Last Energy US

Affidavit Pursuant to 10 CFR 2.390

Caldwell LWA Application

October 2026

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Abbreviations and Acronyms

CFR	Code of Federal Regulations
LWA	limited work authorization
NRC	U.S. Nuclear Regulatory Commission

Affidavit Pursuant to 10 CFR 2.390

I, Adam Lenarz, state as follows:

(1) I am Vice President of Licensing and Development of Last Energy, Inc. (Last Energy). I have been specifically delegated responsibility for reviewing the information sought to be withheld from public disclosure and am authorized to request its withholding on behalf of Last Energy.

(2) I have reviewed the information proposed for withholding in the Caldwell Limited Work Authorization (LWA) application and its supporting attachments and am familiar with the basis for Last Energy's request to withhold it from public disclosure.

(3) Last Energy requests that the U.S. Nuclear Regulatory Commission (NRC) withhold from public disclosure the specifically marked proprietary information contained in Enclosure 1, General and Financial Information (pages 9–13); Enclosure 2, Preliminary Safety Analysis Report (pages 10–12 and 29); and Enclosure 3, Environmental Report (pages 7, 9–10, and 22), submitted with the Caldwell Limited Work Authorization (LWA) application. This request also includes the proprietary financial statements submitted in support of Enclosure 1, Section 5.4. The information proposed for withholding is identified by confidentiality markings in the proprietary versions of these documents.

(4) Last Energy makes this application for withholding under 10 CFR 2.390(a)(4), which applies to trade secrets and commercial or financial information obtained from a person and privileged or confidential. The same category of information is identified in 10 CFR 9.17(a)(4), and corresponds to Exemption 4 of the Freedom of Information Act, 5 U.S.C. 552(b)(4). Last Energy submits this affidavit in conformance with 10 CFR 2.390(b)(1).

(5) The information sought to be withheld includes the following categories of confidential commercial or financial information:

(a) Project-specific construction and component-level cost estimates, including first-core fuel costs, proposed funding sources, and financing assumptions, the disclosure of which would reveal Last Energy's internal project economics, budgets, and commercial negotiating position.

(b) Site-selection and development information, including specific site identification and development planning details, the disclosure of which would reveal commercially sensitive site-development activities and could adversely affect Last Energy's land acquisition and development negotiations.

(c) Proprietary engineering and site-layout information reflecting the configuration, arrangement, and integration of the proposed PWR-20 facility, the disclosure of which would enable competitors to benefit from project-specific engineering and development work without incurring comparable costs.

(d) Confidential commercial information concerning contractor and consultant engagements, including nonpublic business relationships and project-specific report identifiers where disclosure would reveal confidential commercial arrangements or protected project information.

Last Energy requests withholding of the specifically identified information within these categories under 10 CFR 2.390(a)(4).

(6) The information sought to be withheld has been maintained in confidence by Last Energy and has not been made available for unrestricted public distribution. This includes nonpublic financial information, proprietary engineering and site-layout information, commercially sensitive site-development information, and confidential aspects of contractor and consultant relationships. Where such information has been shared with external parties, disclosure has been for legitimate project purposes, including under applicable confidentiality arrangements.

(7) Last Energy customarily treats the types of information identified in paragraph (5) as confidential commercial or financial information. This information is commercially valuable because it reveals nonpublic project economics, financing assumptions, proprietary engineering configurations, site-development strategies, and confidential aspects of contractor and consultant relationships. Public disclosure could enable competitors or commercial counterparties to benefit from Last Energy's engineering and development efforts without comparable investment, identify commercially sensitive business opportunities, or gain an advantage in land acquisition, procurement, and financing negotiations. These considerations provide a rational commercial basis for Last Energy's customary confidential treatment of this information.

(8) The information sought to be withheld is submitted to the NRC in confidence as part of Last Energy's Caldwell LWA application and supporting attachments. The proprietary versions of the affected documents identify the information for which withholding is requested, and this affidavit and the corresponding request for withholding accompany the submission.

(9) To the best of my knowledge and belief, the information sought to be withheld has not been publicly disclosed by Last Energy and is not otherwise available from public sources. This includes nonpublic project-specific financial information, proprietary engineering and site configurations, commercially sensitive site-development information, and confidential aspects of contractor and consultant relationships. Last Energy does not request withholding of publicly available information solely because it appears within a proprietary document.

(10) Public disclosure of the information sought to be withheld would adversely affect Last Energy's commercial interests. Disclosure of nonpublic project cost estimates, financing assumptions, and funding strategies would provide suppliers, contractors, financing counterparties, and competitors with insight into Last Energy's internal economics and negotiating position. Disclosure of proprietary engineering configurations and site-layout information would allow competitors to benefit from Last Energy's project-specific engineering and development efforts without incurring comparable costs. Disclosure of confidential site-development information and commercial arrangements could reveal development strategies, negotiating priorities, and business opportunities, weakening Last Energy's position in land acquisition, procurement, and project development negotiations.

(11) Last Energy is the owner of the confidential commercial and financial information, commercial site-development strategies, and Last Energy-developed proprietary engineering and site-planning

information addressed by this affidavit. This includes Last Energy's internal project cost estimates, financing assumptions, and proprietary project-specific plans and analyses. This affidavit does not assert ownership of proprietary information independently owned by contractors, consultants, or other third parties.

(12) For the reasons set forth in this affidavit, Last Energy requests that the information identified for withholding in the proprietary versions of the Caldwell LWA application and its supporting attachments be withheld from public disclosure under 10 CFR 2.390(a)(4) and (b).

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

Executed on October 20th, 2026

Signature	
Printed name	Adam Lenarz
Title	Vice President of Licensing and Development
Date executed	October 20th, 2026

Audit trail

Details

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