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

April 9, 2024

Mr. Stephen Vaughn, Acting Director
Reactor Licensing
X-Energy, LLC.
801 Thompson Avenue
Rockville, MD 20852

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE FOR X ENERGY, LLC. - XE-100 REGULATORY ENGAGEMENT PLAN

Dear Mr. Vaughn:

By letter dated February 23, 2024 (Agencywide Documents Access and Management System (ADAMS) Package Accession No. ML24054A840), you submitted an affidavit executed by you for X Energy, LLC. (X-energy), 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:

"Xe-100 U.S. Regulatory Engagement Plan (REP) 2024"

A nonproprietary copy of this document has been placed in the U.S. Nuclear Regulatory Commission's (NRC) Public Document Room and added to the NRC Library in ADAMS.

The affidavit 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 and the Project. 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 and other Project participants.

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 the Project, and there is a rational basis for doing so. The information X-energy is requesting to be withheld from public disclosure includes Project development and schedule-related information related to Project stakeholder's planning and commercialization efforts, including certain details that may be Predecisional in nature. X-energy limits access to this proprietary and confidential information in order to maintain confidentiality.

d) 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. The information is properly marked using [[ ]]^{P}.

We have 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 version 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.

If you have any questions regarding this matter, I may be reached at (301) 415-4093 or via email at Adrian.Muniz@nrc.gov.

Sincerely,

Adrian Muñiz Signed by Muniz Gonzalez, Adrian on 04/09/24

Adrian Muñiz, Senior Project Manager
Advanced Reactors Licensing Branch 2
Division of Advanced Reactors and Non-Power Production and Utilization Facilities
Office of Nuclear Reactor Regulation

Project No.: 99902071

cc: Distribution via X-Energy Xe-100
mstaiger@x-energy.com

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE FOR X ENERGY, LLC. - XE-100 REGULATORY ENGAGEMENT PLAN DATED: APRIL 9, 2024

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