



NUCLEAR REGULATORY COMMISSION

10 CFR Part 150

[NRC-2026-1387]

State of Indiana: Discontinuance of Certain Commission Regulatory Authority

Within the State, Notice of Agreement Between the Nuclear Regulatory

Commission and the State of Indiana

AGENCY: Nuclear Regulatory Commission.

ACTION: Final state agreement.

SUMMARY: This notice is announcing that on September 24, 2026, Ho K. Nieh, Chairman of the U.S. Nuclear Regulatory Commission (NRC or Commission), and Governor Michael Braun of the State of Indiana, signed an Agreement as authorized by Section 274b. of the Atomic Energy Act of 1954, as amended (the Act or AEA).

Under the Agreement, the Commission discontinues its regulatory authority, and the State of Indiana assumes regulatory authority over byproduct materials, source materials, and special nuclear materials in quantities not sufficient to form a critical mass, as defined in Sections 11e.(1), 11e.(3), and 11e(4) of the AEA.

DATES: The effective date of the Agreement is September 30, 2026.

ADDRESSES: Please refer to Docket ID NRC-2026-1387 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-2026-1387. 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(s) 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, please 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. 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 or call 1-800-397-4209 or 301-415-4737, between 8 a.m. and 4 p.m. eastern time (ET), Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Sherrie Flaherty, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone: 301-415-7288; email: Sherrie.Flaherty@nrc.gov.

SUPPLEMENTARY INFORMATION:

I. Additional Background Information on Indiana Agreement

The NRC published the proposed Agreement in the *Federal Register* for comment once each week for four consecutive weeks on May 15, 2026 (91 FR 27987), Corrected version May 21, 2026 (91 FR 29988), May 22, 2026 (91 FR 30333), May 29, 2026 (91 FR 32129), and June 5, 2026 (91 FR 34251), as required by the Act. The comment period ended on June 15, 2026. The NRC received one comment from the Organization of Agreement States in support of the Agreement. No changes in the proposed Agreement or the staff's conclusions in the draft staff assessment of the State's program were made in response to the comment. The NRC staff determined that the Indiana Agreement State program is adequate to protect the public health and safety and compatible with the NRC's program. The Indiana Agreement is consistent with Commission policy and thus meets the criteria for an Agreement with the Commission.

After considering the request for an Agreement by the Governor of Indiana, the

supporting documentation submitted with the request for an Agreement, and its interactions with the staff of the Indiana Department of Homeland Security, the NRC staff completed an assessment of the Indiana program. The agency made a copy of the staff assessment available in the NRC's PDR and electronically on the NRC's website. Based on the staff's assessment, the Commission determined on September 30, 2026, that the Indiana 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 Agreement, a person in Indiana possessing these materials is exempt from certain Commission regulations. The exemptions have been previously published in the *Federal Register* 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 Agreement is not a significant regulatory action under Executive Order 12866.

II. Availability of Documents

The ADAMS Accession numbers for the request for an Agreement by the Governor of Indiana, 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
Final Indiana Application Section 4.1 Legal Elements (Revised), dated January 29, 2026	ML26068A234
Final Indiana Application Section 4.2 Regulatory Requirements Program Elements (Revised), dated January 29, 2026	ML26068A235
Final Indiana Application Section 4.3 Licensing Program Elements (Revised), dated January 29, 2026	ML26068A236
Final Indiana Application Section 4.4 Inspection Program Elements (Revised), dated January 21, 2026	ML26068A237
Final Indiana Application Section 4.5 Enforcement Program Elements (Revised), dated January 29, 2026	ML26068A238

Final Indiana Application Section 4.6 Technical Staffing and Training Program Elements (Revised), dated January 29, 2026	ML26068A239
Final Indiana Application Section 4.7 Event and Allegation Response Program Elements (Revised), dated January 29, 2026	ML26068A240
Indiana Application Request for Additional Information, dated February 27, 2026	ML26068A127
Receipt from C. Eckstein Acknowledging Indiana Revisions to Regulations 290 IAC 3-1 through 3-18, dated January 26, 2026	ML26026A076
Letter from C. Eckstein re: Indiana Revisions to Regulations 290 IAC 3-1 through 3-18, dated February 27, 2026	ML26068A068
Indiana Response to RAI, dated March 9, 2026	ML26068A126
Letter from Governor Mike Braun, Indiana, to Chairman Nieh requesting agreement be established between the NRC and State of Indiana, received January 29, 2026	ML26033A182
Staff Requirements Memorandum for SECY-26-0053 "Proposed Agreement Between the State of Indiana and the Commission Pursuant to Section 274 of the Atomic Energy Act of 1954, as Amended," dated May 5, 2026	ML26125A146 (package)
SECY-26-0053 "Proposed Agreement Between the State of Indiana and the Commission Pursuant to Section 274 of the Atomic Energy Act of 1954, as Amended," dated April 10, 2026	ML26069A564
Draft Staff Assessment of the Proposed Indiana Program, dated April 10, 2026	ML26069A567
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-26-0098, includes final NRC staff assessment	ML26173A182 (package)

Authority: 42 U.S.C. 2011 *et seq.*

Dated: September 30, 2026.

For the Nuclear Regulatory Commission.

Jody Martin,
Secretary of the Commission.