

RECORD OF DECISION  
U.S. NUCLEAR REGULATORY COMMISSION  
DOCKET NO. 50-0615  
CONSTRUCTION PERMIT APPLICATION FOR CLINCH RIVER NUCLEAR UNIT 1

BACKGROUND

On December 19, 2019, the U.S. Nuclear Regulatory Commission (NRC, the Commission) issued Early Site Permit No. ESP-006 to the Tennessee Valley Authority (TVA) for development of new nuclear power units demonstrating the feasibility of small modular reactor (SMR) technology at the Clinch River Nuclear (CRN) Site. TVA did not request a limited work authorization at that time. The early site permit (ESP) approval was supported by information contained in NUREG-2226, "Environmental Impact Statement for an Early Site Permit (ESP) at the Clinch River Nuclear Site" (Agencywide Documents Access and Management System (ADAMS) Package Accession No. ML19087A266). The ESP resolved many safety and environmental issues and allowed TVA to "bank" the CRN Site for up to 20 years. The ESP was approved for a combined nuclear generating capacity at the CRN Site to not exceed 2,420 megawatts thermal and 800 megawatts electric.

By letters dated April 28, 2025 (ML25118A209) and May 20, 2025 (ML25140A063), TVA submitted an application to the NRC for a construction permit (CP) pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Part 50, "Domestic Licensing of Production and Utilization Facilities," that would allow the construction of a GE Vernova Hitachi (GVH) BWRX-300 SMR at a site in Roane County, Tennessee, designated as Clinch River Nuclear Unit 1 (CRN-1). Section 103 of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2011 et seq.), and its implementing regulations authorize the NRC to issue CPs for production or utilization facilities. To issue a CP, the NRC is required to consider the environmental impacts of the proposed action under the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321 et seq.) (NEPA). The NRC's regulations that implement NEPA in 10 CFR Part 51, "Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions," describe several types of actions that would require an environmental impact statement (EIS). Issuance of a CP to construct a nuclear power reactor is identified in 10 CFR 51.20(b) as one such type of action.

Applicants for NRC licenses are required under 10 CFR 51.45, "Environmental report," and 51.50, "Environmental report—construction permit, early site permit, or combined license stage," to submit an environmental report (ER) containing a description of the proposed action, a statement of its purposes, a description of the affected environment, and specific information needed by the NRC staff to evaluate the potential environmental impacts of the proposed action. A TVA ER with information needed to assess the potential environmental impacts of the proposed action of CP issuance was submitted as part of the CP application.

By letter dated June 12, 2025 (ML25156A058), the NRC informed TVA of its acceptance and docketing of Part 1 of the application. Consistent with 10 CFR Part 51, the NRC staff published a Notice of Acceptance for Docketing for the complete CP application in the *Federal Register* (FR) on July 15, 2025 (90 FR 31709, ML25175A059), and a separate *Federal Register* notice of the NRC staff's intent to prepare a supplement to the ESP EIS on July 18, 2025 (90 FR 34015, ML25175A032). Consistent with 10 CFR 51.92(d), the NRC staff did not conduct scoping for the supplement to the EIS prepared for the ESP at the CRN Site.

The NRC staff conducted a virtual audit to verify information in the TVA ER and to discuss with TVA other information such as new testing data. During the audit, the NRC staff reviewed specific documentation and discussed specific information needs with TVA staff and contractors. The information needed and the pertinent points from the audit are documented in the NRC staff's audit summary report, dated October 6, 2025 (ML25272A187).

After the environmental audit, the NRC staff compiled its findings in a draft supplemental EIS (SEIS) (ML25261A214). In accordance with 10 CFR 51.73, "Request for comments on draft environmental impact statement," the public comment period for the draft SEIS took place from November 7, 2025, through December 22, 2025 (90 FR 50498). On April 6, 2026, the NRC issued the final SEIS, "Supplemental Environmental Impact Statement for a Construction Permit at the Clinch River Nuclear Site, Final Report" (ML26035A285). Comments related to the environmental review received during the comment period and the NRC staff's responses are provided in Appendix D to the final SEIS.

Pursuant to 10 CFR 51.102, "Requirement to provide a record of decision; preparation," and 10 CFR 51.103(a)(1)–(4), the NRC staff has prepared this record of decision (ROD) to accompany its Federal action on the CRN-1 CP application. This ROD incorporates by reference materials contained in the final SEIS pursuant to 10 CFR 51.103(c).

