



## **NUCLEAR REGULATORY COMMISSION**

### **10 CFR Part 150**

**[NRC-2025-2062]**

### **State of Wyoming: Discontinuance of Certain Commission Regulatory Authority**

### **Within the State; Notice of Amended Agreement Between the NRC and the State of Wyoming**

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Final amended state agreement.

**SUMMARY:** This notification is announcing that on April 20, 2026, Ho K. Nieh, Chairman of the U.S. Nuclear Regulatory Commission (NRC or Commission), and on April 21, 2026, Governor Mark Gordon of the State of Wyoming, signed an amended Agreement as authorized by Section 274b. of the Atomic Energy Act of 1954, as amended (AEA). Under the amended Agreement, the Commission discontinues its regulatory authority, and the State of Wyoming assumes regulatory authority over source material recovered from any mineral resources processed primarily for purposes other than its uranium or thorium content. Wyoming's initial Agreement allowed the State to assume regulatory authority over byproduct material as defined in section 11e.(2) of the AEA, and source material involved in the extraction or concentration of uranium or thorium in source material and ores at milling facilities.

**DATES:** The effective date of the amended Agreement is April 30, 2026.

**ADDRESSES:** Please refer to Docket ID NRC-2025-2062 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-2025-2062. Address questions about docket IDs in Regulations.gov to Bridget Curran; telephone: 301-415-1003; email:

Bridget.Curran@nrc.gov. For technical questions, contact the individual 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 Document collection at <https://www.nrc.gov/reading-rm/adams.html>. To begin the search, select “Begin ADAMS Public Search.” For problems with ADAMS, contact the NRC’s Public Document Room (PDR) reference staff at 1-800-397-4209, at 301-415-4737, or by email to [PDR.Resource@nrc.gov](mailto:PDR.Resource@nrc.gov). For the convenience of the reader, instructions about obtaining materials referenced in this document are provided in the “Availability of Documents” section

- **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. eastern time, Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Allyce Bolger, Office of Nuclear Material Safety and Safeguards; telephone: 301-415-0855; email: [Allyce.Bolger@nrc.gov](mailto:Allyce.Bolger@nrc.gov) or Huda Akhavannik, Office of Nuclear Material Safety and Safeguards; telephone: 301-415-5253; email: [Huda.Akhavannik@nrc.gov](mailto:Huda.Akhavannik@nrc.gov). Both are staff of the U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

**SUPPLEMENTARY INFORMATION:**

**I. Additional Background Information on Wyoming Agreement**

The NRC published the proposed amended Agreement in the *Federal Register* (FR) for comment once each week for four consecutive weeks on January 30, 2026 (91 FR 4114), February 6, 2026 (91 FR 5521), February 13, 2026 (91 FR 6907), and February 20, 2026 (91 FR 8278), as required by the AEA. The comment period ended on March 2, 2026. The NRC received two anonymous comment documents from members of the public. The first document contained one out of scope comment

opposing the amended Agreement due to the planned nuclear projects for AI data centers. The second commentor opposed the proposed amended Agreement for several reasons, including that the amended Agreement is for a subcategory of source material, which is not readily distinguishable and will cause jurisdictional issues. No changes in the proposed amended Agreement or the staff's conclusions in the draft assessment of the State's program were made in response to the comment. The staff analysis of the comments can be found at ML26051A291. The NRC staff determined that the Wyoming program is adequate to protect the public health and safety and compatible with the NRC's program. The Wyoming amended Agreement is consistent with Commission policy and thus meets the criteria for an Agreement with the Commission.

After considering the request for an amended Agreement by the Governor of Wyoming, the supporting documentation submitted with the request for an amended Agreement, and its interactions with the staff of the Wyoming Department of Environmental Quality, the NRC staff completed an assessment of Wyoming's proposed program. The agency made a copy of the staff assessment available in the NRC's PDR and electronically on the NRC's Web site. Based on the staff's assessment, the Commission determined on April 15, 2026, that the Wyoming program for control of radiation hazards is adequate to protect the public health and safety and compatible with the Commission's program. As of the effective date of the amended Agreement, a person in Wyoming possessing these materials is exempt from certain Commission regulations. The exemptions have been previously published in the FR and are codified in the Commission's regulations. The Agreement is published here as required by Section 274e. of the Act.

This Agreement is a rule as defined in the Congressional Review Act (5 U.S.C. 801-808). The Office of Management and Budget has found that this action does not meet the criteria at 5 U.S.C. 804(2). The Office of Information and Regulatory Affairs has determined that this amended Agreement is not a significant regulatory action under Executive Order 12866.

## II. Availability of Documents

The ADAMS Accession numbers for the request for an amended Agreement by the Governor of Wyoming, including all information and documentation submitted in support of the request, and the NRC staff assessment are identified in the following table.

DOCUMENT DESCRIPTION	ADAMS ACCESSION NO.
Letter from Governor Mark Gordon, Wyoming, to Chairman Wright requesting that an amended Agreement be established between the NRC and State of Wyoming, dated August 5, 2025	ML25227A232
Wyoming Final Application to Amend Agreement, dated August 2025	ML25227A230 (Package)
Wyoming Application Request for Additional Information, dated September 24, 2025	ML25267A041 (Package)
Draft Staff Assessment of the Proposed Wyoming Program, dated December 11, 2025	ML25237A057
State Agreement (SA) 700 Processing an Agreement final, dated June 15, 2022	ML22138A414
SA-700 Handbook for Processing an Agreement Procedure final, dated June 17, 2022	ML22140A396
SECY-26-0045, includes final staff assessment	ML26051A287 (Package)

Dated: April 29, 2026.

For the Nuclear Regulatory Commission.

**Tomas Herrera,**  
*Acting Secretary of the Commission.*

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