



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

June 27, 2025

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

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
"KAIROS POWER LLC PRESENTATION MATERIALS FOR KAIROS POWER
PRE-SUBMITTAL MEETING ON CRITICALITY ACCIDENT ALARM
EXEMPTION TO 10 CFR 70.24 FOR THE HERMES NON-POWER REACTOR
FACILITY"

Dear Mr. Hastings:

By letter dated June 18, 2025 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML25169A321), Kairos Power LLC (Kairos) submitted an affidavit to the U.S. Nuclear Regulatory Commission (NRC) staff, requesting that the agency withhold the following information from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Section 2.390, "Public inspections, exemptions, requests for withholding":

- Presentation Slides for June 25, 2025, Pre-Submittal Meeting on Hermes Criticality Accident Alarm Exemption

A non-proprietary set of presentation slides has been added to the NRC Library ADAMS at (ML25169A323).

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 is owned and has been held in confidence by Kairos.
- b. The information is of a type customarily held in confidence by Kairos and not customarily disclosed to the public. Kairos has a rational basis for determining the types of information customarily held in confidence by it and, in that connection, utilizes a system to determine when and whether to hold certain types of information in confidence. The application of that system and the substance of that system constitute Kairos policy and provide the rational basis required.
- c. The information is being transmitted to the Commission in confidence and, under the provisions of 10 CFR 2.390, it is to be received in confidence by the Commission.

- d. This information is not readily available in public sources.
- e. Public disclosure of this proprietary information is likely to cause substantial harm to the competitive position of Kairos because it would enhance the ability of competitors to provide similar products and services by reducing their expenditure of resources using similar project methods, equipment, testing approach, contractors, or licensing approaches. This information is the result of considerable expense to Kairos and has great value in that it will assist Kairos in providing products and services to new, expanding markets not currently served by the company.
- f. The information could reveal or could be used to infer price information, cost information, budget levels, or commercial strategies of Kairos.
- g. Each component of proprietary information pertinent to a particular competitive advantage is potentially as valuable as the total competitive advantage. If competitors acquire components of proprietary information, any one component may be the key to the entire puzzle, thereby depriving Kairos of a competitive advantage.
- h. Unrestricted disclosure would jeopardize the position of Kairos in the world market, and hereby give a market advantage to the competition in those countries.

The NRC staff has reviewed the affidavit executed on June 18, 2025, 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.

Therefore, the NRC staff agrees that 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, Kairos 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 Kairos information. In all review situations, if the NRC staff 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, please contact me via email at Cayetano.Santos@nrc.gov.

Sincerely,

Cayetano Santos Jr., 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.: 99902069

cc: Distribution via GovDelivery Kairos Power Hermes

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DATE	06/20/2025	6/25/2025	6/27/2025	6/27/2025

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