## DECISION

The NRC's process for reviewing applications for CPs consists of two parallel reviews. The safety review evaluates the applicant's ability to meet the NRC's safety requirements. The NRC staff documents the findings of the safety review in a safety evaluation report (SER). The CRN-1 CP application SER was issued on June 25, 2026 (ML26168A505) and concluded, in part, that applicable standards and requirements of the Atomic Energy Act of 1954 and NRC regulations have been met. The environmental review, governed by NEPA and the requirements in 10 CFR Part 51, evaluates the environmental impacts of the proposed action and alternatives to the proposed action. The results of that evaluation are documented in a SEIS. The NRC considers the findings in both the safety evaluation and the SEIS in its decision to grant or deny a CP.

The final SEIS, which is incorporated by reference here, documents the NRC staff's environmental review of the CRN-1 CP application. After weighing the environmental, economic, technical, and other benefits against environmental and other costs, and considering reasonable alternatives, the NRC and USACE staff (the review team) recommended that the NRC issue the requested CP to TVA. The review team also noted that the NRC staff's evaluation of the safety and security aspects of the proposed action would be addressed in the staff's SER. The NRC staff concluded, consistent with 10 CFR 50.40, "Common standards," that the issuance of this CP would be in accordance with NEPA and the NRC's regulations implementing NEPA in Subpart A, "National Environmental Policy Act—Regulations Implementing Section 102(2)," of 10 CFR Part 51 and that all applicable environmental requirements have been satisfied. The NRC's Director of the Office of Advanced Reactors agreed that the CRN-1 CP application satisfies all applicable safety and environmental laws and regulations for issuance of the CP.

## AGENCY ROLES AND RESPONSIBILITIES

The final SEIS includes information on a broad range of issues that may be regulated by other Federal, State, or local agencies or Tribes. As documented in the final SEIS, TVA must obtain and maintain permits from other Federal, State, or local agencies or Tribes in order to construct

CRN-1. For example, TVA is required to comply with a State-issued general permit for stormwater discharges associated with construction activity. Best management practices (BMPs) and other requirements imposed by this permit would ensure that runoff during construction of the proposed facility will meet applicable State water quality standards.

The U.S. Army Corps of Engineers (USACE) has entered into a memorandum of understanding (MOU) (ML082540354) with the NRC regarding the review of nuclear power plant license applications. Under the MOU, the NRC is the lead Federal agency and USACE is a cooperating agency. The goal of this agreement is the development of one SEIS that serves the needs of the NRC CP decision process and the USACE Department of the Army (DA) permit pursuant to Clean Water Act (CWA) Section 404. As a cooperating agency, USACE is part of the environmental review team with the NRC staff and is involved in all aspects of the environmental review, including public comment resolution and SEIS preparation. The SEIS is intended to provide information to support the USACE's DA permit decision.

In the final SEIS, the NRC staff evaluated the environmental impacts of constructing, operating, and decommissioning CRN-1 at the CRN Site. The NRC staff contacted Federal, State, Tribal, and local agencies to solicit comments on the draft SEIS. In addition to considering the environmental effects of the proposed action, the NRC staff considered reasonable alternatives to the proposed action, which it determined to be the no-action alternative and alternative designs. Alternative sites were previously evaluated in the ESP EIS.

Section 106 of the National Historic Preservation Act of 1966, as amended (54 U.S.C. 306108) (NHPA), requires Federal agencies to consider the effects of their undertakings on historic properties and consult with the appropriate parties. Issuance of a CP is a Federal undertaking that requires compliance with NHPA Section 106. In accordance with 36 CFR 800.8(c), the NRC initiated NHPA Section 106 consultation with the Tennessee State Historic Preservation Office (TN SHPO), the Advisory Council on Historic Preservation (ACHP), and 17 federally recognized Tribes. The NHPA implementing regulations are located at 36 CFR Part 800, "Protection of Historic Properties."

Section 7 of the Endangered Species Act of 1973, as amended (ESA), requires Federal agencies to ensure their actions do not jeopardize the continued existence of listed species or destroy or adversely modify designated critical habitats. Issuance of a CP is considered an agency action under ESA Section 7. In accordance with 16 U.S.C. § 1536 (b)(3)(a), the NRC initiated formal consultation with the Fish and Wildlife Service to receive a biological opinion.

