



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

July 16, 2025

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

SUBJECT: INITIATION OF SECTION 106 CONSULTATION FOR THE ENVIRONMENTAL REVIEW OF THE CONSTRUCTION PERMIT APPLICATION FOR THE CLINCH RIVER NUCLEAR SITE IN ROANE COUNTY, TENNESSEE (EPID NUMBER: L-2025-LNE-0000) (DOCKET NUMBER: 50-615)

Dear Principal Chief David Hill:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing an application submitted by the Tennessee Valley Authority (TVA) requesting a construction permit (CP) to construct a GE Hitachi BWRX-300 small modular reactor at the Clinch River Nuclear (CRN) Site, in Roane County, Tennessee. The application was submitted pursuant to Section 103 of the Atomic Energy Act and Part 50 of Title 10 of the *Code of Federal Regulations* (10 CFR), "Domestic Licensing of Production and Utilization Facilities." In accordance with 10 CFR Part 51, "Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions", TVA submitted an environmental report. To operate the proposed small modular reactor, TVA would need to request and receive an operating license from the NRC. The purpose of this letter is to initiate Section 106 consultation under the National Historic Preservation Act of 1966, as amended (NHPA) with your Tribe.

The application is available through the NRC's Agencywide Documents Access and Management System (ADAMS) at <http://www.nrc.gov/readingrm/adams.html> under Accession No. [ML25140A062](#). The environmental report is listed under ADAMS Accession No. [ML25118A209](#). You may also find general information concerning the CP review via the following link: <https://www.nrc.gov/reactors/new-reactors/advanced/who-were-working-with/applicant-projects/clinch-river.html>.

As part of the review, the NRC is preparing a supplement to its 2019 environmental impact statement (EIS), NUREG-2226, "Environmental Impact Statement for an Early Site Permit (ESP) at the Clinch River Nuclear Site: Final Report," (ADAMS Package No. [ML19087A266](#)). The NRC is preparing this supplement to the ESP EIS in support of the review of the CP application, as required by 10 CFR 51.92(b). Additionally in 2024, the NRC issued an environmental assessment and finding of no significant impact for an exemption request from TVA to conduct certain excavation support activities at the CRN Site prior to the issuance of a construction permit ([ML24312A321](#)). The U.S. Army Corps of Engineers (USACE), Nashville District, has been invited to participate as a cooperating agency on the environmental review ([ML25174A015](#)). The U.S. Department of Energy may also be invited to participate as a cooperating agency during the environmental review. Once a cooperating agency status is established for the project, the NRC will notify your office. The NRC will be the lead Federal agency under the National Environmental Policy Act of 1969, as amended (NEPA) and for NHPA Section 106 consultation.

In accordance with 36 CFR Section 800.8(c), the NRC intends to comply with Section 106 through the NEPA process, in lieu of the procedures set forth in 36 CFR 800.3 through 800.6. The draft supplement will include the identification of historic and cultural resources and historic properties, an analysis of potential effects of the proposed agency action, including potential effects on historic and cultural resources and historic properties as well as the NRC staff's preliminary environmental effects determination.

The CRN Site is located in Roane County, approximately 25 miles west-southwest of downtown Knoxville, Tennessee, on the Clinch River. The NRC has defined the area of potential effects (APE) as the CRN Site and its immediate environs which may be directly or indirectly impacted by land-disturbing and building activities associated with the construction of the small modular reactor (see Enclosure 1).

As a Federal agency, TVA conducts NEPA and the NHPA reviews independent of the NRC and the USACE. In its environmental report TVA described its Section 106 compliance activities with the Tennessee State Historic Preservation Office and Federally recognized Tribes. The NRC will review this information during the environmental and NHPA Section 106 process.

Pursuant to 36 CFR 800.8(c)(1)(iii), the NRC also wishes to ensure that Indian Tribes that might have an interest in historic properties in the APE 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. Accordingly, the NRC will hold an informational meeting with Federally recognized Tribal governments on August 7, 2025, from 2:00 p.m. to 4:00 p.m. ET, to provide an overview of the NRC's environmental and Section 106 review process. This meeting will not be open to the public and is intended to afford Tribal representatives an opportunity to discuss and ask questions with NRC staff about the proposed project. The NRC is also interested in how your Tribe would like to participate in the environmental review. This meeting will not be recorded or transcribed. Information including an agenda for this meeting will be provided in a separate communication.

The NRC invites you to submit any comments or concerns that you may have on the environmental review and NRC's Section 106 consultation and historic and cultural resources evaluation by August 18, 2025. Comments may be sent to the contacts listed below.

The NRC plans to issue the draft supplement for public review and comment by December 2025. A copy of the draft supplement will also be made available for your review and comment. If you have any questions concerning the NRC's Section 106 consultation or the environmental review, please contact Jennifer Davis, Staff Archaeologist by phone at 301-415-3835 or via email at Jennifer.Davis@nrc.gov; or the Environmental Project Manager, Madelyn Nagel, by phone at 301-415-0371 or via email at Madelyn.Nagel@nrc.gov.

Sincerely,



Signed by Rikhoff, Jeffrey
on 07/16/25

Jeffrey Rikhoff, Acting Chief
Environmental Technical Review Branch 1
Division of Rulemaking, Environmental,
and Financial Support
Office of Nuclear Material Safety
and Safeguards

Docket No. 50-615

cc: Listserv

Dr. Savannah Waters, Tribal Historic
Preservation Officer

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DATED: July 16, 2025

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***via Email**

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