit review as the area at the Hermes reactor site and its immediate environs, which may be directly or indirectly impacted by land-disturbing and building activities associated with the construction and operation of the proposed facility.

Pursuant to 10 CFR 51.28 and 36 CFR 800.2(c), the NRC wishes to ensure that Indian Tribes that might attach religious and cultural significance to historic properties in the area of potential effect are afforded the opportunity to identify their concerns, provide advice on the identification and evaluation of historic properties, including those of traditional religious, and cultural importance, and, if necessary, participate in the resolution of any adverse effects to such properties.

As your Tribe has historic ties to Tennessee, the NRC invites you to submit any comments or concerns on the scope of the environmental review by April 19, 2022. Comments and concerns may be submitted by any of the following methods:

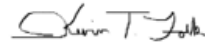
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The NRC expects to publish the draft EIS in November 2022. A copy of the draft EIS will be made available for your review and comment. After consideration of public comments, the NRC will prepare a final EIS, which is scheduled to be published in September 2023.

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If you have any questions concerning the NRC's Section 106 consultation and associated historic and cultural resources review, please contact Ms. Jennifer Davis, staff archaeologist at 301-415-3835 or by e-mail at Jennifer.Davis@nrc.gov; or Mr. Peyton Doub, Ecologist at 301-415-6703 or by e-mail at Peyton.Doub@nrc.gov.

Sincerely,



Folk, Kevin signing on behalf
of Erwin, Kenneth
on 03/04/22

Kenneth Erwin, Chief,
Environmental Review New Reactor Branch
Division of Rulemaking, Environment,
and Financial Support,
Office of Nuclear Material Safety
and Safeguards

Docket No. 50-7513

Enclosures:

1. Figure 1.1-1: Site Location
2. Figure 2.2-1: Hermes Reactor Site
3. Figure 3.6-1: Manhattan Project National Historical Park

cc w/encls:

Paul Backhouse, Ph.D., THPO
Ah-Ta-Thi-Ki Museum
30290 Josie Billie Hwy, PMB 1004,
Clewiston, FL 33440



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

March 4, 2022

Benjamin Barnes, Chief
Shawnee Tribe
P.O. Box 189
Miami, OK 74354

SUBJECT: REQUEST TO INITIATE SECTION 106 CONSULTATION AND SCOPING
PROCESS FOR KAIROS POWER HERMES NON-POWER TEST
REACTOR CONSTRUCTION PERMIT REVIEW IN ROANE COUNTY,
TENNESSEE (DOCKET NUMBER 50-7513)

Dear Chief Barnes:

The U.S. Nuclear Regulatory Commission (NRC) is conducting an environmental review for a construction permit application submitted by Kairos Power, LLC (Kairos) for the proposed Hermes non-power demonstration reactor. The application was submitted by Kairos in a letter dated September 29, 2021, pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Part 50, "Domestic Licensing of Production and Utilization Facilities". Additionally, by letter dated October 31, 2021, Kairos submitted an environmental report in support of its Hermes construction permit application. The facility, if licensed, would be constructed on a site within the East Tennessee Technology Park (ETTP) in Oak Ridge, Roane County, Tennessee (See Enclosure 1).

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The proposed Kairos Hermes site is located within ETTP in the northwest quadrant of the Oak Ridge Reservation, is adjacent to the Clinch River arm of Watts Bar Reservoir in Roane County and is approximately 13 miles west of downtown Oak Ridge Tennessee (see Enclosure 2). The site comprises approximately 185 acres and is located on a parcel that previously housed buildings K-31 and K-33, which were part of the K-25 complex and operated as the Oak Ridge Gaseous Diffusion Plant. Uranium enrichment operations at the K-25 site ceased in 1986, and restoration, decontamination, and decommissioning activities began soon thereafter. Reindustrialization of the ETTP began in 1996 by U.S. Department of Energy in cooperation with the Community Reuse Organization of East Tennessee in preparation for conversion of the site to a private sector industrial park, to be called the Heritage Center. The ETTP has been transformed into a multi-use industrial park and conservation area. The proposed Hermes site is located across Poplar Creek and west of the Manhattan Project National Historic Park (see Enclosure 3). The NRC has defined the direct and indirect area of potential effects for this construction permit review as the area at the Hermes reactor site and its immediate environs, which may be directly or indirectly impacted by land-disturbing and building activities associated with the construction and operation of the proposed facility.

Pursuant to 10 CFR 51.28 and 36 CFR 800.2(c), the NRC wishes to ensure that Indian Tribes that might attach religious and cultural significance to historic properties in the area of potential effect are afforded the opportunity to identify their concerns, provide advice on the identification and evaluation of historic properties, including those of traditional religious, and cultural importance, and, if necessary, participate in the resolution of any adverse effects to such properties.