## PURPOSE AND NEED

As identified in section 1.3 of the final SEIS, the proposed project is needed to demonstrate the feasibility to license, construct, and operate an SMR at the CRN Site and to support the recommendations outlined in TVA's 2019 Integrated Resource Plan. Therefore, the proposed action would address immediate local energy demands in a carbon-neutral manner and advance technological innovation in the nuclear energy sector.

## PROPOSED FEDERAL ACTION

The proposed Federal action by NRC is the issuance to TVA of a CP under 10 CFR Part 50 that would allow the construction of CRN-1. TVA is required to apply for a separate operating license

under 10 CFR Part 50 for authorization to operate CRN-1. The NRC would perform an additional environmental review for that operating license application.

The CRN-1 Site consists of approximately 1,200 acres (486 hectares) in Roane County, Tennessee, and is located approximately 10 miles (mi) (16 km) south of the Oak Ridge urban center, 16 mi (26 km) west of Knoxville, Tennessee, and 7 mi (11 km) east of Kingston, Tennessee.

The proposed USACE Federal action would be the issuance of a DA permit when TVA applies for a DA permit. A DA permit, issued pursuant to CWA Section 404, would be required for discharges of dredged or fill material into waters of the U.S. The proposed USACE Federal action is needed to respond to TVA's future DA permit application, as described in the final SEIS, which would further the design and construction of the GVH BWRX-300 SMR pursuant to the NRC issued CP.

### NRC EVALUATION OF THE PROPOSED ACTION

Section 102(2)(C) of NEPA<sup>1</sup> states that SEISs are to include a detailed statement on the environmental effects of the proposed action and alternatives to the proposed action. The NRC staff examined the direct, indirect, and cumulative environmental impacts from constructing, operating, and decommissioning CRN-1 on the following resource areas: land use and visual resources, air quality, hydrology and water resources, aquatic ecological resources, terrestrial ecological resources, historic and cultural resources, socioeconomics, public and occupational health, nonradiological waste management, transportation of radiological material, uranium fuel cycle and radiological waste management, and postulated accidents. The consideration of cumulative impacts accounted for other past, present, and reasonably foreseeable projects that could affect the same resource areas. The NRC staff also evaluated in the final SEIS the environmental impacts of a range of reasonable alternatives to the proposed action, which were (1) the no-action alternative (i.e., denying the CP application) and (2) alternative designs related to the construction of CRN-1. The alternatives evaluation helped the NRC staff to weigh the costs and benefits of the proposed action and alternatives to the proposed action.

To guide its assessment of the environmental impacts of the proposed action and alternatives to the proposed action on each resource area, the NRC uses three levels of significance for potential impacts: SMALL, MODERATE, or LARGE, which are defined as follows:

- **SMALL**—Environmental effects are not detectable or are so minor that they will neither destabilize nor noticeably alter any important attribute of the resource. For the purposes of assessing radiological impacts, the NRC has concluded that those impacts that do not exceed permissible levels in the NRC's regulations are considered SMALL.
- **MODERATE**—Environmental effects are sufficient to noticeably alter important attributes of the resource but not to destabilize them.
- **LARGE**—Environmental effects are clearly noticeable and are sufficient to destabilize important attributes of the resource.

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<sup>1</sup> NEPA was amended in June 2023 by the Fiscal Responsibility Act of 2023 (FRA). The NRC staff determined that the final SEIS is consistent with the requirements of the FRA.

The final SEIS presents the NRC staff's analysis, which considers and weighs the environmental impacts of the proposed action at the CRN Site. The NRC staff determined that the direct, indirect, and cumulative impacts from constructing, operating, and decommissioning CRN-1 at the CRN Site would be SMALL for all resource areas except for land use, meteorology and air quality, water resources, terrestrial and aquatic ecology, historic and cultural resources, socioeconomics, and nonradiological health. All impact findings from the ESP EIS remain bounding and valid, and historic and cultural resources decreased from MODERATE to LARGE in the ESP EIS to SMALL to MODERATE in the CP SEIS.

## EVALUATION OF ALTERNATIVES

In chapter 4 of the final SEIS, the NRC staff considered the following alternatives to constructing, operating, and decommissioning CRN-1 at the CRN Site:

- the no-action alternative
- system design alternatives

### *i. No-Action Alternative*

Under the no-action alternative, discussed in section 4.1 of the final SEIS, the NRC would not issue the CP and CRN-1 would not be constructed. TVA could not build the proposed GVH BWRX-300 SMR to demonstrate its design features and safety functions. As such, the purpose and need for the proposed action would not be met. While not building CRN-1 might not necessarily preclude the future development of reactors at the CRN Site, it could slow or impede the safe and efficient development of the technology. None of the environmental effects associated with the NRC's authorization of construction of CRN-1 would occur under the no-action alternative. However, preconstruction impacts evaluated by the 2022 TVA Programmatic EIS, and supplemented in 2025, could occur. Additionally, under the no-action alternative, the proposed site would remain available for other purposes as evaluated by TVA, and many of the environmental impacts resulting from land disturbance and building new facilities on the site might still occur in the future.

