



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

September 12, 2024

Ken Langdon
Energy Services and Development
P.O. Box 968, MD 1035
Richland, WA 99352-0968

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
REGARDING THE PRESENTATION MATERIALS FOR ENERGY
NORTHWEST'S PRE-APPLICATION MEETING HELD ON AUGUST 9, 2024

Dear Mr. Langdon:

By letter dated August 2, 2024, (Agencywide Documents Access and Management System (ADAMS) Accession No. ML24218A138) you submitted an affidavit requesting that the information contained in the following document be withheld from public disclosure pursuant to Section 2.390, "Public inspections, exemptions, requests for withholding," of Title 10 of the *Code of Federal Regulations* (10 CFR):

Presentation Materials for EN Pre-Application Meeting (Proprietary)

A nonproprietary copy of this document has been placed in the U.S. Nuclear Regulatory Commission's (NRC's) Public Document Room and added to the NRC Library in ADAMS (ML24218A141).

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 in Enclosure 1 has been held in confidence by EN as confidential financial and commercial information.
- b. The information is of a type that is customarily held in confidence by EN based on the rationale described in this affidavit.
- c. The information is being transmitted to and, pursuant to 10 CFR 2.390, received by the NRC in confidence.
- d. No public disclosure of the information has been made, and it is not available in public sources. All disclosures to third parties, including any required transmittals to NRC, have been made, or must be made, pursuant to regulatory provisions or contractual agreements that provide for maintenance of the information in confidence.

- e. The information requested to be withheld reveals specific financial plans and includes plans and strategies that form the basis for the confidential financial and commercial information related to the project. Release of the information requested to be withheld would affect the reputation of EN and its financial partners and affect EN's ability to fund the proposed project.

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.

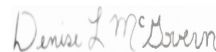
Therefore, the version of the submitted information marked as proprietary will be withheld from public disclosure pursuant to 10 CFR 2.390(b)(5) and Section 103(b) of the Atomic Energy Act of 1954, as amended.

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) 415-0681 or via email at Denise.McGovern@nrc.gov.

Sincerely,



Signed by McGovern, Denise
on 09/12/24

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

cc: klangdon@energy-northwest.com

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DATED: SEPTEMBER 12, 2024

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