As your Tribe has historic ties to Tennessee, the NRC invites you to submit any comments or concerns on the scope of the environmental review by April 19, 2022. Comments and concerns may be submitted by any of the following methods:

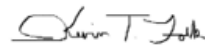
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Sincerely,



Folk, Kevin signing on behalf
of Erwin, Kenneth
on 03/04/22

Kenneth Erwin, Chief,
Environmental Review New Reactor Branch
Division of Rulemaking, Environment,
and Financial Support,
Office of Nuclear Material Safety
and Safeguards

Docket No. 50-7513

Enclosures:

1. Figure 1.1-1: Site Location
2. Figure 2.2-1: Hermes Reactor Site
3. Figure 3.6-1: Manhattan Project National Historical Park

cc w/encls:

Tonya Tipton, THPO



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

March 4, 2022

Ryan Morrow, Town King
Thlopthlocco Tribal Town
P.O. Box 188
Okemah, OK 74859

SUBJECT: REQUEST TO INITIATE SECTION 106 CONSULTATION AND SCOPING
PROCESS FOR KAIROS POWER HERMES NON-POWER TEST
REACTOR CONSTRUCTION PERMIT REVIEW IN ROANE COUNTY,
TENNESSEE (DOCKET NUMBER 50-7513)

Dear Town King Morrow:

The U.S. Nuclear Regulatory Commission (NRC) is conducting an environmental review for a construction permit application submitted by Kairos Power, LLC (Kairos) for the proposed Hermes non-power demonstration reactor. The application was submitted by Kairos in a letter dated September 29, 2021, pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Part 50, "Domestic Licensing of Production and Utilization Facilities". Additionally, by letter dated October 31, 2021, Kairos submitted an environmental report in support of its Hermes construction permit application. The facility, if licensed, would be constructed on a site within the East Tennessee Technology Park (ETTP) in Oak Ridge, Roane County, Tennessee (See Enclosure 1).

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The proposed Kairos Hermes site is located within the ETTP in the northwest quadrant of the Oak Ridge Reservation, is adjacent to the Clinch River arm of Watts Bar Reservoir in Roane County and is approximately 13 miles west of downtown Oak Ridge Tennessee (see Enclosure 2). The site comprises approximately 185 acres and is located on a parcel that previously housed buildings K-31 and K-33, which were part of the K-25 complex and operated as the Oak Ridge Gaseous Diffusion Plant. Uranium enrichment operations at the K-25 site ceased in 1986, and restoration, decontamination, and decommissioning activities began soon thereafter. Reindustrialization of the ETTP began in 1996 by U.S. Department of Energy in cooperation with the Community Reuse Organization of East Tennessee in preparation for conversion of the site to a private sector industrial park, to be called the Heritage Center. The ETTP has been transformed into a multi-use industrial park and conservation area. The proposed Hermes site is located across Poplar Creek and west of the Manhattan Project National Historic Park (see Enclosure 3). The NRC has defined the direct and indirect area of potential effects for this construction permit review as the area at the Hermes reactor site and its immediate environs, which may be directly or indirectly impacted by land-disturbing and building activities associated with the construction and operation of the proposed facility.

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R. Morrow

3

If you have any questions concerning the NRC's Section 106 consultation and associated historic and cultural resources review, please contact Ms. Jennifer Davis, staff archaeologist at 301-415-3835 or by e-mail at Jennifer.Davis@nrc.gov; or Mr. Peyton Doub, Ecologist at 301-415-6703 or by e-mail at Peyton.Doub@nrc.gov.

Sincerely,



Folk, Kevin signing on behalf
of Erwin, Kenneth
on 03/04/22

Kenneth Erwin, Chief,
Environmental Review New Reactor Branch
Division of Rulemaking, Environment,
and Financial Support,
Office of Nuclear Material Safety
and Safeguards

Docket No. 50-7513

Enclosures:

1. Figure 1.1-1: Site Location
2. Figure 2.2-1: Hermes Reactor Site
3. Figure 3.6-1: Manhattan Project National Historical Park

cc w/encls:

Galen Cloud, THPO



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

March 4, 2022

Joe Bunch, Chief
United Keetoowah Band of
Cherokee Indians of Oklahoma
P.O. Box 746
Tahlequah, OK 74465

SUBJECT: REQUEST TO INITIATE SECTION 106 CONSULTATION AND SCOPING
PROCESS FOR KAIROS POWER HERMES NON-POWER TEST
REACTOR CONSTRUCTION PERMIT REVIEW IN ROANE COUNTY,
TENNESSEE (DOCKET NUMBER 50-7513)