The no-action alternative is the only alternative considered by the NRC staff that does not satisfy the purpose and need stated in the final SEIS.

### *ii. System Design Alternatives*

System design alternatives were addressed in Section 9.4 of the ESP EIS. The review team evaluated design alternatives for the proposed heat-dissipation system, the intake system, the discharge system, and the water supply. Cooling-water system water treatment designs were not resolved in the ESP EIS. Section 9.4 of the ESP EIS specifically stated that water treatment methods would need to be addressed as part of any application referencing the ESP EIS. TVA outlined the water treatment process in Section 3.2.2.2 of the CP ER. All quantities and concentrations of chemicals to be used would be in accordance with a Biocides/Corrosion Treatment Plan, which would be submitted as part of the National Pollutant Discharge Elimination System permit application to the Tennessee Department of Environment and Conservation (TDEC). The review team evaluated information provided in the CP ER and performed its own independent search for new and potentially significant information during the audit of the CP application. The review team did not identify any further new information in its

independent evaluation. The review team did not identify any design alternatives for water treatment that would be environmentally preferable to the process proposed by the applicant.

*iii. Comparison of the Costs and Benefits of the Alternatives*

On the basis of the environmental impact assessments summarized in the final SEIS, the review team concluded that building and operating CRN-1 at the Clinch River Site, with the anticipated mitigation measures identified by the review team, would have accrued benefits that would outweigh the economic, environmental, and social costs.

CONSULTATION UNDER NHPA SECTION 106

NHPA Section 106 consultation for the proposed action is documented in section 3.7 of the final SEIS. The NRC staff determined that there would be no adverse effect on historic properties from the NRC-authorized construction activities because impacts on historic properties are primarily associated with preconstruction activities and would be subject to TVA's programmatic agreements prior to any construction.

Pursuant to 36 CFR 800.8(c), the NRC notified the Advisory Council on Historic Preservation (ML25182A123) and initiated consultation by letters dated July 16, 2025, with the TN SHPO (ML25182A122) and 17 Federally recognized Indian Tribes (ML25182A144) to solicit input to develop and evaluate alternatives or modifications to the undertaking that could avoid, minimize, or mitigate adverse effects of the undertaking on historic properties.

On August 7, 2025, the NRC and USACE held a non-public, virtual Tribal information meeting to provide an overview of the environmental and Section 106 review process and afford Tribal representatives an opportunity to discuss and ask questions with NRC and USACE staff about the proposed project.

By letter dated November 7, 2025, the NRC staff notified the ACHP, TN SHPO, and Federally recognized Tribes (ML25272A149) of the following:

- One eligible archaeological site, 40RE108, is located within the direct Area of Potential Effects (APE), and TVA plans to conduct work within the site boundary with planned avoidance and protection measures in place.
- The review team's preliminary determination under Section 106 of the NHPA is that the proposed undertaking would result in no adverse effect to historic properties from NRC-authorized construction activities because impacts to historic properties are primarily associated with non-NRC-authorized preconstruction activities (e.g., site-preparation, clearing, grading) and would be subject to TVA's 2016 CRN Site-specific and 2019 Valleywide programmatic agreements prior to any construction.
- The review team's preliminary determination under NEPA is that the combined impacts from construction and preconstruction activities on historic and cultural resources and historic properties located within the direct and indirect APE would be MODERATE. Preconstruction activities constitute the primary contribution to this impact determination. However, as ground disturbing activities would occur within the archaeological site boundary of 40RE108 and immediately adjacent to Sensitive Areas 1 and 2, as well as immediately adjacent to other fenced, eligible, historic properties at the CRN Site, the review team determined that there are MODERATE impacts under NEPA for historic and

cultural resources as part of non-NRC authorized preconstruction activities. For NRC authorized construction activities, the NEPA impact determination is SMALL.

