

January 25, 2008

Mr. R. M. Krich, Senior Vice President
Regulatory Affairs
UniStar Nuclear
750 E. Pratt Street
14th Floor
Baltimore, MD 21202-3106

SUBJECT: DOCKETING OF THE PARTIAL COMBINED LICENSE APPLICATION FOR
CALVERT CLIFFS NUCLEAR POWER PLANT, UNIT 3

Dear Mr. Krich:

On July 13, 2007, as supplemented on July 16, August 2, September 11, October 30, December 14, 2007, and January 14, 2008, UniStar Nuclear (UniStar) submitted a partial combined license (COL) application to the U.S. Nuclear Regulatory Commission (NRC) for an U.S. EPR reactor to be located adjacent to the Calvert Cliffs Nuclear Power Plant, Units 1 and 2 (CCNPP1 and 2), in Lusby, Maryland. This potential new nuclear plant is designated CCNPP, Unit 3 (CCNPP3). The partial application included the environmental report (ER) as well as additional information that must accompany the first part of any COL application as required by 10 CFR 2.101(a)(5).

The NRC staff documented the status of its acceptance review efforts in a letter dated August 23, 2007. You provided additional information regarding your partial COL application on October 30, December 14, 2007, and January 14, 2008. The NRC staff has reviewed your supplemental correspondence and finds that you have provided sufficient information to resolve the issues identified in the August 23, 2007, letter with respect to the level of detail required to perform a meaningful review of the application. Consequently, the NRC staff accepts the partial COL application for further processing and review. The docket number assigned to this project is 52-016. Please reflect this docket number on all future correspondence.

In your May 31, 2007, response to Regulatory Issue Summary 2007-08, you stated that the second and final part of the CCNPP3 COL application will be submitted by the end of March 2008. When submitted, the NRC staff will undertake an acceptance review of that part of the application in accordance with Office Instruction NRO-REG-100, "Acceptance Review Process for Design Certification and Combined License Applications," as supplemented by Draft Revision 1, issued on January 7, 2008, for use and comment, to evaluate completeness and technical sufficiency of the application and its suitability for docketing.

With regard to your partial application, the NRC staff has established the milestone of March 19, 2008, for the site audit and public scoping meeting as part of the ER review. The NRC staff intends to issue a more complete schedule for the review of the full COL application when the acceptance review of the second part of the application is completed.

R. Krich

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Enclosed is a notice of acceptance of the partial application for docketing. This notice is being forwarded to the Office of the *Federal Register*. After receipt and acceptance of the remainder of the application, a separate notice will be forwarded and published in accordance with the provisions of 10 CFR 2.104, regarding the opportunity to file a petition for leave to intervene in the hearing required for this application.

Should you have any questions about this project, please contact John Rycyna, the acting Lead Project Manager for the CCNPP3 COL application at (301) 415-4122 or jxr7@nrc.gov.

Sincerely,

/RA/

David B. Matthews, Director
Division of New Reactor Licensing
Office of New Reactors

Docket No. 52-016

Enclosure:
Federal Register Notice

cc w/encl: See next page

R. Krich

-2-

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Docket No. 52-016

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U.S. NUCLEAR REGULATORY COMMISSION
UNISTAR NUCLEAR
ACCEPTANCE FOR DOCKETING OF A PARTIAL APPLICATION FOR
COMBINED LICENSE FOR CALVERT CLIFFS NUCLEAR POWER PLANT, UNIT 3
DOCKET NO. 52-016

On July 16, 2007, the U.S. Nuclear Regulatory Commission (NRC, the Commission) received a partial combined license (COL) application from UniStar Nuclear (UniStar), dated July 13, 2007, as supplemented by letters dated July 16, August 2, September 11, October 30, and December 14, 2007, and January 14, 2008. The COL application was filed pursuant to Section 103 of the Atomic Energy Act and Subpart C, "Combined Licenses," of Title 10 of the *Code of Federal Regulations* (10 CFR), Part 52, "License Certifications and Approvals for Nuclear Power Plants." The site location is in Lusby, Maryland, and is identified as the Calvert Cliffs Nuclear Power Plant, Unit 3 (CCNPP3). The partial application included the environmental report, final safety analysis report information regarding site suitability, as well as other information required by 10 CFR 2.101(a)(5). A notice of receipt and availability of this application was previously published in the *Federal Register* (72 FR 45832) on August 15, 2007.

The NRC staff has determined that UniStar has submitted information in accordance with 10 CFR Part 2, "Rules of Practice for Domestic Licensing Proceedings and Issuance of Orders," specifically 10 CFR 2.101(a)(5) regarding submission of a COL application in two parts, and 10 CFR Part 52, and that the partial application is acceptable for docketing. The docket number established for CCNPP3 is 52-016.

The NRC staff will perform a detailed technical review of the partial COL application. Docketing of the partial COL application does not preclude the NRC from requesting additional

information from the applicant as the review proceeds, nor does it predict whether the Commission will grant or deny the application. The NRC staff will also perform an acceptance review of the second and final part of the application when it is tendered. After completion of the acceptance review for the full application, if it is found acceptable for docketing, the Commission will conduct a hearing in accordance with Subpart L, "Informal Hearing Procedures for NRC Adjudications," of 10 CFR Part 2 and will receive a report on the COL application from the Advisory Committee on Reactor Safeguards in accordance with 10 CFR 52.87, "Referral to the Advisory Committee on Reactor Safeguards (ACRS)." If the Commission finds that the full COL application meets the applicable standards of the Atomic Energy Act and the Commission's regulations, and that required notifications to other agencies and bodies have been made, the Commission will issue a COL, in the form and containing conditions and limitations that the Commission finds appropriate and necessary.

In accordance with 10 CFR Part 51, the Commission will also prepare an environmental impact statement for the proposed action. Pursuant to 10 CFR 51.26, and as part of the environmental scoping process, the NRC staff intends to hold a public scoping meeting. Detailed information regarding this meeting will be included in a future *Federal Register* notice.

Finally, the Commission will announce in a future *Federal Register* notice, the opportunity to petition for leave to intervene in the hearing required for this application by 10 CFR 52.85.

Documents may be examined, and/or copied for a fee, at the NRC's Public Document Room (PDR), located at One White Flint North, Public File Area O1 F21, 11555 Rockville Pike (first floor), Rockville, Maryland 20852, and will be accessible electronically through the Agencywide Documents Access System (ADAMS) Public Electronic Reading Room link at the NRC Web site <http://www.nrc.gov/reading-rm/adams.html>. Persons who do not have

access to ADAMS, or who encounter problems in accessing documents located in ADAMS should contact the NRC PDR Reference staff by telephone at 1-800-397-4209, 301-415-4737, or by e-mail to pdr@nrc.gov. The application is also available at <http://www.nrc.gov/reactors/new-licensing/col.html>.

Dated at Rockville, Maryland this 25th day of January 2008.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

David B. Matthews, Director
Division of New Reactor Licensing
Office of New Reactors

cc:

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