Dear Chief Bunch:

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The proposed Kairos Hermes site is located within the ETTP in the northwest quadrant of the Oak Ridge Reservation, is adjacent to the Clinch River arm of Watts Bar Reservoir in Roane County and is approximately 13 miles west of downtown Oak Ridge Tennessee (see Enclosure 2). The site comprises approximately 185 acres and is located on a parcel that previously housed buildings K-31 and K-33, which were part of the K-25 complex and operated as the Oak Ridge Gaseous Diffusion Plant. Uranium enrichment operations at the K-25 site ceased in 1986, and restoration, decontamination, and decommissioning activities began soon thereafter. Reindustrialization of the ETTP began in 1996 by U.S. Department of Energy in cooperation with the Community Reuse Organization of East Tennessee in preparation for conversion of the site to a private sector industrial park, to be called the Heritage Center. The ETTP has been transformed into a multi-use industrial park and conservation area. The proposed Hermes site is located across Poplar Creek and west of the Manhattan Project National Historic Park (see Enclosure 3). The NRC has defined the direct and indirect area of potential effects for this construction permit review as the area at the Hermes reactor site and its immediate environs, which may be directly or indirectly impacted by land-disturbing and building activities associated with the construction and operation of the proposed facility.

Pursuant to 10 CFR 51.28 and 36 CFR 800.2(c), the NRC wishes to ensure that Indian Tribes that might attach religious and cultural significance to historic properties in the area of potential effect are afforded the opportunity to identify their concerns, provide advice on the identification and evaluation of historic properties, including those of traditional religious, and cultural importance, and, if necessary, participate in the resolution of any adverse effects to such properties.

As your Tribe has historic ties to Tennessee, the NRC invites you to submit any comments or concerns on the scope of the environmental review by April 19, 2022. Comments and concerns may be submitted by any of the following methods:

- Email comments to: KairosHermes-CPEIS@nrc.gov; or
- Mail comments to: Office of Administration, Mail Stop: TWFN-7-A60M, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, ATTN: Program Management, Announcements and Editing Staff; or
- Federal Rulemaking Website: Go to <https://www.regulations.gov> and search for Docket ID NRC-2021-0193.

The NRC expects to publish the draft EIS in November 2022. A copy of the draft EIS will be made available for your review and comment. After consideration of public comments, the NRC will prepare a final EIS, which is scheduled to be published in September 2023.

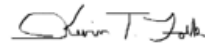
The NRC staff also plans to conduct a public outreach and environmental scoping meeting. The meeting is currently expected to be held on March 23, 2022. Meeting details will be available by March 11, 2022 at <https://www.nrc.gov/reactors/non-power/kairos-hermes.html> or at the NRC's Public Meeting Schedule website at <https://www.nrc.gov/pmns/mtg>.

J. Bunch

3

If you have any questions concerning the NRC's Section 106 consultation and associated historic and cultural resources review, please contact Ms. Jennifer Davis, staff archaeologist at 301-415-3835 or by e-mail at Jennifer.Davis@nrc.gov; or Mr. Peyton Doub, Ecologist at 301-415-6703 or by e-mail at Peyton.Doub@nrc.gov.

Sincerely,



Folk, Kevin signing on behalf
of Erwin, Kenneth
on 03/04/22

Kenneth Erwin, Chief,
Environmental Review New Reactor Branch
Division of Rulemaking, Environment,
and Financial Support,
Office of Nuclear Material Safety
and Safeguards

Docket No. 50-7513

Enclosures:

1. Figure 1.1-1: Site Location
2. Figure 2.2-1: Hermes Reactor Site
3. Figure 3.6-1: Manhattan Project National Historical Park

cc w/encls:

Whitney Warrior, Director
Historic Preservation Office
P.O. Box 1245
Talequah, OK 74465



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

March 4, 2022

David Sickey, Chairman
Coushatta Tribe of Louisiana
P.O. Box 818
Elton, LA 70532

SUBJECT: REQUEST TO INITIATE SECTION 106 CONSULTATION AND SCOPING
PROCESS FOR KAIROS POWER HERMES NON-POWER TEST
REACTOR CONSTRUCTION PERMIT REVIEW IN ROANE COUNTY,
TENNESSEE (DOCKET NUMBER 50-7513)

Dear Chairman Sickey:

The U.S. Nuclear Regulatory Commission (NRC) is conducting an environmental review for a construction permit application submitted by Kairos Power, LLC (Kairos) for the proposed Hermes non-power demonstration reactor. The application was submitted by Kairos in a letter dated September 29, 2021, pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Part 50, "Domestic Licensing of Production and Utilization Facilities". Additionally, by letter dated October 31, 2021, Kairos submitted an environmental report in support of its Hermes construction permit application. The facility, if licensed, would be constructed on a site within the East Tennessee Technology Park (ETTP) in Oak Ridge, Roane County, Tennessee (See Enclosure 1).