- This preliminary determination was based on: (1) the analysis and findings of the review team's independent environmental review documented in the draft SEIS; (2) ongoing consultation with Federal, State, Tribal, and local agencies; (3) revision of the APE; and (4) updated archaeological, architectural, and environmental documentation submitted by TVA.

On November 10, 2025, the Tennessee Historical Commission responded by letter acknowledging receipt and concurring with the NRC's determinations (ML25316A011).

To facilitate Tribal review of the draft SEIS, the NRC and USACE held a non-public, virtual Tribal information meeting on November 19, 2025 (ML25325A091). Two Federally recognized Indian Tribes commented on the draft SEIS and NHPA Section 106 determinations in December 2025, each stating they had no objection to the project. Both Tribes requested continued communication if the APE or project scope changes and asked to be contacted if any cultural or historic materials or human remains are discovered. One Tribe additionally emphasized protecting sensitive areas at site 40RE108 and encouraged NRC to coordinate with other historic preservation offices.

By letter dated April 7, 2026, the NRC staff notified the ACHP (ML26042A321), TN SHPO (ML26042A322), and Federally recognized Tribes (ML26042A332) of the issuance of the final SEIS and concluded Section 106 consultation for the proposed undertaking.

On April 8, 2026 (ML26099A047), the TN SHPO acknowledged receipt of NRC's letter and referenced its prior concurrence, dated November 10, 2025 (ML25316A011), that the undertaking would not adversely affect historic properties.

#### CONSULTATION UNDER ESA SECTION 7

Consultation for the proposed action under ESA Section 7 is documented in Appendix F of the final SEIS. The review team conducted a comprehensive biological assessment in accordance with 50 CFR 402.12, "Biological assessments." This assessment evaluated the potential effects of the proposed construction and operation of CRN-1 and associated infrastructure on Federally listed, proposed, and candidate species and designated critical habitat within the action area, which includes the CRN Site, barge traffic area, and offsite 161-kV transmission corridor, with a 1-mi buffer surrounding each action area component.

The review team identified 15 Federally listed, proposed, and candidate species with the potential to occur in the action area. At the request of the U.S. Fish and Wildlife Service (FWS), the review team included the little brown bat, although it is not Federally listed at this time. No designated or proposed critical habitat under FWS or National Marine Fisheries Service jurisdiction occurs within the action area.

On November 6, 2025, the NRC requested FWS's written concurrence on all effect determinations listed below (ML25279A003):

- The NRC determined that the proposed action is likely to adversely affect the gray bat (*Myotis grisescens*) and Indiana bat (*Myotis sodalis*) due to potential impacts from tree removal, noise, and habitat alteration near known roosting and foraging area.

- The action is not likely to adversely affect the northern long-eared bat (*Myotis septentrionalis*), tricolored bat (*Perimyotis subflavus*; proposed endangered), or monarch butterfly (*Danaus plexippus*; proposed threatened).

Additionally, in its November 6, 2025, letter, the NRC notes that:

- The action would have no effect on the whooping crane (*Grus americana*), Virginia spiraea (*Spiraea virginiana*), white fringeless orchid (*Platanthera integrilabia*), Alabama lampmussel (*Lampsilis virescens*), spectaclecase (*Cumberlandia monodonta*), pink mucket (*Lampsilis abrupta*), Anthony's riversnail (*Athearnia anthonyi*), slender chub (*Erimystax cahni*), spotfin chub (*Erimonax monachus*), and yellowfin madtom (*Noturus flavipinnis*), as these species are not present in the action area.
- The NRC analyzed the effects on the little brown bat (*Myotis lucifugus*), even though it is not currently listed or proposed.

The NRC noted that it was not requesting concurrence on the above species, but that the NRC welcomed any comments that the FWS may have on those species.

On July 11, 2025, TVA received a Biological Opinion (BO) from FWS (ML25280A139). On March 13, 2026, the NRC received concurrence from FWS, in which, FWS concurred with the review team's determinations about the Indiana bat, gray bat, northern long-eared bat, and tricolored bat and issued an incidental take statement with reasonable and prudent measures to minimize impacts (ML26075A726). FWS concluded that NRC may rely on the July 11, 2025, TVA BO to meet Section 7(a)(2) obligations provided the project remains consistent with the prior consultation.

