

June 3, 2008

Mr. George Vanderheyden  
President and CEO  
UniStar Nuclear Energy, LLC.  
750 E. Pratt Street  
Baltimore, Maryland 21202-3106

SUBJECT: ACCEPTANCE REVIEW FOR COMBINED LICENSE APPLICATION FOR  
CALVERT CLIFFS NUCLEAR POWER PLANT, UNIT 3

Dear Mr. Vanderheyden:

By your four letters dated March 14, 2008, as supplemented by your letter dated May 15, 2008 (ADAMS Accession Nos. ML080990114, ML080800476, ML080790151, ML080780459 and ML081410279), Constellation Generation Group, LLC, and UniStar Nuclear Operating Services, LLC (CGG and UniStar) submitted Part 2 of their application to the U.S. Nuclear Regulatory Commission (NRC) for a combined license (COL) for one U.S. EPR pressurized water reactor in accordance with the requirements contained in Title 10 of the Code of Federal Regulations (10 CFR) Part 52, "Licenses, Certifications and Approvals for Nuclear Power Plants." This letter informs you that the NRC staff has completed its acceptance review of the Part 2 submittal and has determined that Part 2 is acceptable for docketing and your application is now complete.

CGG and UniStar previously submitted Part 1 of this application by letters dated July 13 and December 14, 2007, as supplemented by letters dated July 16, August 2, September 11, and October 30, 2007, and January 14 and March 3, 2008 (ADAMS Accession Nos. ML071980294, ML073520191, ML072000363, ML072200533, ML072560022, ML073060128, ML080160244, and ML080660622), in accordance with the requirements contained in 10 CFR Parts 2 and 52. 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). Part 1 was accepted for review and docketed by the NRC on January 25, 2008 (ML080160547).

This reactor is identified as Calvert Cliffs Nuclear Power Plant, Unit 3 (CCNPP3) and is to be located in Lusby in Calvert County, Maryland. The Docket Number established is 52-016.

As stated in our letter of April 25, 2008, it was the NRC's intention to issue a schedule for the review of the full COL application within 30 days of completion of this acceptance review. However, as discussed with your staff previously, we will not be able to establish the schedule in the next 30 days. This delay is due to the additional information that UniStar has committed to provide the staff, as identified in Enclosure 1, the schedule of these submittals, and their potential impact on the review schedule.

Further, as the Calvert Cliffs COL application review is occurring in parallel with the U.S. EPR Design Certification review, both reviews must be closely coordinated. The U.S. EPR is the technology referenced in the COL application. The U.S. EPR Design Certification has been docketed for detailed technical review, as identified in NRC's letter of February 25, 2008 (ML080380357).

While we do not plan to provide you a detailed schedule within 30 days, the Safety Evaluation Report (SER) with Open Items for the Calvert Cliffs COL application review cannot be issued until after the SER with Open Items is issued for the U.S. EPR Design Certification application review (currently scheduled for November 20, 2009). Likewise, the SER with No Open Items for the Calvert Cliffs COL cannot be issued until the U.S. EPR Design Certification SER with No Open Items is issued (currently scheduled for May of 2011). Note that the staff will re-evaluate the U.S. EPR Design Certification review schedule when the SER with Open Items is issued and will do the same for the Calvert Cliffs COL application review schedule once it is established. The staff believes that a meeting with both UniStar and AREVA is needed to discuss the development of the Calvert Cliffs COL application review schedule.

The eight (8) issues that introduce uncertainty into the review schedule are listed on Enclosure 1. We understand you will supplement your application as necessary to address these issues.

The enclosed notice of acceptance for docketing (Enclosure 2) has been forwarded to the Office of the Federal Register and a separate notice will be published, in accordance with the provisions of 10 CFR 2.104, regarding the opportunity to file a petition for leave to intervene in the proceeding on this application.

Should you have any questions or comments concerning this matter, I can be reached at 301-415-4122 or e-mail address of [john.rycyna@nrc.gov](mailto:john.rycyna@nrc.gov).