The application is available through the NRC's Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible at <http://www.nrc.gov/readingrm/adams.html>. The environmental report portion of the application is listed under ADAMS Accession No. ML21306A131. The environmental report is also available on the Internet at <https://www.nrc.gov/docs/ML2130/ML21306A131.html>.

As part of the review, the NRC staff is preparing an environmental impact statement (EIS) as required by 10 CFR Part 51 "Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions," the NRC's regulations that implement the National Environmental Policy Act (NEPA) of 1969, as amended. In accordance with 36 CFR 800, "Protection of Historic Properties" Section 800.8(c), the NRC is using the NEPA process to comply with Section 106 of the National Historic Preservation Act of 1966, as amended (NHPA), in lieu of the procedures set forth in 36 CFR 800.3 through 800.6. The EIS will include identification of historic and cultural resources and historic properties, an analysis of potential effects of the proposed action, including potential effects on historic and cultural resources and historic properties as well as the NRC staff's preliminary determination. The purpose of this letter is to initiate NHPA Section 106 government-to-government consultation with the Coushatta Tribe of Louisiana, and to invite you to participate in the environmental scoping process pursuant to 10 CFR 51.28(a).

The proposed Kairos Hermes site is located within the ETPP in the northwest quadrant of the Oak Ridge Reservation, is adjacent to the Clinch River arm of Watts Bar Reservoir in Roane County and is approximately 13 miles west of downtown Oak Ridge Tennessee (see Enclosure 2). The site comprises approximately 185 acres and is located on a parcel that previously housed buildings K-31 and K-33, which were part of the K-25 complex and operated as the Oak Ridge Gaseous Diffusion Plant. Uranium enrichment operations at the K-25 site ceased in 1986, and restoration, decontamination, and decommissioning activities began soon thereafter. Reindustrialization of the ETPP began in 1996 by U.S. Department of Energy in cooperation with the Community Reuse Organization of East Tennessee in preparation for conversion of the site to a private sector industrial park, to be called the Heritage Center. The ETPP has been transformed into a multi-use industrial park and conservation area. The proposed Hermes site is located across Poplar Creek and west of the Manhattan Project National Historic Park (see Enclosure 3). The NRC has defined the direct and indirect area of potential effects for this construction permit review as the area at the Hermes reactor site and its immediate environs, which may be directly or indirectly impacted by land-disturbing and building activities associated with the construction and operation of the proposed facility.

Pursuant to 10 CFR 51.28 and 36 CFR 800.2(c), the NRC wishes to ensure that Indian Tribes that might attach religious and cultural significance to historic properties in the area of potential effect are afforded the opportunity to identify their concerns, provide advice on the identification and evaluation of historic properties, including those of traditional religious, and cultural importance, and, if necessary, participate in the resolution of any adverse effects to such properties.

As your Tribe has historic ties to Tennessee, the NRC invites you to submit any comments or concerns on the scope of the environmental review by April 19, 2022. Comments and concerns may be submitted by any of the following methods:

- Email comments to: KairosHermes-CPEIS@nrc.gov; or
- Mail comments to: Office of Administration, Mail Stop: TWFN-7-A60M, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, ATTN: Program Management, Announcements and Editing Staff; or
- Federal Rulemaking Website: Go to <https://www.regulations.gov> and search for Docket ID NRC-2021-0193.

The NRC expects to publish the draft EIS in November 2022. A copy of the draft EIS will be made available for your review and comment. After consideration of public comments, the NRC will prepare a final EIS, which is scheduled to be published in September 2023.

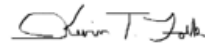
The NRC staff also plans to conduct a public outreach and environmental scoping meeting. The meeting is currently expected to be held on March 23, 2022. Meeting details will be available by March 11, 2022 at <https://www.nrc.gov/reactors/non-power/kairos-hermes.html> or at the NRC's Public Meeting Schedule website at <https://www.nrc.gov/pmns/mtg>.

D. Sickey

3

If you have any questions concerning the NRC's Section 106 consultation and associated historic and cultural resources review, please contact Ms. Jennifer Davis, staff archaeologist at 301-415-3835 or by e-mail at Jennifer.Davis@nrc.gov; or Mr. Peyton Doub, Ecologist at 301-415-6703 or by e-mail at Peyton.Doub@nrc.gov.

