



Maryland Department of Planning
Maryland Historical Trust

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June 19, 2008

Ms. Susan Gray
Power Plant Research Program
MD Department of Natural Resources
Tawes State Office Building
Annapolis, MD 21401

Re: MHT Review of Draft ERD, Calvert Cliffs Nuclear Power Plant Unit 3, CPCN Case 9127
Calvert County, Maryland

Dear Ms. Gray:

In response to a June 10, 2008 request from DNR, the Maryland Historical Trust (MHT) has reviewed the above-referenced document with respect to the project's potential effects on historic properties. We understand that UniStar Nuclear Energy LLC and UniStar Nuclear Operating Services have submitted an application to the Maryland Public Service Commission (PSC) to add a third reactor to the Calvert Cliffs Nuclear Power Plant (CCNPP), and that DNR's Power Plant Research Program (PPRP) has performed the above-referenced environmental review as part of the PSC licensing process. Please note that the proposed undertaking is also regulated by the federal Nuclear Regulatory Commission (NRC) and is therefore subject to both federal and state historic preservation laws. For these reasons, we have reviewed the draft ERD in accordance with Section 106 of the National Historic Preservation Act and the Maryland Historical Trust Act, §§ 5A-325 and 5A-326 of the State Finance and Procurement Article, and are writing to provide the following comments/recommendations regarding effects on cultural resources.

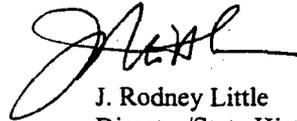
Status of Historic Preservation Review: The proposed expansion of the Calvert Cliffs Nuclear Power Plant was first submitted to our office for review in October of 2006. Following our review of the initial submittal, we requested a Phase I archeological survey as well as the completion of Determination of Eligibility (DOE) forms for a variety of structures that are located within the project area and are included in the Maryland Inventory of Historic Properties (MIHP) (see MHT letter dated November 20, 2006). These investigations were carried out by GAI Consultants, Inc., and the resulting Phase I survey report and DOE forms were submitted to our office in March and April of 2007. Upon our review of these documents, we found that Phase II evaluative investigations were warranted for four of the identified archeological sites (18CV474, 18CV480, 18CV481, and 18CV482), and that four of the MIHP properties – CT-58 (Parran's Park), CT-1295 (Baltimore and Drum Point Railroad), CT-1312 (Camp Conoy), and CT-59 (Preston's Cliffs) are eligible for listing in the National Register of Historic Places (see MHT letter dated June 7, 2007). As noted in Section 5 of the draft ERD, GAI has completed the Phase II archeological investigations and an Assessment of Effects study has been conducted to evaluate the project's impacts on the four National Register-eligible MIHP properties. Please note, however, that the Phase II report and the Assessment of Effects documentation have not yet been submitted to our office for review. It is clear, of course, that the proposed expansion of the Calvert Cliffs Nuclear Power Plant will have an adverse effect on historic properties. The construction of the third reactor, for example, will result in the unavoidable (and complete) destruction of the National Register-eligible Camp Conoy property. However, as we have not yet received the complete Phase II report or the Assessment of Effects documentation, we are not yet able to provide definitive comments or recommendations regarding these effects or possible mitigation measures. Once we have received the necessary documentation, we will be able to work with all interested parties to evaluate the potential adverse effects and make appropriate recommendations regarding measures to avoid, minimize, or mitigate any such effects. The resolution of all adverse effects will require the negotiation and execution of a Memorandum of Agreement (MOA) between NRC, MHT, UniStar, and other involved parties stipulating the agreed-upon mitigation measures that will be implemented by UniStar. Please note that this consultation process must involve all relevant parties such as Calvert County and the Southern Maryland Heritage Area.

Draft ERD/Draft Licensing Conditions: Below are our comments regarding the draft ERD and the draft licensing conditions that were submitted to our office by DNR, and we would like to ask that these items be addressed in the preparation of the final documents.

- Condition #56 states that "prior to construction, UniStar shall execute a Memorandum of Agreement (MOA) with the Maryland Historical Trust to mitigate the adverse effects of site preparation and construction upon on-site cultural resources that are eligible for the National Register of Historic Places." On page 1-2, however, it is stated that, "after receiving a CPCN, NRC rules would allow UniStar to commence limited site preparation and certain non-safety related pre-construction activities prior to obtaining final COL approval...UniStar states that it needs to begin site clearing and pre-construction site preparation by early 2009." We would therefore like to request that condition #56 more clearly specify that no site preparation activities (such as clearing or grading) or construction activities having the potential to effect historic properties will take place within the limits of National Register-eligible archeological or structural resources and no removal or demolition of eligible structures will take place until an MOA has been executed to mitigate the adverse effects of these activities.
- When discussing the cultural impacts in Section 5, the draft ERD should reference the appropriate Maryland inventory site numbers (such as 18CV474) rather than listing the sites as "Site 1," Site 2," etc...
- In the first full paragraph of page 5-45, it may be more efficient and precise to eliminate much of the text and simply state that the complete Phase II report must be prepared in accordance with the *Standards and Guidelines for Archeological Investigations in Maryland* (Shaffer and Cole 1994).
- It may be helpful to clarify on page 5-46 that the Captain John Smith Chesapeake National Historic Trail is **not** a historic property under Section 106 of the National Historic Preservation Act but is being considered nonetheless as an important resource.

If you have any questions or require further information, please do not hesitate to contact either Dixie Henry (for inquiries regarding archeological resources) at 410-514-7638 or dhenry@mdp.state.md.us or Jonathan Sager (for inquiries regarding the historic built environment) at 410-514-7636 or jsager@mdp.state.md.us. We look forward to receiving a copy of the full Phase I/Phase II report and Assessment of Effects documentation discussed above, when it becomes available, and we also look forward to further consultation as project planning proceeds. Thank you for providing us with this opportunity to comment.

Sincerely,



J. Rodney Little
Director/State Historic Preservation Officer
Maryland Historical Trust

JRL/DLH/200801870

cc: Richard Raione (NRC)
Peter Hall (Metametrics)
Barbara Munford (GAI Consultants)
Kirsti-Uunila (Calvert County)
George Wrobel (Constellation Energy)
Roslyn Racanello (Southern Maryland Heritage Area)