



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

November 3, 2023

Mr. Peter Hastings  
Vice President, Regulatory Affairs  
and Quality  
Kairos Power LLC  
707 W Tower Ave  
Alameda, CA 94501

SUBJECT: KAIROS POWER LLC – APPROVAL OF SAFEGUARDS INFORMATION  
PROTECTION PLAN (EPID: L-2023-LRM-0032)

Dear Mr. Hastings:

By letter dated April 27, 2023 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML23118A323), Kairos Power LLC (Kairos) submitted “Safeguards Information Protection Plan,” Revision 0, and requested a determination by the U.S. Nuclear Regulatory Commission (NRC) staff that Kairos has provided sufficient assurance that it will protect Safeguards Information (SGI) from unauthorized disclosure in accordance with the NRC requirements. NRC staff has determined that Kairos’s “Safeguards Information Protection Plan” will provide acceptable protection of SGI, including Safeguards Information – Modified Handling (SGI-M), from unauthorized disclosure in accordance with NRC regulations.

In its letter, Kairos also requested access to certain documents, listed in an enclosure to the letter, which are non-public and include documents containing SGI or other security-related information. NRC staff will respond to Kairos’s request for access to specific non-public documents by separate correspondence.

The NRC staff conducted a review of Kairos’s “Safeguards Information Protection Plan” to evaluate whether the descriptions and commitments in the plan provide acceptable protection of SGI, including SGI-M, in accordance with the applicable regulatory requirements in Title 10 of the *Code of Federal Regulations* (10 CFR) Part 73, “Physical Protection of Plants and Materials.”

As part of its review, the NRC staff conducted an on-site visit to Kairos’s headquarters offices in Alameda, California, on August 23, 2023. The review during this site visit consisted of viewing the secure room and security storage container; examination of security equipment and components; interviews with site personnel; selective examinations of relevant procedures; and observations of site conditions and activities as they related to the protection of SGI, including SGI-M. Additionally, the NRC staff met with the Kairos NRC-approved reviewing officials who are responsible for granting Kairos personnel unescorted access to reactor facilities and access to SGI. Following the site visit, the NRC staff further reviewed, through Kairos’s online reference portal, its procedures for implementing the SGI plan.

Based upon the NRC staff’s review of Kairos’s “Safeguards Information Protection Plan,” Revision 0, review of procedures, conversations with Kairos personnel during the August 23,

2023, site visit, and the prior NRC approval of reviewing officials, the NRC staff has determined that Kairos's "Safeguards Information Protection Plan" will provide acceptable protection of SGI, including SGI-M, from unauthorized disclosure in accordance with the requirements of 10 CFR 73.21, "Protection of Safeguards Information: Performance Requirements," 10 CFR 73.22, "Protection of Safeguards Information: Specific Requirements," and 10 CFR 73.23, "Protection of Safeguards Information-Modified Handling: Specific Requirements."

Approval of Kairos's "Safeguards Information Protection Plan," relates solely to safeguards matters, does not involve any significant construction impacts, and constitutes a modification to systems used for security. Accordingly, this action meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22, "Criterion for categorical exclusion; identification of licensing and regulatory actions eligible for categorical exclusion or otherwise not requiring environmental review." Specifically, this action meets the criteria in 10 CFR 51.22(c)(12) for categorical exclusion. Therefore, pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need to be prepared in connection with the approval of Kairos's "Safeguards Information Protection Plan."

In accordance with 10 CFR 2.390, "Public inspections, exemptions, requests for withholding," a copy of this communication will be available electronically for public inspection in the NRC Public Document Room, or from the NRC's ADAMS. The ADAMS database is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

If you have any questions regarding this matter, please contact Edward Helvenston at (301) 415-4067 or via email at [Edward.Helvenston@nrc.gov](mailto:Edward.Helvenston@nrc.gov).

Sincerely,



Signed by Jessup, William  
on 11/03/23

William Jessup, Chief  
Advanced Reactor Licensing Branch 1  
Division of Advanced Reactors and Non-Power  
Production and Utilization Facilities  
Office of Nuclear Reactor Regulation

Project No.: 99902069 and Docket Nos. 50-7513, 50-611, 50-612

cc: Distribution via Gov Delivery ListServ

SUBJECT: KAIROS POWER LLC – APPROVAL OF SAFEGUARDS INFORMATION  
 PROTECTION PLAN (EPID: L-2023-LRM-0032)  
 DATED: NOVEMBER 3, 2023

**DISTRIBUTION:**

PUBLIC

- RidsNrrDanu Resource
- RidsNrrDanuUal1 Resource
- DGreene, NRR
- RidsOgcMailCenter
- RidsOpaMailCenter
- RidsOcaMailCenter
- MShams, NRR
- JBowen, NRR
- JGreives, NRR
- WJessup, NRR
- EHelvenston, NRR
- MHiser, NRR
- Morenak, NRR
- SCuadrado, NRR
- EReed, NRR
- BStapleton, NSIR
- DParsons, NSIR

**ADAMS Accession Nos.: ML23268A009**

**NRR-106**

OFFICE	NRR/DANU/UNPL:PM	NRR/DANU/UAL1:LA	NRR/DANU/UARP:PM	NSIR/DSO/ISB
NAME	EHelvenston	DGreene	EReed	BStapleton
DATE	10/4/2023	10/10/2023	10/10/2023	10/10/2023
OFFICE	OGC	NRR/DANU/UAL1:BC		
NAME	NStAmour	WJessup		
DATE	11/2/2023	11/3/2023		

**OFFICIAL RECORD COPY**