Sincerely,



Folk, Kevin signing on behalf
of Erwin, Kenneth
on 03/04/22

Kenneth Erwin, Chief,
Environmental Review New Reactor Branch
Division of Rulemaking, Environment,
and Financial Support,
Office of Nuclear Material Safety
and Safeguards

Docket No. 50-7513

Enclosures:

1. Figure 1.1-1: Site Location
2. Figure 2.2-1: Hermes Reactor Site
3. Figure 3.6-1: Manhattan Project National Historical Park

cc w/encls:

Dr. Linda Langley, THPO
P.O. Box 10
Elton, LA 70532



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

March 4, 2022

B. Cheryl Smith, Principal Chief
Jena Band of Choctaw Indians
P.O. Box 14
Jena, LA 71432

SUBJECT: REQUEST TO INITIATE SECTION 106 CONSULTATION AND SCOPING
PROCESS FOR KAIROS POWER HERMES NON-POWER TEST
REACTOR CONSTRUCTION PERMIT REVIEW IN ROANE COUNTY,
TENNESSEE (DOCKET NUMBER 50-7513)

Dear Principal Chief Smith:

The U.S. Nuclear Regulatory Commission (NRC) is conducting an environmental review for a construction permit application submitted by Kairos Power, LLC (Kairos) for the proposed Hermes non-power demonstration reactor. The application was submitted by Kairos in a letter dated September 29, 2021, pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Part 50, "Domestic Licensing of Production and Utilization Facilities". Additionally, by letter dated October 31, 2021, Kairos submitted an environmental report in support of its Hermes construction permit application. The facility, if licensed, would be constructed on a site within the East Tennessee Technology Park (ETTP) in Oak Ridge, Roane County, Tennessee (See Enclosure 1).

The application is available through the NRC's Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible at <http://www.nrc.gov/readingrm/adams.html>. The environmental report portion of the application is listed under ADAMS Accession No. ML21306A131. The environmental report is also available on the Internet at <https://www.nrc.gov/docs/ML2130/ML21306A131.html>.

As part of the review, the NRC staff is preparing an environmental impact statement (EIS) as required by 10 CFR Part 51 "Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions," the NRC's regulations that implement the National Environmental Policy Act (NEPA) of 1969, as amended. In accordance with 36 CFR 800, "Protection of Historic Properties" Section 800.8(c), the NRC is using the NEPA process to comply with Section 106 of the National Historic Preservation Act of 1966, as amended (NHPA), in lieu of the procedures set forth in 36 CFR 800.3 through 800.6. The EIS will include identification of historic and cultural resources and historic properties, an analysis of potential effects of the proposed action, including potential effects on historic and cultural resources and historic properties as well as the NRC staff's preliminary determination. The purpose of this letter is to initiate NHPA Section 106 government-to-government consultation with the Jena Band of Choctaw Indians, and to invite you to participate in the environmental scoping process pursuant to 10 CFR 51.28(a).

The proposed Kairos Hermes site is located within the ETTP in the northwest quadrant of the Oak Ridge Reservation, is adjacent to the Clinch River arm of Watts Bar Reservoir in Roane County and is approximately 13 miles west of downtown Oak Ridge Tennessee (see Enclosure 2). The site comprises approximately 185 acres and is located on a parcel that previously housed buildings K-31 and K-33, which were part of the K-25 complex and operated as the Oak Ridge Gaseous Diffusion Plant. Uranium enrichment operations at the K-25 site ceased in 1986, and restoration, decontamination, and decommissioning activities began soon thereafter. Reindustrialization of the ETTP began in 1996 by U.S. Department of Energy in cooperation with the Community Reuse Organization of East Tennessee in preparation for conversion of the site to a private sector industrial park, to be called the Heritage Center. The ETTP has been transformed into a multi-use industrial park and conservation area. The proposed Hermes site is located across Poplar Creek and west of the Manhattan Project National Historic Park (see Enclosure 3). The NRC has defined the direct and indirect area of potential effects for this construction permit review as the area at the Hermes reactor site and its immediate environs, which may be directly or indirectly impacted by land-disturbing and building activities associated with the construction and operation of the proposed facility.

Pursuant to 10 CFR 51.28 and 36 CFR 800.2(c), the NRC wishes to ensure that Indian Tribes that might attach religious and cultural significance to historic properties in the area of potential effect are afforded the opportunity to identify their concerns, provide advice on the identification and evaluation of historic properties, including those of traditional religious, and cultural importance, and, if necessary, participate in the resolution of any adverse effects to such properties.

