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NRC Expands Wyoming's Authority Over Key Nuclear Materials as Rare Earth Development Grows

ROCKVILLE, Md. — The Nuclear Regulatory Commission has approved an [amendment](#) to its agreement with Wyoming, allowing the state to take on expanded regulatory authority over certain radioactive materials tied to mineral processing, an area gaining importance as domestic rare earth development accelerates.

Effective April 30, 2026, the amendment enables Wyoming to regulate source material recovered during the processing of minerals such as rare earth elements, where uranium or thorium is not the primary product. This change reflects growing national interest in strengthening U.S. supply chains for critical minerals used in energy, defense, and advanced technologies.

“Our amended agreement reaffirms NRC’s commitment to enabling the safe and secure use of nuclear materials through strong partnerships with our state counterparts,” NRC Chairman Ho K. Nieh said. “Effective collaboration between federal and state regulators is fundamental to protecting public health and safety while fostering responsible innovation.”

Wyoming has regulated uranium recovery facilities and certain byproduct materials under an NRC agreement since 2018. This amendment expands that authority to include additional source material generated as a byproduct of other mineral processing activities, positioning the state to play a larger role in overseeing emerging sectors such as rare earth production.

Following a comprehensive review, the NRC determined Wyoming’s program is adequate to protect public health and safety and compatible with agency requirements. With this approval, the NRC will transfer regulatory authority for this category of materials to the state, including oversight of licensing, inspection, and enforcement. One existing NRC license will be transferred to Wyoming as part of the agreement.

A [notice](#) of the amendment was published in the Federal Register. [Supporting documents](#) and additional information about the NRC’s [Agreement State program](#) are available on the NRC website.

The U.S. Nuclear Regulatory Commission was created as an expert, technical agency to protect public health, safety, and security, and regulate the civilian use of nuclear materials, including enabling the deployment of nuclear power for the benefit of society. Among other responsibilities, the agency issues licenses, conducts inspections, initiates and enforces regulations, and plans for incident response. The NRC is collaborating with interagency partners to implement reforms outlined in new Executive Orders and the ADVANCE Act to streamline agency activities and enhance efficiency.