



REPLOY Power, Inc
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Enclosure 2

REPLOY Power Affidavit and Request for Withholding from Public Disclosure (10 CFR 2.390)

Revision 2

October 2025

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I, Donald J. Statile, hereby state:

1. I am the Director of Licensing, Safety, and Quality Assurance of REPLOY Power, Inc (hereinafter REPLOY) as well as a corporate officer of REPLOY and as such I am authorized by REPLOY to review information sought to be withheld from public disclosure in connection with the development, testing, licensing, and deployment of the REPLOY Submerged Power Station reactor system, or variants and associated systems thereof and its associated structures, systems, and components, and to apply for its withholding from public disclosure on behalf of REPLOY.
2. The information sought to be withheld, in its entirety, is contained in REPLOY'S Enclosure 3 to this letter as well as subsequent submissions pursuant to this matter which contain the markings "Trade Secret", "Confidential", "Proprietary", or "Privileged."
3. I am making this request for withholding, and executing this affidavit in support thereof, pursuant to the provisions of 10 CFR 2.390(b)(1) as well pursuant to the provisions of the Freedom of Information Act, 5 USC 552 and any other public disclosure law.
4. I have personal knowledge of the criteria and procedures utilized by REPLOY in designating information as a trade secret, privileged, or as confidential commercial or financial information. Some examples of information REPLOY considers proprietary and eligible for withholding under §2.390(a)(4) include:
 - a. Information which discloses process, method, or apparatus, including supporting data and analyses, where prevention of its use by REPLOY competitors without license or contract from REPLOY, constitutes a competitive economic advantage over other companies in the industry;
 - b. Information, which if used by a competitor, would reduce his expenditure of resources or improve his competitive position in design, manufacture, shipment, installation, assurance of quality;
 - c. Information which reveals cost or price information, cost estimates, production capacities, contractual or teaming arrangements, budget levels or commercial strategies of REPLOY its customers, its partners, or its suppliers;
 - d. Information which reveals aspects of past, present, or future REPLOY or customer funded development plans or programs, technical plans, technical, security or site studies, or other items of potential commercial value to REPLOY;
 - e. Information which discloses a patentable subject matter for which it may be desirable to obtain patent protection as well as protection as a trade secrets;
 - f. Information obtained through actions which could reveal additional insights into reactor and associated support systems (including manufacture, transport, fueling/defueling, deployment) system development, testing, qualification processes, public outreach, and/or regulatory proceedings, and which are not otherwise readily obtainable by a competitor; and/or
 - g. Information which REPLOY furnishes which contains sensitive or proprietary information which it received pursuant to a non-disclosure or similar type of agreement under which REPLOY has a legal obligation to keep such information confidential.
5. REPLOY information contained in Enclosure 2 to this letter, and subsequent submissions, contain details of REPLOY's licensing plans and schedules. These details could provide a competitor with a commercial advantage if the information were to be revealed publicly.

6. Pursuant to the provisions of §2.390(b)(4), the following is furnished for consideration by the Commission 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 and has been held in confidence by REPLOY.
- b. The information is of a type customarily held in confidence by REPLOY and not customarily disclosed to the public. REPLOY has a rational basis for determining the types of information customarily held in confidence by it and, in that connection, utilizes a system of policies 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 REPLOY 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 REPLOY, 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, points of contact, suppliers, or licensing approaches. This information is the result of considerable expense to REPLOY and has great value in that it will assist REPLOY 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, performance specifications, or commercial strategies of REPLOY.
- g. Each component of proprietary information pertinent to a particular competitive advantage 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 REPLOY of a competitive advantage.
- h. Unrestricted disclosure would jeopardize the position of REPLOY in the world market, and thereby give a market advantage to the competition in those countries.

I declare under penalty of perjury and 18 USC 1001 that the foregoing is true and correct to the best of my knowledge and belief.

Executed this 6th day of October 2025.

Donald J. Statile

Donald J. Statile

Director of Licensing, Safety, and Quality Assurance

REPLOY Power, Inc.