



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

March 25, 2024

Mr. Stephen Vaughn
Licensing Manager, Project Long Mott
X Energy, LLC
801 Thompson Avenue
Rockville, MD 20852

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
FOR X ENERGY, LLC., XE-100 PRE-APPLICATION ENGAGEMENT
PRESENTATION MATERIALS (EPID NO. L-2018-LRM-0076)

Dear Mr. Vaughn,

By five letters indicated in the table below, X Energy, LLC., submitted five affidavits, requesting that the information contained in the enclosures to the letters be withheld from public disclosure pursuant to Section 2.390 of Title 10 of the *Code of Federal Regulations* (10 CFR). Non-proprietary copies of these documents have been placed in the U.S. Nuclear Regulatory Commission's (NRC's) Public Document Room and added to the NRC's Agencywide Documents Access and Management System.

<u>Letter Accession No.</u>	<u>Letter/Affidavit Date</u>	<u>Affidavit Executed by</u>	<u>Information to be Withheld</u>
ML23222A268	August 10, 2023	Travis A. Chapman	Enclosure 3
ML23244A271	September 1, 2023	Travis A. Chapman	Enclosure 3
ML23271A254	September 28, 2023	Travis A. Chapman	Enclosure 3
ML23303A205	October 30, 2023	Travis A. Chapman	Enclosure 3
ML24002B163	January 2, 2024	Stephen Vaughn	Enclosure 3

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

- a. The information sought to be withheld from public disclosure in Enclosure 3 is owned by X-energy. This information was prepared with the explicit understanding that the information itself would be treated as proprietary and confidential and has been held in confidence by X-energy.
- b. The information sought to be protected in Enclosure 3 is not available to the public.
- c. The information contained in Enclosure 3 is of the type that is customarily held in confidence by X-energy, and there is a rational basis for doing so. The information X-energy is requesting to be withheld from public disclosure includes technical information related to the design, analysis and operations

associated with our Xe-100 high-temperature, gas-cooled, pebble bed advanced reactor design that directly impact our business development and commercialization efforts. X-energy limits access to this proprietary and confidential information in order to maintain confidentiality.

- d. Enclosure 3 contains information about the planned activities of X-energy related to the development of the Xe-100 design bases, TRISO-X fuel design bases, forecast design development timeframes, and relate to the commercialization strategy for our Xe-100 advanced reactor. Public disclosure of the information contained in Enclosure 3 would create substantial harm to X-energy because it would reveal valuable technical information regarding X-energy's design development, competitive expectations, assumptions, current position and strategy. Its use by a competitor could substantially improve the competitor's position in the design, manufacture, licensing, construction, and operation of a similar competing product.
- e. The Proprietary Information contained in Enclosure 3 is 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.
- f. The Export-controlled Information contained in Enclosure 3 is transmitted to the NRC in confidence and under the provisions of 10 CFR 810 and 10 CFR 110; it must be withheld from disclosure and is to be received in confidence by the NRC.

We have reviewed your applications 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 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, you should promptly notify the NRC. You 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 your 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.

S. Vaughn

- 3 -

If you have any questions regarding this matter, I may be reached at (301) 287-9096 or via email at Jorge.Hernandez@nrc.gov.

Sincerely,



Signed by Hernandez Munoz, Jorge
on 03/25/24

Jorge Hernandez, Project Manager
Division of Advanced Reactors and Non-Power
Production and Utilization Facilities
Office of Nuclear Reactor Regulation

Project No: 99902071

cc: X-Energy Xe-100 via GovDelivery

S. Vaughn

- 4 -

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
FOR X ENERGY, LLC., XE-100 PRE-APPLICATION ENGAGEMENT
PRESENTATION MATERIALS (EPID NO. L-2018-LRM-0076)
DATED: MARCH 25, 2024

DISTRIBUTION:

PUBLIC

RidsNrrDanu Resource

RidsNrrDanuUal2 Resource

RidsNrrDanuUtb1 Resource

RidsAcrsMailCenter Resource

RidsOGCMailCenter Resource

CSmith, NRR

MWentzel, NRR

JHernandez, NRR

ADAMS Accession No.: ML24067A300

NRR-106

OFFICE	NRR/DANU/UAL2:PM	NRR/DANU/UAL2:PM	NRR/DANU/UAL2:LA
NAME	JHernandez	AMuñiz	CSmith
DATE	3/11/2024	3/15/2024	3/20/2024
OFFICE	NRR/DANU/UAL2:BC	NRR/DANU/UAL2:PM	
NAME	MWentzel	JHernandez	
DATE	3/25/2024	3/25/2024	

OFFICIAL RECORD COPY