

Patriot Hydro Federal Conflict of Interest Policy
Revised 3/13/2024.

Patriot Hydro does not permit outside or personal interests to conflict with good business practices including that the purpose, design, conduct and reporting of a project will be free from bias. Compliance with this policy is mandatory for all employees and contractors associated with Patriot Hydro. Failure to abide by this policy will result in disciplinary action including the potential for termination of employment or contracted work.

Any concerns, questions, or potential breaches of this policy can be directed to any member of the Patriot Hydro leadership team, Legal Counsel or any other member of the LS Power Leadership team. There will be no retaliation for any questions or identification of any potential breaches of the conflict-of-interest policy. All reported concerns or questions will be documented and investigated by the Patriot Hydro and/or LS Power leadership team as appropriate. Management of an identified financial or organizational conflict of interest will result in a management plan, and as needed, a retrospective review and a mitigation report. All reviews will be conducted and reported as identified in the current DOE Interim Conflict of Interest Policy for Financial Assistance Appendix 1.

“A *financial conflict of interest* (FCOI) means a situation in which an Investigator or the Investigator’s spouse or dependent children has a significant financial interest or financial relationship that could directly and significantly affect the design, conduct, reporting or funding of a project.”¹

“*Organizational conflict of interest* means a situation where because of relationships with a parent company, affiliate, or subsidiary organization, the non-Federal entity is unable or appears to be unable to be impartial in conducting a procurement action involving a related organization.”²

“*Significant financial interest* means:

(1) A financial interest consisting of one or more of the following interests of the Investigator (and those of the Investigator's spouse and dependent children) that reasonably appears to be related to the Investigator's Non-Federal entity responsibilities:

(i) With regard to any foreign or domestic publicly traded entity, a *significant financial interest* exists if the value of any remuneration received from the entity in the twelve months preceding the disclosure and the value of any equity interest in the entity as of the date of disclosure, when aggregated, exceeds \$5,000. For purposes of this definition, remuneration includes salary and any payment for services not otherwise identified as salary (e.g., consulting fees, honoraria, paid authorship); equity interest includes any stock, stock option, or other ownership interest, as determined through reference to public prices or other reasonable measures of fair market value;

(ii) With regard to any foreign or domestic non-publicly traded entity, a *significant financial interest* exists if the value of any remuneration, not otherwise disclosed as current, pending, or other support, received from the entity in the twelve months preceding the disclosure, when aggregated, exceeds \$5,000, or when the Investigator (or the Investigator's spouse or dependent children) holds any equity interest (e.g., stock, stock option, or other ownership interest);

(iii) Intellectual property rights and interests (e.g., patents, copyrights), upon receipt of income related to such rights and interests.

(2) Investigators also must disclose the occurrence of any reimbursed or sponsored travel (*i.e.*, that which is paid on behalf of the Investigator and not reimbursed to the Investigator so that the

exact monetary value may not be readily available) related to their institutional responsibilities that is not otherwise disclosed in current and pending or other support disclosures, provided that this disclosure requirement does not apply to travel that is reimbursed or sponsored by a Federal, state, or local government agency of the United States; a domestic Institution of Higher Education; or a domestic research institute that is affiliated with a domestic Institution of Higher Education. The non-Federal entity's FCOI policy will specify the details of this disclosure, which will include, at a minimum, the purpose of the trip, the identity of the sponsor/organizer, the destination, and the duration. In accordance with the non-Federal entity's FCOI policy, the non-Federal entity official(s) will determine if further information is needed, including a determination or disclosure of monetary value, in order to determine whether the travel constitutes a FCOI with the project funded under the DOE award.

(3) The term significant financial interest does not include the following types of financial interests: salary, royalties, or other remuneration paid by the non-Federal entity to the Investigator if the Investigator is currently employed or otherwise appointed by the non-Federal entity, including intellectual property rights assigned to the non-Federal entity and agreements to share in royalties related to such rights; any ownership interest in the non-Federal entity held by the Investigator, if the non-Federal entity is a commercial or for-profit organization; income from investment vehicles, such as mutual funds and retirement accounts, as long as the Investigator does not directly control the investment decisions made in these vehicles; income from seminars, lectures, or teaching engagements sponsored by a Federal, state, or local government agency of the United States, a domestic Institution of Higher Education, or a domestic research institute that is affiliated with a domestic Institution of Higher Education; or income from service on advisory committees or review panels for a Federal, state, or local government agency of the United States, a domestic Institution of Higher Education, or a domestic research institute that is affiliated with a domestic Institution of Higher Education.”³

All investigators⁴ and non-federal sub-recipients associated with a federal grant, loan or other program are required to disclose all significant financial interests. These could include partnership with educational institutions, participation in other federal actions, outside work endeavors including institutional committee memberships and service on panels, or activities of spouses or dependent children.

As part of the Conflict-of-Interest program, prior to any participation in any grant, loan or other cost-sharing program, the administrator shall be consulted to ensure the terms of the program do not conflict with any currently applicable programs. A “potential conflict of interest exists when an impartial observer reasonably believes that actual or apparent past, present, or currently planned interests could constitute a conflict of interest with a project funded under” a federal award.⁵

Each of these potential financial and/or organizational conflicts of interest will be reviewed by the Patriot Hydro designated official, Mr. John Robichaud. In the event of Mr. Robichaud serving as the investigator, the conflict will be reviewed by Ms. Stacey Blair. Disclosures are to be updated within 30 days of any material changes in the disclosure but annually at a minimum. Training on this policy will occur annually or upon changes in the policy. Training will be required as part of any new employee on-boarding or in the event of any non-compliance with this policy.

Disclosures shall be signed, dated and include the certification statement below and maintained on file for the life of any federal award plus five years or other length of time if specified in the award program.

I understand that this Disclosure is required to obtain funding from the U.S. Government. I, [Full Name and Title], certify to the best of my knowledge and belief that the information contained in this Disclosure Statement is true, complete, and accurate. I understand that any false, fictitious, or fraudulent information, misrepresentations, half-truths, or omissions of any material fact, may subject me to criminal, civil or administrative penalties for fraud, false statements, false claims, or otherwise. (18 U.S.C. §§ 1001 and 287, and 31 U.S.C. 3729-3730 and 3801-3812). I further understand and agree that (1) the statements and representations made herein are material to U.S. Government's funding decision, and (2) I have a responsibility to update the disclosures during the period of performance of the award should circumstances change which impact the responses provided above.