

January 16, 2009

Mr. Greg Gibson
Vice President Regulatory Affairs
UniStar Nuclear Energy
100 Constellation Way
Suite 1400P
Baltimore, Maryland 21202-3106

SUBJECT: CHANGE IN SCHEDULE OF THE CALVERT CLIFFS COMBINED LICENSE
APPLICATION ENVIRONMENTAL REVIEW

Dear Mr. Gibson:

This letter informs you that the schedule for completing the environmental review for the Calvert Cliffs combined license application (COLA) must be extended for the reasons listed below.

The staff originally scheduled issuance of the draft environmental impact statement (DEIS) by February 9, 2009, and the final EIS by March 1, 2010. The schedule included the following bases: (1) your responses to the staff's requests for additional information (RAI), if any, would be timely received; (2) your environmental report (ER) was consistent with other State and federal approvals required for proposed Unit 3; and (3) your ER was a final document.

Briefly stated, your responses to RAIs dated June 12, 2008, were incomplete. Your Section 404 application, submitted to the State of Maryland and the U.S. Army Corps of Engineers, was not consistent with your COLA. Because certain information in the Section 404 permit is also included in the COLA, the two documents must be consistent to enable the staff to complete its environmental review. Your ER was not a final document, due to revisions to the alternative site selection process in August 2008, and relocation of the cooling water intake structure in September 2008. As a result, information necessary to complete the staff's review was either not available in a timely manner, was inconsistent with other information, or was changed after submittal.

In view of the above, an extension of the schedule is necessary to evaluate the information received to date, and to prepare another set of RAIs. The staff will continue its review of your ER as information is submitted, and as resources permit. However, the staff will not provide a new schedule for issuing its EIS until it has received information adequate to make the new schedule reasonably certain. If UniStar makes further changes to its application, then delays greater than six months would be expected.

G. Gibson

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If you have any questions or comments concerning this matter, please contact Mr. Thomas Fredrichs, Environmental Project Manager for the Calvert Cliffs COL application review, at 301-415-5971 or via e-mail at thomas.fredrichs@nrc.gov.

Sincerely,

/RA/

Joseph Colaccino
EPR Projects Branch
Division of New Reactor Licensing
Office of New Reactors

Docket No.: 52-016

cc: See Next Page

G. Gibson

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If you have any questions or comments concerning this matter, please contact Mr. Thomas Fredrichs, Environmental Project Manager for the Calvert Cliffs COL application review, at 301-415-5971 or by e-mail at thomas.fredrichs@nrc.gov.

Sincerely,

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