Sincerely,

*/RA/*

John Rycyna, Project Manager  
EPR Projects Branch  
Division of New Reactor Licensing  
Office of New Reactors

Docket No. 52-016

Enclosures:

1. Calvert Cliffs RCOLA Schedule Issues
2. Federal Register Notice

cc w/encl: See next page

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Sincerely,  
/RA/

John Rycyna, Project Manager  
EPR Projects Branch  
Division of New Reactor Licensing  
Office of New Reactors

Docket No. 52-016

Enclosures:

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2. Federal Register Notice

cc w/encl: See next page

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**ADAMS Accession Number: ML081510149**

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<b>DATE</b>	05/30/2008	05/30/2008	05/30/2008	06 /2/2008	06 / 03 /2008

OFFICIAL RECORD COPY

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**Calvert Cliffs RCOLA Schedule Issues**

ENCLOSURE 1



### Calvert Cliffs RCOLA Schedule Issues

Issues	Submittal Schedule
1. Descriptions of site and regional geology in the COL application are difficult to understand due to low quality figures and unfamiliar references. There is conflicting information concerning geologic features.	COLA Rev 3 July 2008
2. The seismicity catalog is not complete.	Supplement received 5/30/08
3. The applicant did not provide a detailed dewatering plan.	Supplement 6/20/2008
4. The applicant did not use the correct U.S. EPR design parameters for Category I structure foundation dimensions.	Supplement 7/15/2008
5. The applicant used a non-conservative method to calculate seismic lateral earth pressure analysis.	Supplement 7/15/2008
6. The applicant committed to provide modified information concerning Ground Motion Response Spectrum.	Supplement 7/30/08
7. The applicant did not complete borings and associated work. Although the applicant submitted enough information on core borings to determine the reasonableness of the data being provided, the remaining information is necessary to complete the review.	COLA Rev 4 September 2008
8. The applicant referred to three NEI Topical Reports which require staff evaluation under their own schedules. These independent projects could impact the Calvert Cliffs COL application review schedule. The Topical Reports concern radiation protection, ALARA (as low as reasonably achievable), and off-site dose calculation.	N/A

UNITED STATES NUCLEAR REGULATORY COMMISSION  
CONSTELLATION GENERATION GROUP, LLC,  
AND UNISTAR NUCLEAR OPERATING SERVICES, LLC  
ACCEPTANCE FOR DOCKETING OF AN APPLICATION FOR  
COMBINED LICENSE FOR CALVERT CLIFFS NUCLEAR POWER PLANT UNIT 3  
DOCKET NO. 52-016

ENCLOSURE 2

UNITED STATES NUCLEAR REGULATORY COMMISSION  
CONSTELLATION GENERATION GROUP, LLC,  
AND UNISTAR NUCLEAR OPERATING SERVICES, LLC  
ACCEPTANCE FOR DOCKETING OF AN APPLICATION FOR  
COMBINED LICENSE FOR CALVERT CLIFFS NUCLEAR POWER PLANT UNIT 3  
DOCKET NO. 52-016

By four letters dated March 14, 2008, as supplemented by a letter dated May 15, 2008 Constellation Generation Group, LLC, and UniStar Nuclear Operating Services, LLC (CGG and UniStar) submitted Part 2 of their application to the U.S. Nuclear Regulatory Commission (NRC) for a combined license (COL) for one U.S. EPR pressurized water reactor in accordance with the requirements contained in 10 CFR Part 52 "Licenses, Certifications and Approvals for Nuclear Power Plants." This reactor is identified as Calvert Cliffs Nuclear Power Plant, Unit 3 and is to be located in Lusby in Calvert County, Maryland.

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Notices of receipt and availability of this application were previously published in the *Federal Register* (72 FR 45832) on August 15, 2007, and (73 FR 24321) on May 2, 2008.

The NRC staff has determined that CGG and UniStar have submitted information in accordance with 10 CFR Part 2, "Rules of Practice for Domestic Licensing Proceedings and Issuance of Orders," and 10 CFR Part 52 that is acceptable for docketing. The Docket Number established for Unit 3 is 5200016.

The NRC staff will perform a detailed technical review of the application. Docketing of the 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 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 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 staff held a public scoping meeting on March 19, 2008.

Finally, the Commission will announce in a future *Federal Register* notice the opportunity to petition for leave to intervene in the proceeding on this application.

For reference purposes, information regarding the U.S. EPR design referenced by this COL application can be found on the NRC website at <http://www.nrc.gov/reactors/new-licensing/design-cert/epr.html>.

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, and will be accessible electronically through the Agencywide Documents Access and Management System (ADAMS) Public Electronic Reading Room link at the NRC Web site <http://www.nrc.gov/reading-rm/adams.html>. The application is also available at <http://www.nrc.gov/reactors/new-licensing/col.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](mailto:pdr@nrc.gov).

Dated at Rockville, Maryland this 3rd day of June 2008.

FOR THE NUCLEAR REGULATORY COMMISSION.

John Rycyna, Project Manager  
EPR Projects Branch  
Division of New Reactor Licensing  
Office of New Reactors