As your Tribe has historic ties to Tennessee, the NRC invites you to submit any comments or concerns on the scope of the environmental review by April 19, 2022. Comments and concerns may be submitted by any of the following methods:

- Email comments to: KairosHermes-CPEIS@nrc.gov; or
- Mail comments to: Office of Administration, Mail Stop: TWFN-7-A60M, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, ATTN: Program Management, Announcements and Editing Staff; or
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The NRC expects to publish the draft EIS in November 2022. A copy of the draft EIS will be made available for your review and comment. After consideration of public comments, the NRC will prepare a final EIS, which is scheduled to be published in September 2023.

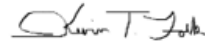
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B. Cheryl Smith

3

If you have any questions concerning the NRC's Section 106 consultation and associated historic and cultural resources review, please contact Ms. Jennifer Davis, staff archaeologist at 301-415-3835 or by e-mail at Jennifer.Davis@nrc.gov; or Mr. Peyton Doub, Ecologist at 301-415-6703 or by e-mail at Peyton.Doub@nrc.gov.

Sincerely,



Folk, Kevin signing on behalf
of Erwin, Kenneth
on 03/04/22

Kenneth Erwin, Chief,
Environmental Review New Reactor Branch
Division of Rulemaking, Environment,
and Financial Support,
Office of Nuclear Material Safety
and Safeguards

Docket No. 50-7513

Enclosures:

1. Figure 1.1-1: Site Location
2. Figure 2.2-1: Hermes Reactor Site
3. Figure 3.6-1: Manhattan Project National Historical Park

cc w/encls:

Alina J. Shively, THPO



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

March 4, 2022

Deborah Dotson, President
Delaware Nation
P.O. Box 825
Anadarko, OK 73005

SUBJECT: REQUEST TO INITIATE SECTION 106 CONSULTATION AND SCOPING
PROCESS FOR KAIROS POWER HERMES NON-POWER TEST
REACTOR CONSTRUCTION PERMIT REVIEW IN ROANE COUNTY,
TENNESSEE (DOCKET NUMBER 50-7513)

Dear President Dotson:

The U.S. Nuclear Regulatory Commission (NRC) is conducting an environmental review for a construction permit application submitted by Kairos Power, LLC (Kairos) for the proposed Hermes non-power demonstration reactor. The application was submitted by Kairos in a letter dated September 29, 2021, pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Part 50, "Domestic Licensing of Production and Utilization Facilities". Additionally, by letter dated October 31, 2021, Kairos submitted an environmental report in support of its Hermes construction permit application. The facility, if licensed, would be constructed on a site within the East Tennessee Technology Park (ETTP) in Oak Ridge, Roane County, Tennessee (See Enclosure 1).

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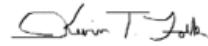
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If you have any questions concerning the NRC's Section 106 consultation and associated historic and cultural resources review, please contact Ms. Jennifer Davis, staff archaeologist at 301-415-3835 or by e-mail at Jennifer.Davis@nrc.gov; or Mr. Peyton Doub, Ecologist at 301-415-6703 or by e-mail at Peyton.Doub@nrc.gov.

Sincerely,



Folk, Kevin signing on behalf
of Erwin, Kenneth
on 03/04/22

Kenneth Erwin, Chief,
Environmental Review New Reactor Branch
Division of Rulemaking, Environment,
and Financial Support,
Office of Nuclear Material Safety
and Safeguards

Docket No. 50-7513

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2. Figure 2.2-1: Hermes Reactor Site
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cc w/encls:

Erin Paden, Historic Preservation Director

SUBJECT: REQUEST TO INITIATE SECTION 106 CONSULTATION AND SCOPING
PROCESS FOR KAIROS POWER HERMES NON-POWER TEST
REACTOR CONSTRUCTION PERMIT REVIEW IN ROANE COUNTY,
TENNESSEE (DOCKET NUMBER 50-7513)

Dated: March 4, 2022

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RidsOGCMailCenter	JAzeizat, OGC	SBurnell, OPA	JPelchat, RII
DGasperson, RII/OPA	RidsOCAMailCenter		

Identical letters have been sent to:

Governor John Raymond Johnson, Absentee Shawnee Tribe
Tribal Council Chairwoman Nita Battise, Alabama-Coushatta Tribe of Texas
Chief Wilson Yargee, Alabama-Quassarte Tribal Town
Principal Chief Chuck Hoskin, Jr., Cherokee Nation
Governor Bill Anoatubby, Chickasaw Nation
Principal Chief Richard Sneed, Eastern Band of Cherokee Indians
Chief Glenna J. Wallace, Eastern Shawnee Tribe of Oklahoma
Town King Brian Givens, Kialegee Tribal Town
Principal Chief David Hill, Muscogee (Creek) Nation
Tribal Chair Stephanie A. Bryan, Poarch Band of Creek Indians
Principal Chief Greg P. Chilcoat, Seminole Nation of Oklahoma
Chairman Marcellus W. Osceola Jr., Seminole Tribe of Florida
Chief Benjamin Barnes, Shawnee Tribe
Town King Ryan Morrow, Thlopthlocco Tribal Town
Chief Joe Bunch, United Keetoowah Band of Cherokee Indians in Oklahoma
Chairman David Sickey, Coushatta Tribe of Louisiana
Principal Chief B. Cheryl Smith, Jena Band of Choctaw Indians
President Deborah Dotson, Delaware Nation

ADAMS Accession Nos: ML22031A289

***via email**

OFFICE	NMSS/REFS	NMSS/REFS	NMSS/REFS	NMSS/REFS	OGC
NAME	JDavis	AWalker-Smith	PDoub	KErwin	RHarper
DATE	02/07/2022	02/08/2022	02/09/2022	02/09/2022	02/23/2022
OFFICE	NMSS/REFS	NMSS/REFS			
NAME	JDavis	KErwin (KFolk for)			
DATE	03/04/2022	03/04/2022			

