



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

October 08, 2026

Russell Martin, President
Tonkawa Tribe of Oklahoma
1 Rush Buffalo Road
Tonkawa, OK 74653

SUBJECT: CONTINUATION OF SECTION 106 CONSULTATION AND NOTIFICATION OF THE ISSUANCE OF THE DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR THE ENVIRONMENTAL REVIEW FOR FERMI AMERICA, LLC'S PROJECT MATADOR ADVANCED ENERGY AND INTELLIGENCE CAMPUS AP1000 UNITS 1-4, COMBINED LICENSE APPLICATION (DOCKET NUMBERS: 52-051, 52-052, 52-053, AND 52-054)

Dear President Martin:

The purpose of this letter is to notify your office of the availability of the draft environmental impact statement (EIS) for a combined license (COL) application submitted by Fermi America LLC (Fermi America) for the construction and operation of a new nuclear facility in Carson County, Texas. Fermi America submitted the initial portion of its COL application on June 17, 2025, to the U.S. Nuclear Regulatory Commission (NRC), 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." The proposed facility would consist of four AP1000 reactors—Project Matador Nuclear Units 1 through 4—and would be located at the Project Matador campus in Carson County, Texas, adjacent to the U.S. Department of Energy's Pantex Plant. In a letter dated April 10, 2026, (Agencywide Documents Access and Management System (ADAMS) Accession No. [ML26085A185](#)), the NRC initiated Section 106 consultation with your office. The NRC requests your review and comment pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended (NHPA).

As part of the review of this COL application, the NRC is supervising the preparation of an EIS as permitted by the National Environmental Policy Act of 1969, as amended (NEPA). Under NEPA and 42 U.S.C. § 4336a(f), applicants may prepare environmental documents, including EISs, so long as a Federal lead agency—here, the NRC—supervises the work, independently evaluates the document, and fully takes responsibility for its content. Fermi America has elected to participate in a pilot project applying this applicant-prepared approach. The Fermi pilot is intended to refine a process for applicant-prepared environmental documents that maintains NRC oversight while improving efficiency, promoting early coordination, reducing duplication of effort, and supporting a consistent, streamlined environmental review framework.

In accordance with 36 CFR 800.8(c), the NRC is using the NEPA process to comply with Section 106 of the NHPA, in lieu of the procedures set forth in 36 CFR 800.3 through 800.6. The NRC has defined the area of potential effects (APE) as the Project Matador Units 1-4 site and its immediate environs which may be impacted by land-disturbing and building activities associated with the construction and operation of the four AP1000 reactors. The APE is approximately 881 acres, with an associated 1-mile buffer area evaluated as part of a literature review of historic properties near the project site.

The NRC has completed the draft EIS, "Environmental Impact Statement for the Combined License Application for the Project Matador Advanced Energy and Intelligence Campus AP1000 Units 1-4," ([ML26261A417](#)). The draft EIS is also available from the [NRC's Fermi America website](#).

Section 3.7 of the draft EIS contains a description of historic and cultural resources and historic properties identified in the APE, discusses potential impacts to these resources from activities associated with the building, operating, and decommissioning four AP1000 reactors as part of Project Matador, and provides the NRC's preliminary determinations under NHPA Section 106 and NEPA. Pursuant to 36 CFR 800.5(b), the NRC's preliminary determination under Section 106 is that the proposed undertaking would result in no adverse effect on historic properties. Accordingly, under NEPA, the NRC has determined that the impacts on historic and cultural resources associated with the building, operating, and decommissioning four AP1000 reactors would be SMALL.

All planned ground disturbing activities will occur in areas previously disturbed by Pantex Plant operations during World War II, and activities by Texas Tech University in the decades following the end of the war. A portion of the APE was utilized as a bomb loading line during the 1940s (Zone 9) and additional portions of the APE were utilized as an agricultural farm by Texas Tech University. This resulted in significant disturbance to potential archaeological sites identified within this area, and to the foundations, ruins, and standing structures which were originally associated with Zone 9 activities, as identified through surveys in the 1990s. There are no known and eligible archaeological sites or historic buildings/structures within the APE. Fermi America also plans to have an established inadvertent discovery procedure in place prior to the initiation of ground disturbing activities and will comply with notification protocols to the Texas Historical Commission per the requirements of the Texas Antiquities Code.

The NRC is considering holding an informational meeting with Federally recognized Tribes to provide an overview of the draft EIS and preliminary determinations. If your Tribe is interested in having the NRC conduct a meeting, please email the points of contact listed in this letter. This meeting would not be open to the public and is intended to afford Tribal representatives an opportunity to discuss with the NRC staff the draft EIS and preliminary determinations and to ask questions. If held, the meeting will not be recorded or transcribed, and additional information, including an agenda, will be provided in a separate communication.

The NRC invites your office to review and submit any comments or concerns that you may have regarding the environmental review and NRC's NHPA Section 106 consultation, pursuant to 36 CFR 800.8(c)(1)(iii), by November 23, 2026. Comments may be submitted to the points of contact listed below. After consideration of public comments received on the draft EIS, as well as information received through consultation, the NRC expects to issue the final EIS early next year.

If you have any questions regarding the NRC's Section 106 consultation or environmental review, please contact Jennifer Davis, staff archaeologist at 301-415-3835 or via email at Jennifer.Davis@nrc.gov; or the environmental project manager, Lance Rakovan at 301-415-2589 or via email at Lance.Rakovan@nrc.gov.

Sincerely,



Signed by Sean Peters on 10/08/26

Sean E. Peters, Acting Chief
Advanced Reactor Environmental Review Branch
Division of Advanced Reactor Programs
Office of Advanced Reactors

Docket Nos.: 52-051, 52-052, 52-053, 52-054

cc: Granicus Communications
(formerly GovDelivery)

Lauren Norman-Brown, THPO
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DATED: October 08, 2026

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**ADAMS Package Accession No.: ML26237A199; Letter: ML26265A262
e-concurrence case: 20260825-02076**