

March 05,2008

The Honorable Mervin Savory, Tribal Chairman
Piscataway Conoy Confederacy and subtribes, Inc.
P.O. Box 1484
LaPlata, MD 20646

SUBJECT: REQUEST FOR PARTICIPATION IN THE SCOPING PROCESS
FOR THE ENVIRONMENTAL REVIEW OF THE CALVERT
CLIFFS NUCLEAR POWER PLANT, UNIT 3, COMBINED LICENSE
APPLICATION

Dear Chairman Savory:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing Part 1 of a partial application submitted by UniStar Nuclear, LLC (UniStar) for a combined license (COL) for the construction and operation of one new nuclear power plant at its Calvert Cliffs Nuclear Power Plant (CCNPP) site near Solomons, Maryland. As part of the review of this partial COL application, the NRC is preparing an Environmental Impact Statement (EIS) as required by Title 10 of the *Code of Federal Regulations* Part 51(10 CFR Part 51), the NRC's regulation that implements the National Environmental Policy Act of 1969, as amended (NEPA). The NRC staff is currently seeking information from consulting parties and other individuals and organizations likely to have knowledge of, or concerns with, historic properties in the area, to identify issues relating to the proposed undertaking's potential effects on historic properties.

UniStar submitted the partial application for COL on July 13, 2007, pursuant to NRC requirements at 10 CFR Part 52 and 10 CFR 2.101(a)(5). Part 1 of the partial application was accepted for docketing on January 31, 2008. The CCNPP COL partial application and subsequent supplemental information is publicly available at the NRC Public Document Room (PDR), located at One White Flint North, 11555 Rockville Pike, Rockville, Maryland, 20852 or from the NRC's Agency-wide Documents Access and Management System (ADAMS). ADAMS is accessible at <http://www.nrc.gov/reading-rm/adams.html>. Part 1 of the partial application and subsequent supplemental information is listed under accession number ML080380471. Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS should contact the NRC's PDR Reference staff by telephone at 1-800-397-4209/301-415-4737 or by e-mail at pdr@nrc.gov. The CCNPP COL partial application and supplemental information is also available on the Internet at <http://www.nrc.gov/reactors/new-licensing/col/calvert-cliffs.html>. In addition, the Calvert Library, Southern Branch located at 20 Appeal Lane, Lusby, Maryland and Calvert Library, Prince Frederick located at 850 Costley Way, Prince Frederick, Maryland have agreed to make the ER and supplemental information available for public inspection.

The CCNPP site is an approximately 2,000 acre site located on the west bank of the Chesapeake Bay, approximately 7.5 miles north of Solomons, Maryland. The site is currently the site of two operating pressurized water reactors, Units 1 and 2. UniStar

plans to construct one new nuclear unit (Unit 3) adjacent to the two existing units. The EIS will document the NRC staff's evaluation of the impacts of construction and operation of one new nuclear plant at the CCNPP site. UniStar has also identified three alternative sites that will be evaluated in the EIS. The NRC staff's review will consider alternatives including evaluation of alternative sites. The EIS will contain the results of the NRC staff's review of the environmental impacts on the area surrounding the CCNPP site that are related to terrestrial ecology, aquatic ecology, hydrology, socioeconomic issues, and historic properties (among others), and will contain a recommendation on whether the requested COL should be granted or denied. If granted, the COL would authorize the applicant to construct and operate the new proposed unit.

The NRC environmental review process includes an opportunity for public and inter-governmental participation in the environmental review. The CCNPP is in proximity to lands that may be of interest to the Piscataway Conoy Confederacy and subtribes. We want to ensure that you are aware of our efforts and pursuant to 10 CFR 51.28(a), the NRC invites the Piscataway Conoy Confederacy and subtribes to provide input to the scoping process relating to the NRC's environmental review of the partial application.

As outlined in 36 CFR 800.8(c), the NRC plans to coordinate compliance with Section 106 of the National Historic Preservation Act of 1966 through the requirements of NEPA. Accordingly, the NRC staff, through consultation with the Piscataway Conoy Confederacy and Subtribes participating in the scoping process hope to: identify historic properties on the CCNPP site; assess the effects of the proposed action on any historic properties identified; and develop alternatives and proposed measures that might avoid, minimize, or mitigate any adverse effects of the proposed action on historic properties. To complete consultation under 36 CFR 800.8(c), the NRC will forward the draft EIS to you for your review and comment and will address your comments in the final EIS. You will receive a copy of the draft EIS along with a request for comments after it is issued. This draft EIS will include identification of historic properties, assessment of impacts, and our preliminary determination. The anticipated publication date for the draft EIS is March 2009.

Pursuant to 10 CFR 51.28 and 36 CFR 800.2(c), the NRC wishes to ensure that Indian Tribes that might have an interest in any potential historic properties in the area of potential effect are afforded the opportunity to identify their concerns, provide advice on the identification and evaluation of historic properties, including those of traditional religious, and cultural importance, and, if necessary, participate in the resolution of any adverse effects to such properties. The area of potential effect for this COL review is the area at the CCNPP site and its immediate environs which may be impacted by land-disturbing activities associated with the construction and operation of the new units.

On Wednesday, March 19, 2008, the NRC is providing the public with the opportunity to participate in environmental scoping meetings to be held from 1:00 p.m. to 4:00 p.m., and 7:00 p.m. to 10:00 p.m., at Holiday Inn Select, 155 Holiday Drive, Solomons, Maryland 20688. Representatives of your tribe are invited to attend. Each meeting will be preceded by an open house from 12:00 p.m. to 1:00 p.m., and 6:00 p.m. to 7:00 p.m., during which members of the public may meet and talk with NRC staff members on an informal basis.

Chairman M. Savoy

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Please submit any written comments your tribe may have to offer on the scope of the environmental review by April 14, 2008. Comments should be submitted either by mail to the Chief, Rules and Directives Branch, Division of Administrative Services, Mail Stop T-6D59, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001 or by e-mail to CalvertCliffs.COLAEIS@nrc.gov. At the conclusion of the scoping process, the NRC staff will prepare a summary of the significant issues identified and the conclusions reached. This summary will be available to the public.

If you have any questions or require additional information, please contact Mr. Thomas Fredrichs, Project Manager for the Calvert Cliffs COL environmental review at 301-415-5971 or by e-mail at tlf2@nrc.gov.

Sincerely,

Richard P. Raione, Branch Chief /RA/
Environmental Projects Branch 2
Division of Site and Environmental Reviews
Office of New Reactors

Docket Nos.: 52-016

cc: See next page

Chairman M. Savoy

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Richard P. Raione, Branch Chief /RA/
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cc: See next page

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