## MITIGATION MEASURES

The NRC has taken all practicable measures within its jurisdiction to avoid or minimize environmental harm from the proposed action. Constructing, operating, and decommissioning CRN-1 would have small environmental impacts in all resource areas except for land use, meteorology and air quality, water resources, terrestrial and aquatic ecology, historic and cultural resources, socioeconomics, and nonradiological health. An Environmental Protection Plan is included as Appendix A to the CP to ensure compliance with the ESA and to ensure that the Commission is kept informed of other environmental matters. The Environmental Protection Plan states that TVA shall implement its established programmatic agreements for all construction activities at the CRN-1 Site. The Environmental Protection Plan is intended to be consistent with Federal, State, and local requirements for environmental protection.-

Below are mitigation measures described in table 10.2-1 of the CP ER for each individual resource area.

### *Land Use*

TVA plans to work with FWS to minimize impacts to sensitive species. TVA expanded the Grassy Creek Habitat Protection Area (HPA) by 14 mi to include sensitive plant species and provide additional protection. TVA will update the Watts Bar Reservoir Land Management Plan to include reallocation of the expanded Grassy Creek HPA from Zone 5 industrial to Zone 3 – sensitive resource management.

### *Air Quality*

No mitigation measures are proposed.

### *Water Resources*

TVA plans to comply with applicable permit requirements, including a CWA Section 404 permit from the USACE and an Aquatic Resource Alteration Permit authorization from the TDEC for hydrologic alterations to streams and potential impacts to aquatic resources. A Stormwater Pollution Prevention Plan (SWPPP) will be in place for erosion protection and stormwater management. TVA will also work with TDEC throughout the permit process to establish appropriate permit conditions to support operation of CRN-1 while minimizing impacts of the thermal discharge. A SWPPP will be prepared to meet TDEC stormwater CP discharge requirements and will incorporate BMPs to minimize erosion and stabilize the land surface. TVA will implement a wetland and stream mitigation plan in accordance with USACE and TDEC requirements. Temporary impacts to streams within the transmission corridor will be localized and minimized in accordance with streamside management zone provisions described in TVA's *A Guide for Environmental Protection and Best Management Practices for Construction and Maintenance Activities*.

### *Aquatic Ecological Resources*

TVA will minimize and compensate for impacts to jurisdictional waters and will implement a wetland and stream mitigation plan in accordance with USACE and TDEC requirements that will provide compensation for related losses in aquatic habitat resulting from building CRN-1.

### *Terrestrial Ecological Resources*

Mitigation measures proposed for land use and described above are applicable to terrestrial ecological resources and are incorporated here. In addition, TVA will implement sustainability measures that include development of pollinator habitats and other sustainable development and land management policies in association with a site biodiversity plan in accordance with TVA's Biodiversity Policy. TVA will use targeted herbicide applications or mechanical means to maintain herbaceous vegetation in the 161-kV transmission corridor and minimize significant impacts to state listed species by designing the transmission line to avoid the species and their habitat to the greatest extent possible. TVA transmission engineers will consult with the TVA botanist during design to consider habitat locations early in the process. TVA will consider additional avoidance measures once a final transmission route is determined. Impacts in the associated offsite 161-kV transmission corridor will also be minimized because the transmission line will only occupy a 120-foot-wide route within the 280-foot-wide analyzed corridor. Additionally, only when and if the injunction is lifted, post-building impacts will be minimized by maintaining the transmission line in a manner consistent with TVA's *Transmission System Vegetation Management Final Programmatic Environmental Impact Statement*.

### *Historic and Cultural Resources*

TVA has developed procedures to avoid archaeological sites and processes, including using bright-colored construction fencing surrounding identified sensitive areas, and will ensure that the sensitive areas are indicated on project plans and that construction personnel understand the need to avoid the areas and their location.

### *Socioeconomics*

No mitigation measures are proposed.

### *Public and Occupational Health*

No mitigation measures are proposed.

### *Nonradiological Waste Management*

No mitigation measures are proposed.

### *Transportation of Radioactive Material*

No mitigation measures are proposed.

### *Uranium Fuel Cycle and Radiological Waste Management*

No mitigation measures are proposed.

### *Postulated Accidents*

No mitigation measures are proposed.

### DETERMINATION

The NRC has determined that the standards for issuance of a CP provided in the agency's regulations implementing NEPA have been met and that the requirements of section 102 of NEPA have been satisfied. This determination is based on the independent review, analysis, and evaluation in the final SEIS; careful consideration of all the identified environmental, economic, technical, and other factors and input received from other Federal, State, and local agencies, Tribes, organizations, and the public; consideration of mitigation measures; and the mandatory hearing on the CP application.

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