
Enclosure 2: Affidavit Supporting Request for Withholding from Public Disclosure (10 CFR 2.390)

I, Martin van Staden, Vice President, Xe-100 Program Manager, of X-Energy, LLC (X-energy) do hereby affirm and state:

1. I am authorized to execute this affidavit on behalf of X-energy. I am further authorized to review information submitted to or discussed with the Nuclear Regulatory Commission (NRC) and apply for the withholding of information from disclosure. The purpose of this affidavit is to provide the information required by 10 CFR 2.390(b) in support of X-energy's request for proprietary treatment of certain commercial information submitted in Enclosure 1 to X-energy's letter XE00-R-R1ZZ-RDZZ-X-000590 from myself to the NRC which provides Revision 1 of our regulatory white paper titled "Reactor Pressure Vessel Construction Code Assessment for the Xe-100 Reactor".
2. I have knowledge of the criteria used by X-energy in designating information as sensitive, proprietary, or confidential.
3. Pursuant to the provision of paragraph (b)(4) of 10 CFR 2.390, the following is furnished for consideration by the NRC in determining whether the information sought to be withheld from public disclosure should be withheld.
 - a. The information sought to be withheld from public disclosure in Enclosure 1 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 1 is not available to the public.
 - c. The information contained in Enclosure 1 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 commercial information related to the design details and regulatory analysis associated with our Xe-100 high temperature gas pebble bed advanced reactor design. X-energy limits access to this proprietary and confidential information in order to maintain confidentiality.
 - d. Enclosure 1 contains information about the planned activities of X-energy related to the identification and selection of commercial construction codes for certain components of our Xe-100 advanced reactor, including proprietary design details and specifications and regulatory analyses developed by X-Energy and our supporting contractors. Public disclosure of the information contained in Enclosure 1 would create substantial harm to X-energy because it would reveal valuable business information regarding X-energy's 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.



X Energy, LLC
801 Thompson Avenue
Rockville, MD 20852
+1 301.358.5600

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- e. The Proprietary Information contained in Enclosure 1 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.

I declare under the penalty of perjury that the foregoing is true and correct.

Executed on July 13, 2020.
[Month Day, Year]

Martin van Staden
Vice President, Xe-100 Program Manager
X Energy, LLC

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Final Audit Report

2020-07-14

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