

October 24, 2016

Ms. Caroline Cochran
Co-Founder, COO
Oklo, Inc.
230 E. Caribbean Dr.
Sunnyvale, CA 94089

SUBJECT: WITHHOLDING PROPRIETARY INFORMATION FROM PUBLIC DISCLOSURE FOR OKLO, INC.'S VOLUNTARY RESPONSE TO REGULATORY ISSUE SUMMARY 2016-08, "PROCESS FOR SCHEDULING AND ALLOCATING RESOURCES IN FISCAL YEAR 2019 FOR THE REVIEW OF NEW LICENSING APPLICATIONS FOR LIGHT-WATER REACTORS AND NON-LIGHT WATER REACTORS"

By letter dated October 6, 2016, Oklo, Inc. (Oklo) submitted a letter to the U.S. Nuclear Regulatory Commission (NRC) that is available through the NRC Agencywide Documents Access and Management System (ADAMS) Accession No. ML16288A831 requesting the information contained in the following document be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390, "Public inspections, exemptions, requests for withholding."

Oklo's Response to: NRC Regulatory Issue Summary (RIS) 2016-08, "Processing for Scheduling and Allocating Resources in FY 2019 for the Review of New Licensing Applications for Light-Water Reactors and Non-Light Water Reactors", (Proprietary – Non-Publicly Available in Entirety) (ADAMS Accession No. ML16288A832).

The affidavit stated the submitted information should be considered exempt from mandatory public disclosure because it contains:

- information descriptive of proprietary technology,
- cost or price information, production capacities, budget levels, or commercial strategies,
- aspects of past, present, or future Oklo or customer funded development plans and programs of potential commercial value to Oklo, and
- patentable ideas, for which patent protection may be desirable.

Public disclosure of the information would diminish Oklo's ability to sell products and services involving the use of the information, and put Oklo at a competitive disadvantage by reducing their expenditures of resources at their expense because it would reveal valuable business information regarding Oklo's competitive expectations, assumptions, current position and strategy. The use of the information by a competitor could substantially improve their competitive position in the design, manufacture, licensing, construction, and operation of a similar product.

The NRC staff has reviewed your application and the material in accordance with the requirements of 10 CFR 2.390 and, on the basis of the statements in the affidavit, have determined that the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure.

Therefore, the information marked as proprietary will be withheld from public disclosure pursuant to 10 CFR 2.390(b)(5) and Section 103(b) of the Atomic Energy Act of 1954, as amended.

Withholding from public inspection will not affect the right, if any, of persons properly and directly concerned to inspect the documents. If the need arises, NRC may send copies of the information to our consultants working in this area. We will of course, ensure that the consultants have signed the appropriate agreements for handling proprietary information.

If the basis for withholding this information from public inspection should change in the future such that the information could then be made available for public inspection, Oklo should promptly notify the NRC. Please note, NRC may have cause to review the determination in the future. For example, if the scope of a Freedom of Information Act request includes Oklo information. In all future reviews should the NRC make a determination adverse to this review, Oklo will be notified in advance of any public disclosure.

If you have any questions regarding this matter, please contact me at (301) 415-5196 or via email at Nishka.Devaser@nrc.gov.

Sincerely,

/RA/

Nishka Devaser, Project Manager
Advanced Reactor and Policy Branch
Division of Engineering, Infrastructure and
Advanced Reactors
Office of New Reactors

Project No.:

cc: Distribution via GovDelivery

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Nishka Devaser, Project Manager
Advanced Reactor and Policy Branch
Division of Engineering, Infrastructure and
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Office of New Reactors

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