



## ENCLOSURE 1

### AFFIDAVIT PURSUANT TO 10 CFR 2.390

1. My name is Thomas Eiden. I am the Founder and Chief Executive Officer of Atomic Alchemy, Inc. (“Atomic Alchemy”), and am authorized to make this request for withholding.
2. The purpose of this affidavit is to request withholding of portions of the information herein enclosed from public disclosure, attachment to “**Non-Power Modular Reactors: Multi-Unit Site Phased Construction Plan Cover Letter**”, pursuant to 10 CFR 2.390.
3. I am making this request for withholding under the provisions of 10 CFR 2.390(a)(4) and 10 CFR 2.390(d)(1) of the regulations of the Nuclear Regulatory Commission (NRC) and submitting this affidavit in conformance with the provisions of 10 CFR 2.390(b)(1) and 10 CFR 2.304.
4. Pursuant to the provisions 10 CFR 2.390(a)(4), 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 is owned by Atomic Alchemy and has been held in confidence by Atomic Alchemy and its consultants.
  - b. The information sought to be protected is not available to the public to the best of our knowledge and belief.
  - c. The information is of the type that would customarily be held in confidence by Atomic Alchemy policy, which holds that information is to be held in confidence if it falls in one or more of several types, the release of which might result in the loss of an existing or potential competitive advantage, as follows:
    - i. It contains information descriptive of proprietary technology, where preventing its use by any of Atomic Alchemy’s competitors without license from Atomic Alchemy’s constitutes a competitive economic advantage over other companies.
    - ii. Its use by a competitor would reduce their expenditure of resources or improve their competitive position in the design, manufacture, shipment, installation, assurance of quality, or licensing a similar product.
    - iii. It reveals or can be used to infer cost or price information, production capacities, budget levels, or commercial strategies of Atomic Alchemy, its customers, or suppliers.
    - iv. It reveals or can be used to infer aspects of past, present, or future Atomic Alchemy or customer-funded development plans and programs of potential commercial value to Atomic Alchemy.
    - v. It contains patentable ideas, for which patent protection may be desirable.
    - vi. The use of such information by Atomic Alchemy gives Atomic Alchemy a competitive advantage over its competitors. It is, therefore, withheld from disclosure to protect the Atomic Alchemy’s competitive position.



- vii. It includes information that is marketable in many ways. The extent to which such information is available to competitors diminishes Atomic Alchemy's ability to sell products and services involving the use of the information.
  - viii. Use by our competitor(s) would put Atomic Alchemy at a competitive disadvantage by reducing their expenditure of resources at our expense.
  - ix. 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 Atomic Alchemy of a competitive advantage.
  - x. Unrestricted disclosure would jeopardize the position of prominence of Atomic Alchemy in the world market, and thereby give a market advantage to the competition of those countries.
  - xi. The capacity of Atomic Alchemy and its investors to invest corporate assets in research, development, licensing, and construction activities depends upon the success in obtaining and maintaining a competitive advantage.
  - xii. The information was transmitted to the NRC in confidence and under the provisions of 10 CFR 2.390 and 2.304; it is to be received in confidence by the NRC.
5. Pursuant to the provisions 10 CFR 2.390(d)(1), 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 concerns the physical protection of the Atomic Alchemy facility.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief. Executed on date listed below.

Signed:

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Thomas Eiden  
CEO, Atomic Alchemy, Inc.

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Date

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