



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

March 06, 2019

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

SUBJECT: WITHHOLDING PROPRIETARY INFORMATION FROM PUBLIC
DISCLOSURE – OKLO INC., DRAFT PRINCIPAL DESIGN CRITERIA
REPORT

Dear Ms. Cochran:

By letter dated July 30, 2018, Oklo, Inc. (Oklo) submitted a letter to the U.S. Nuclear Regulatory Commission (NRC), available through the NRC Agencywide Documents Access and Management System Accession No. ML18211A258 (letter), ML18207A679 (affidavit), requesting that 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

Oklo Draft Principal Design Criteria Report (Proprietary) (ADAMS Accession Number ML18211A260)

On September 20, 2018, held a closed meeting with Oklo to discuss the “Oklo Draft Principal Design Criteria Report,” ML19050A362 (meeting summary). NRC staffs written comments titled “Oklo PDC Report Comments,” were provided to Oklo subsequent to the meeting. By letter dated January 8, 2019, NRC submitted a letter to Oklo pursuant to a verbal request by Oklo to withdraw the “Oklo Draft Principal Design Criteria Report,” ML18353A674 (letter). The letter affirmed that Oklo could withdraw the report pursuant to 10 CFR 2.390 (c)(3), however the “Oklo PDC Report Comments,” provided by NRC staff were subject to the Federal Records Act and to future Freedom of Information Act (FOIA) requests and would be retained. The letter requested that Oklo formally request withdraw of the “Oklo Draft Principal Design Criteria Report,” and provide a redacted version of the NRC “Oklo PDC Report Comments.” By letter dated January 23, 2019, (ML19024A011) Oklo responded to the NRCs January 8, 2019 letter and requested withdraw of the “Oklo Draft Principal Design Criteria Report.” The NRC has considered this request and hereby grants Oklo’s request for the withdraw of the “Oklo Draft Principal Design Criteria Report.” Oklo also enclosed public and non-public versions of the “Oklo PDC Report Comments.” The public version of the “Oklo PDC Report Comments,” (ML19024A010) has been placed in the NRC’s Public Document Room and added to the NRC Library in ADAMS.

The non-public version of “Oklo PDC Report Comments,” (ML19024A009) has been reviewed pursuant to Oklo’s affidavit.

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

- a. The information sought to be withheld from public disclosure is owned by Oklo and has been held in confidence by Oklo and its consultants.
- b. The information sought to be protected is not available to the public to the best of Oklo's knowledge and belief.
- c. The information is of the type that would customarily be held in confidence by Oklo policy, which holds that information is to be held in confidence if it falls in one or more of several types, the release of which might result in the loss of an existing or potential competitive advantage.
- d. The information was transmitted to the NRC in confidence and under the provisions of 10 CFR 2.390; it is to be received in confidence by the NRC.

We have reviewed the affidavit 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 versions of the submitted 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 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. Oklo also should understand that the NRC may have cause to review this determination in the future, for example, if the scope of a Freedom of Information Act request includes Oklo information. In all review situations, if the NRC makes a determination adverse to the above, you will be notified in advance of any public disclosure.

If you have any questions regarding this matter, please contact me at (301) 415-0498 or via email at jan.mazza@nrc.gov.

Sincerely,

/RA/

Jan M. Mazza, Project Manager
Advanced Reactor and Policy Branch
Division of Safety Systems, Risk Assessment and
Advanced Reactors
Office of New Reactors

WITHHOLDING PROPRIETARY INFORMATION FROM PUBLIC DISCLOSURE – OKLO INC.,
DRAFT PRINCIPAL DESIGN CRITERIA REPORT – March 06, 2019

DISTRIBUTION:

Public
JMazza, NRO
JSegala, NRO
RidsNroDsra Resource
RidsNroOklo Resource
RidsNroDsraArpb Resource
RidsOgcMailCenter Resource

ADAMS Accession No.: ML19052A537

NRO-002

OFFICE	NRO/DSRA	NRO/DSRA
NAME	JMazza	JSegala
DATE	03/06/2019	03/06/2019

OFFICIAL RECORD COPY