

LICENSE AMENDMENT ISSUANCES—Continued

Brief Description of Amendment(s) .....	The amendment revised the technical specifications related to reactor coolant system operational leakage and the definition of the term "LEAKAGE" based on Technical Specifications Task Force (TSTF) Traveler TSTF-554, Revision 1, "Revise Reactor Coolant Leakage Requirements" (ADAMS Accession No. ML20016A233), and the associated NRC staff safety evaluation (ADAMS Accession No. ML20322A024).
Public Comments Received as to Proposed NSHC (Yes/No) .....	No.

Dated: August 23, 2023.

For the Nuclear Regulatory Commission.

**Jamie Heisserer,**

*Deputy Director, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.*

[FR Doc. 2023-18515 Filed 9-1-23; 8:45 am]

BILLING CODE 7590-01-P

**NUCLEAR REGULATORY COMMISSION**

[Docket No. 50-7513; NRC-2021-0193]

**Kairos Power LLC; Notice of Hearing**

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Construction permit application; notice of hearing.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC or the Commission) will convene an evidentiary session to receive testimony and exhibits in the uncontested proceeding regarding the application from Kairos Power LLC (Kairos) for a construction permit (CP) to construct a non-power test reactor termed Hermes in Oak Ridge, Tennessee. This mandatory hearing will consider safety and environmental matters relating to the requested CP.

**DATES:** The hearing will be held on October 19, 2023, beginning at 9:00 a.m. Eastern Time (ET). For the schedule for submitting pre-filed documents and deadlines affecting Interested Government Participants, see Section VI of the **SUPPLEMENTARY INFORMATION** section of this document.

**ADDRESSES:** Please refer to Docket ID NRC-2021-0193 when contacting the NRC about the availability of information regarding this document. You may obtain publicly available information related to this document using any of the following methods:

- *Federal Rulemaking Website:* Go to <https://www.regulations.gov> and search for Docket ID NRC-2021-0193. Address questions about Docket IDs in *Regulations.gov* to Stacy Schumann; telephone: 301-415-0624; email: [Stacy.Schumann@nrc.gov](mailto:Stacy.Schumann@nrc.gov). For technical questions, contact the individuals listed

in the "For Further Information Contact" section of this document.

- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly available documents online in the ADAMS Public Documents collection at <https://www.nrc.gov/reading-rm/adams.html>. To begin the search, select "Begin Web-based ADAMS Search." For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1-800-397-4209, 301-415-4737, or by email to [PDR.Resource@nrc.gov](mailto:PDR.Resource@nrc.gov). The ADAMS accession number for each document referenced (if it is available in ADAMS) is provided the first time that it is mentioned in this document.

- *NRC's PDR:* The PDR, where you may examine and order copies of publicly available documents, is open by appointment. To make an appointment to visit the PDR, please send an email to [PDR.Resource@nrc.gov](mailto:PDR.Resource@nrc.gov) or call 1-800-397-4209 or 301-415-4737, between 8 a.m. and 4 p.m. ET, Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Wesley W. Held, Office of the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, telephone: 301-287-3591; email: [Wesley.Held@nrc.gov](mailto:Wesley.Held@nrc.gov).

**SUPPLEMENTARY INFORMATION:**

**I. Background**

The Commission hereby gives notice that, pursuant to Section 189a of the Atomic Energy Act (AEA) of 1954, as amended (the Act), it will convene an evidentiary session to receive testimony and exhibits in the proceeding regarding the Kairos application for a CP under part 50 of title 10 of the *Code of Federal Regulations* (10 CFR), to construct a non-power test reactor termed Hermes in Oak Ridge, Tennessee.

Kairos's application was submitted in two parts by letters dated September 29, 2021, (Agencywide Documents Access and Management System (ADAMS) Accession No. ML21272A375) and October 31, 2021, (ML21306A131).

The NRC staff's Environmental Impact Statement and Safety Evaluation Report

may be viewed at ADAMS Accession Nos. ML23214A269 and ML23158A268, respectively. This mandatory hearing will concern safety and environmental matters relating to the requested construction permit application, as more fully described below.

**II. Evidentiary Uncontested Hearing**

The Commission will conduct this hearing beginning at 9:00 a.m. ET on October 19, 2023, at the Commission's headquarters in Rockville, Maryland. The hearing will continue on subsequent days, if necessary.

**III. Presiding Officer**

The Commission is the presiding officer for this proceeding.

**IV. Matters To Be Considered**

The matter at issue in this proceeding is whether the review of the Kairos CP application by the Commission's staff has been adequate to support the findings found in 10 CFR 50.35, 50.40, 50.50, and 10 CFR 51.105. Those findings are as follows:

*Issues Pursuant to the Atomic Energy Act of 1954, as Amended*

With respect to the CP: (1) whether the applicant has described the proposed design of the facility, including, but not limited to, the principal architectural and engineering criteria for the design, and has identified the major features or components incorporated therein for the protection of the health and safety of the public; (2) whether such further technical or design information as may be required to complete the safety analysis, and which can reasonably be left for later consideration, will be supplied in the final safety analysis report; (3) whether safety features or components, if any, which require research and development have been described by the applicant and the applicant has identified, and there will be conducted, a research and development program reasonably designed to resolve any safety questions associated with such features or components; (4) whether on the basis of the foregoing, there is reasonable assurance that—(i) such safety questions

will be satisfactorily resolved at or before the latest date stated in the application for completion of construction of the proposed facility, and (ii) taking into consideration the site criteria contained in 10 CFR part 100, the proposed facility can be constructed and operated at the proposed location without undue risk to the health and safety of the public; (5) whether there is reasonable assurance (i) that the construction of the facility will not endanger the health and safety of the public, and (ii) that construction activities can be conducted in compliance with the Commission's regulations; (6) whether the applicant is technically and financially qualified to engage in the proposed activities in accordance with the Commission's regulations in chapter I of title 10 of the CFR; (7) whether the issuance of a permit for the construction of the facility to the applicant will not, in the opinion of the Commission, be inimical to the common defense and security or to the health and safety of the public; and (8) whether the application meets the standards and requirements of the AEA and the Commission's regulations, and that notifications, if any, to other agencies or bodies have been duly made.

