

III. Opportunity to Comment

In accordance with 10 CFR 2.110(b), the NRC staff is inviting public comments on the SDA application within 60 days of publication of this notice, for consideration by the NRC staff and Advisory Committee on Reactor Safeguards in their review of the application. Comments should be submitted as described in the **ADDRESSES** section of this document. The NRC staff will perform a detailed technical review of the SDA application and will document its safety findings in a safety evaluation report.

Docketing of the application does not preclude the NRC from requesting additional information from the applicant as the review proceeds, nor does it predict whether the Commission will grant or deny the application.

Dated: August 1, 2023.

For the Nuclear Regulatory Commission.

Getachew Tesfaye,

Senior Project Manager, New Reactor Licensing Branch, Division of New and Renewed Licenses, Office of Nuclear Reactor Regulation.

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NUCLEAR REGULATORY COMMISSION

[Project No. 99902069; NRC-2023-0138]

Kairos Power, LLC; Receipt of Construction Permit Application

AGENCY: Nuclear Regulatory Commission.

ACTION: Construction permit application; receipt.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is providing public notice of receipt and availability of an application for construction permits for a two-unit reactor facility from Kairos Power, LLC. The application for the construction permits was received on July 14, 2023.

DATES: August 4, 2023.

ADDRESSES: Please refer to Docket ID NRC-2023-0138 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-2023-0138. Address questions about Docket IDs in [Regulations.gov](https://www.regulations.gov) to Stacy Schumann; telephone: 301-415-0624; email: 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 1-800-397-209, at 301-415-4737, or by email to 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 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:

Michael Orenak, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone: 301-415-3229; email: Michael.Orenak@nrc.gov.

SUPPLEMENTARY INFORMATION:

I. Discussion

On July 14, 2023, Kairos Power LLC (Kairos) filed, pursuant to section 104c of the Atomic Energy Act, as amended, part 50 of title 10 of the *Code of Federal Regulations* (10 CFR), "Domestic Licensing of Production and Utilization Facilities," an application for two construction permits for a two-unit test reactor facility located in Oak Ridge, Tennessee. The two-unit facility is to be identified as Hermes 2, and both units are based on a high-temperature fluoride salt-cooled design that utilizes solid tri-structural isotropic fuel.

The application is available in ADAMS under Package Accession No. ML23195A121. Along with other documents, the ADAMS package includes the transmittal letter (ADAMS Accession No. ML23195A122), the preliminary safety analysis report (ADAMS Accession No. ML23195A124), and the environmental report (ADAMS Accession No. ML23195A125). The information submitted by the applicant includes certain administrative information such as financial qualifications submitted pursuant to 10 CFR 50.33, technical information submitted pursuant to 10 CFR 50.34,

and the environmental report submitted pursuant to 10 CFR part 51, "Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions."

The NRC staff is currently undertaking its acceptance review of the application. If the application is accepted for docketing, subsequent **Federal Register** notices will be issued that address the acceptability of the tendered construction permit application for docketing and provisions for participation of the public in the permitting process.

Dated: July 31, 2023.

For the Nuclear Regulatory Commission.

Michael D. Orenak,

Project Manager, Advanced Reactor Licensing Branch 1, Division of Advanced Reactors and Non-Power Production and Utilization Facilities, Office of Nuclear Reactor Regulation.

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-98028; File No. SR-MEMX-2023-14]

Self-Regulatory Organizations; MEMX LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend the Manner in Which the Exchange Will Designate Certain Options Members To Participate in its Mandatory Disaster Recovery Testing for Calendar Year 2023

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934 (the "Act"),¹ and Rule 19b-4 thereunder,² notice is hereby given that on July 25, 2023, MEMX LLC ("MEMX" or the "Exchange") filed with the Securities and Exchange Commission (the "Commission") the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange is filing with the Commission a proposed rule change to amend the manner in which the Exchange will designate certain Options Members to participate in mandatory

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.