



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

March 20, 2023

Mr. Robert Iotti, Project Manager
ARC Clean Technology, Inc.
901 K Street, NW
Suite 900
Washington, DC 20001

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
– SLIDE PACKAGE FOR OCTOBER 26, 2022, CLOSED-MEETING

Dear Mr. Iotti:

By letter dated October 23, 2022 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML23018A209), ARC Clean Technology, Inc. (ARC) submitted an affidavit to the U.S. Nuclear Regulatory Commission (NRC) staff, requesting that the agency withhold the information contained in the following slide package from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Section 2.390, "Public Inspections, Exemptions, Requests for Withholding."

SLIDES FOR THE PRE-SUBMITTAL, INTRODUCTORY, CLOSED MEETING WITH
ARC CLEAN TECHNOLOGY, INC. ON OCTOBER 26, 2022.pdf

The affidavit stated that the submitted information should be considered exempt from mandatory public disclosure for the following reasons:

- a. Information which discloses process, method, or apparatus, including supporting data and analyses, where prevention of its use by ARC competitors without license or contract from ARC constitutes a competitive economic advantage over other companies in the industry;
- b. Information, which if used by a competitor, would reduce its expenditure of resources or improve its competitive position in design, manufacture, shipment, installation, assurance of quality;
- c. Information which reveals aspects of past, present, or future ARC-100 or customer funded development plans or programs, of potential commercial value to ARC;
- d. Information which discloses patentable subject matter for which it may be desirable to obtain patent protection; and/or Information obtained through ARC-20 project actions which could reveal additional insights into reactor system development, testing, qualification processes, and/or regulatory proceedings, and which are not otherwise readily obtainable by a competitor.

- e. Information that is clearly marked as “Export Controlled” by ARC and/or its partners supplying such information to ARC under and appropriate Non-Disclosure Agreement.

The NRC staff has reviewed the affidavit executed on October 23, 2022, and the subject material in accordance with the requirements of 10 CFR 2.390 and, on the basis of the statements in the affidavit, has determined that the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure. In addition, we have determined that the document contains extensive proprietary information to an extent that a non-proprietary (i.e., redacted) version would be of no value to the public.

Therefore, the NRC staff agrees to withhold this slide package from public disclosure pursuant to 10 CFR 2.390(b)(5) and Section 103(b) of the Atomic Energy Act of 1954, as amended.

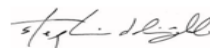
Withholding from public inspection shall not affect the right, if any, of persons properly and directly concerned to inspect the documents. If the need arises, we may send copies of this information to our consultants working in this area. We will, of course, ensure that the consultants have signed the 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, ARC should promptly notify the NRC staff. You also should understand that the NRC staff may have cause to review this determination in the future, for example, if the scope of a Freedom of Information Act request includes ARC information. In all review situations, if the NRC staff decides adverse to the above, you will be notified in advance of any public disclosure.

In all review situations, the NRC staff will follow applicable laws, regulations, and policies in conducting its review, including the NRC staff policies on notifying the owner of information in advance of any public disclosure.

If you have any questions regarding this matter, please contact me at (301) 415-5301 or via email at Stephanie.Devlin-Gill@nrc.gov.

Sincerely,



Signed by Devlin-Gill, Stephanie
on 03/20/23

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

Project No. 99902103

Cc: rburski@arc-cleantech.com

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MARCH 20, 2023

DISTRIBUTION:

Public
ARC Clean Technology, ARC-100
WJessup, NRR
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RidsNrrDanuResource
RidsNrrDanuUal1 Resource
RidsNrrDanuUal 2 Resource
RidsOgcMailCenter Resource

ADAMS Accession No. ML23024A068

NRC-001

OFFICE	NRR/DANU/UAL1/PM	NRR/DANU/UAL1/LA	NRR/DANU/UAL1/BC	NRR/DANU/UAL1/PM
NAME	SDevlin-Gill	DGreene	WJessup	SDevlin-Gill
DATE	1/30/2023	3/16/2023	3/16/2023	3/20/2023

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