*Issues Pursuant to the National Environmental Policy Act (NEPA) of 1969*

With respect to the CP: (1) determine whether the requirements of Sections 102(2)(A), (C), and (E) of NEPA and the applicable regulations in 10 CFR part 51 have been met; (2) independently consider the final balance among conflicting factors contained in the record of the proceeding with a view to determining the appropriate action to be taken; (3) determine, after weighing the environmental, economic, technical, and other benefits against environmental and other costs, and considering reasonable alternatives, whether the construction permit should be issued, denied, or appropriately conditioned to protect environmental values; and (4) determine whether the NEPA review conducted by the NRC staff has been adequate.

**V. Schedule for Submittal of Pre-Filed Documents**

No later than September 28, 2023, unless the Commission directs otherwise, the NRC staff and the applicant shall submit a list of its anticipated witnesses for the hearing.

No later than September 28, 2023, unless the Commission directs otherwise, the applicant shall submit its pre-filed written testimony. The NRC

staff submitted its pre-filed testimony on August 23, 2023.

The Commission may issue written questions to the applicant or the NRC staff before the hearing. If such questions are issued, an order containing such questions will be issued no later than September 15, 2023. Responses to such questions are due September 28, 2023, unless the Commission directs otherwise.

**VI. Interested Government Participants**

No later than September 13, 2023, any interested State, local government body, or Federally recognized Indian Tribe may file with the Commission a statement of any issues or questions that the State, local government body, or Indian Tribe wishes the Commission to give particular attention as part of the uncontested hearing process. Such statement may be accompanied by any supporting documentation that the State, local government body, or Indian Tribe sees fit to provide. Any statements and supporting documentation (if any) received by the Commission using the agency's E-filing system<sup>1</sup> by the deadline indicated above will be made part of the record of the proceeding. The Commission will use such statements and documents as appropriate to inform its pre-hearing questions to the NRC staff and applicant, its inquiries at the oral hearing, and its decision following the hearing. The Commission may also request, no later than September 15, 2023, that one or more particular States, local government bodies, or Indian Tribes send one representative each to the evidentiary hearing to answer Commission questions and/or make a statement for the purpose of assisting the Commission's exploration of one or more of the issues raised by the State, local government body, or Indian Tribe, in the pre-hearing filings described above. The decision whether to request the presence of a representative of a State, local government body, or Indian Tribe at the evidentiary hearing to make a statement and/or answer Commission questions is solely at the Commission's discretion. The Commission's request will specify the issue or issues that each representative should be prepared to address.

Many of the procedures and rights applicable to the inherently adversarial

<sup>1</sup> The process for accessing and using the agency's E-filing system is described in the February 9, 2022, notice of hearing (87 FR 7503) that was issued by the Commission for this proceeding. Participants who are unable to use the electronic information exchange (EIE), or who will have difficulty complying with EIE requirements in the time frame provided for submission of written statements, may provide their statements by electronic mail to [hearingdocket@nrc.gov](mailto:hearingdocket@nrc.gov).

nature of NRC's contested hearing process are not available in this uncontested hearing. Participation in the NRC's contested hearing process is governed by 10 CFR 2.309 (for persons or entities, including a State, local government, or Indian Tribe seeking to file contentions of their own) and 10 CFR 2.315(c) (for an interested State, local government, or Federally-recognized Indian Tribe seeking to participate with respect to contentions filed by others). Participation in this uncontested hearing does not affect the right of a State, a local government, or an Indian Tribe to participate in a separate contested hearing process.

Dated at Rockville, Maryland, this 29th day of August, 2023.

For the Nuclear Regulatory Commission.

**Brooke P. Clark,**

*Secretary of the Commission.*

[FR Doc. 2023-19006 Filed 9-1-23; 8:45 am]

**BILLING CODE 7590-01-P**

**NUCLEAR REGULATORY COMMISSION**

[NRC-2023-0001]

**Sunshine Act Meetings**

**TIME AND DATE:** Weeks of September 4, 11, 18, 25, October 2, 9, 2023. The schedule for Commission meetings is subject to change on short notice. The NRC Commission Meeting Schedule can be found on the internet at: <https://www.nrc.gov/public-involve/public-meetings/schedule.html>.

**PLACE:** The NRC provides reasonable accommodation to individuals with disabilities where appropriate. If you need a reasonable accommodation to participate in these public meetings or need this meeting notice or the transcript or other information from the public meetings in another format (e.g., braille, large print), please notify Anne Silk, NRC Disability Program Specialist, at 301-287-0745, by videophone at 240-428-3217, or by email at [Anne.Silk@nrc.gov](mailto:Anne.Silk@nrc.gov). Determinations on requests for reasonable accommodation will be made on a case-by-case basis.

**STATUS:** Public and closed.

Members of the public may request to receive the information in these notices electronically. If you would like to be added to the distribution, please contact the Nuclear Regulatory Commission, Office of the Secretary, Washington, DC 20555, at 301-415-1969, or by email at [Wendy.Moore@nrc.gov](mailto:Wendy.Moore@nrc.gov).