OFFICIAL RECORD COPY

Figure 1.1-1: Site Location

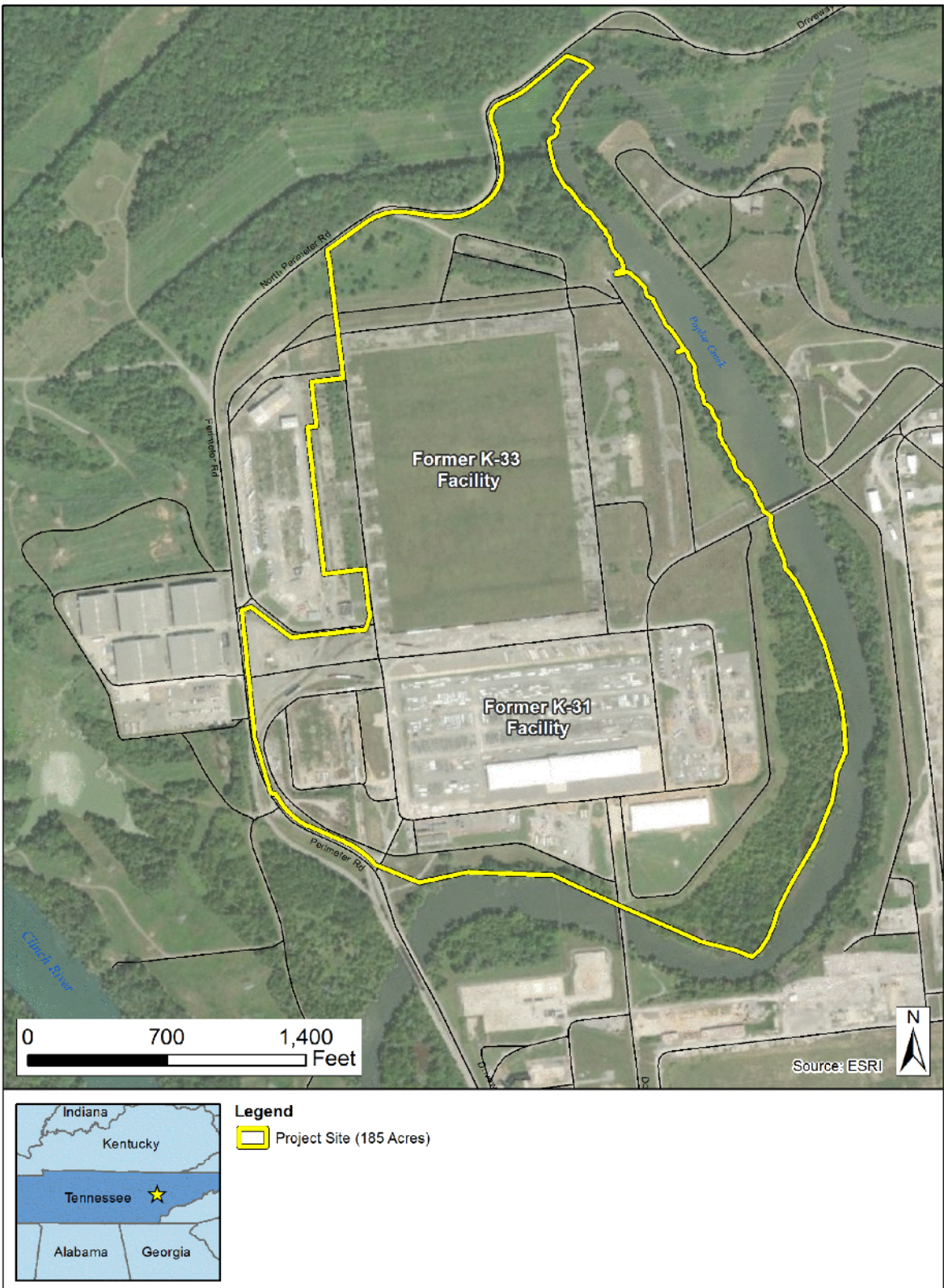


Figure 2.2-1: Hermes Reactor Site

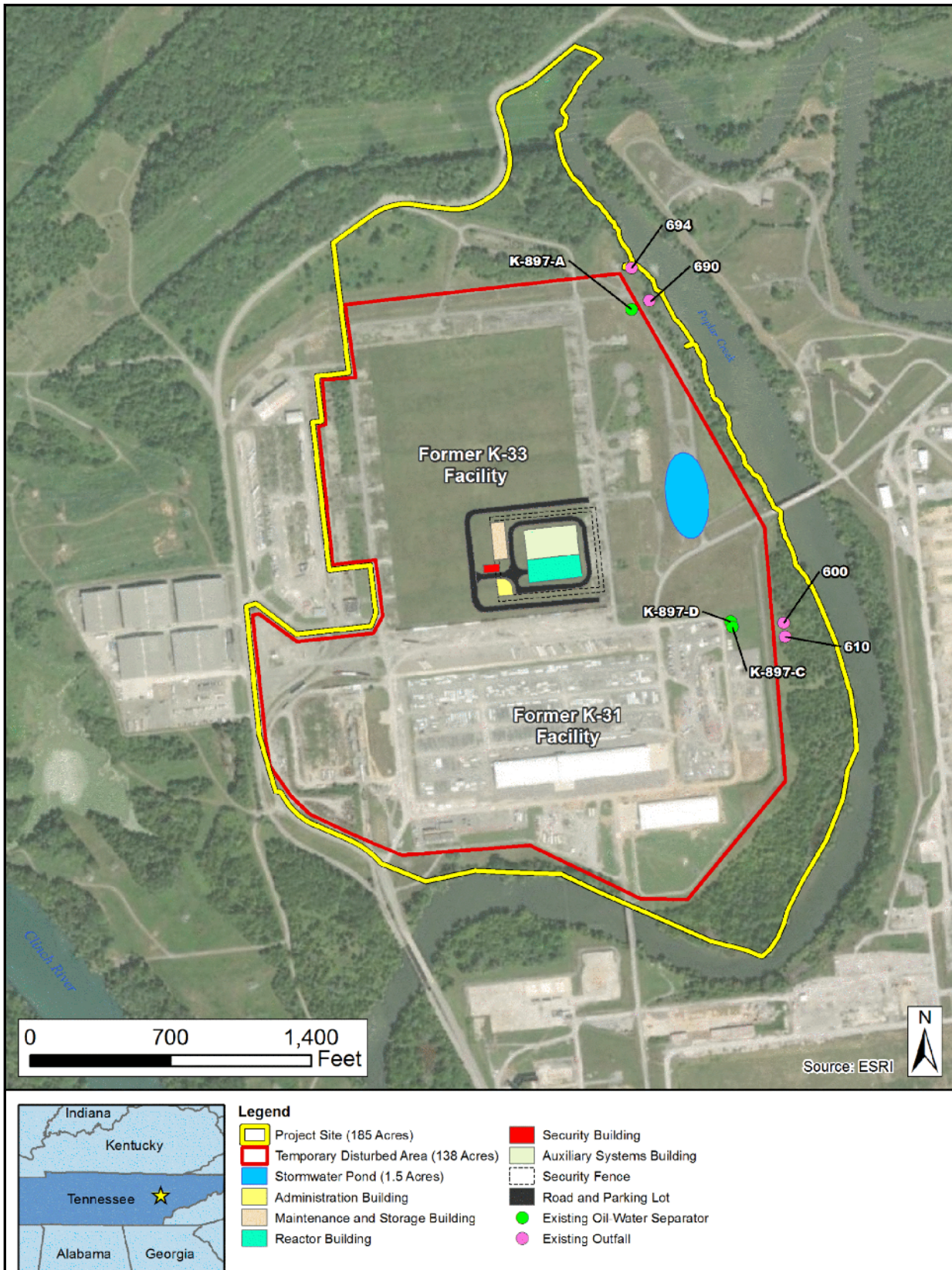


Figure 3.6-1: Manhattan Project National Historical Park

