



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

June 25, 2025

Joshua Frost  
U.S. Army Corps of Engineers  
Nashville District  
3701 Bell Road  
Nashville, TN 37214

SUBJECT: INVITATION TO PARTICIPATE AS A COOPERATING AGENCY IN  
PREPARATION OF A SUPPLEMENTAL ENVIRONMENTAL IMPACT  
STATEMENT FOR THE TENNESSEE VALLEY AUTHORITY CONSTRUCTION  
PERMIT APPLICATION AT THE CLINCH RIVER NUCLEAR SITE, ROANE  
COUNTY, TENNESSEE

Dear Joshua Frost:

The purpose of this letter is to invite the Nashville District, U.S. Army Corps of Engineers (Corps) to participate as a cooperating agency in the U.S. Nuclear Regulatory Commission (NRC) staff's preparation of a supplement to the Early Site Permit (ESP) environmental impact statement (EIS) issued for Tennessee Valley Authority's (TVA) ESP. TVA has requested a construction permit (CP) to build one small modular reactor at the Clinch River Nuclear Site in Roane County, Tennessee. The NRC staff is developing a supplement to the ESP EIS to address the environmental impacts associated with TVA's request for a CP, pursuant to the National Environmental Policy Act (NEPA), as amended. The NRC plans to publish a *Federal Register* Notice of Intent to prepare a supplement for the CP application by June 2025.

Pursuant to section 107(a)(3) of the Fiscal Responsibility Act of 2023, a Federal agency may request another Federal agency having either jurisdiction by law or possess special expertise regarding any environmental issue to participate as a cooperating agency. Because of the Nashville District's (District) regulatory authority over the discharge of dredged or fill material (e.g., soil, rock, debris) at the Clinch River Nuclear Site including jurisdictional wetlands, we are requesting the District to be a cooperating agency. In addition, the District has special expertise in evaluating whether aspects of this project comply with the Clean Water Act § 404(b)(1) guidelines.

On September 12, 2008, the NRC and the Corps signed a Memorandum of Understanding (MOU) on "Environmental Reviews Related to Requests to Construct and Operate New Nuclear Power Plants" (Agencywide Documents Access and Management System (ADAMS) Accession No. [ML082540354](#)). The purpose of the MOU is to establish a framework for early coordination and participation between the two agencies to ensure the timely review of the proposed nuclear power plant applications. Cooperation between the NRC and the Corps on the TVA application will ensure that each agency's review responsibilities under NEPA and other related statutes are met in connection with their respective jurisdictions. The general roles and responsibilities of the NRC (as lead agency) and the Corps (as cooperating agency) in developing an EIS for the TVA project are provided in the above-referenced MOU.

In addition to the above-referenced roles and responsibilities, the NRC will serve as the lead Federal agency regarding consultations for Section 106 of the National Historic Preservation Act of 1966, as amended, Title 36 of the *Code of Federal Regulations* (36 CFR) 800.2(a)(2), and Section 7 of the Endangered Species Act of 1973, as amended. The NRC's consultations will be conducted to the extent of NRC's regulatory authority for the proposed action. The NRC will also lead consultations with the Tribes and coordinate with the District while determining the scope of the consultations to reduce the burden on all consulting parties.

The NRC estimates completion of the development of the supplement EIS in 10 months from the issuance of acceptance, in accordance with timeframes listed in the Fiscal Responsibility Act of 2023. If you have any questions or would like to discuss this project in more detail, please contact Madelyn Nagel, Environmental Project Manager, at 301-415-0371 or via e-mail at [Madelyn.Nagel@nrc.gov](mailto:Madelyn.Nagel@nrc.gov).

Sincerely,



Signed by Barnhurst, Daniel  
on 06/25/25

Daniel Barnhurst, Chief  
Environmental Project Management Branch 3  
Division of Rulemaking, Environment,  
and Financial Support  
Office of Nuclear Material Safety  
and Safeguards

Docket No.: 50-615

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**\*via e-mail**

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DATE	6/23/2025	6/24/2025	6/25/2025

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