

Greg Gibson
Vice President, Regulatory Affairs

250 West Pratt Street, Suite 2000
Baltimore, Maryland 21201



10 CFR 50.4
10 CFR 52.79

December 12, 2008

UN#08-088

ATTN: Document Control Desk
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Subject: UniStar Nuclear Energy, NRC Docket No. 52-016
Submittal of Response to Request for Additional Information for the
Calvert Cliffs Nuclear Power Plant, Unit 3
RAI No. 31, Revision 0 – Applicable Code Cases, Question 05.02.01.02-2

Reference: John Rycyna (NRC) to George Wrobel (UniStar), "RAI No. 31 EMB1 1177.doc,"
email dated November 12, 2008

The purpose of this letter is to respond to the request for additional information (RAI) identified in the NRC e-mail correspondence to UniStar Nuclear, dated November 12, 2008 (Reference). This RAI addresses Applicable Code Cases, as discussed in Section 5.2.1.2 of the Final Safety Analysis Report, as submitted in Part 2 of the CCNPP Unit 3 Combined License Application (COLA), Revision 3.

The enclosure provides the response to RAI No. 31, Question 05.02.01.02-2.

There are no regulatory commitments identified in this letter.

If there are any questions regarding this transmittal, please contact me or Mr. George Wrobel at (585) 771-3535.

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HRO

UN#08-088
December 12, 2008
Page 2

I declare under penalty of perjury that the foregoing is true and correct.

Executed on December 12, 2008

A handwritten signature in black ink, appearing to read 'Greg Gibson', with a long horizontal flourish extending to the right.

Greg Gibson

Enclosure: Response to RAI No. 31, Revision 0, Applicable Code Cases, Question
05.02.01.02-2

cc: U.S. NRC Region I
U.S. NRC Resident Inspector, Calvert Cliffs Nuclear Power Plant, Units 1 and 2
NRC Environmental Project Manager, U.S. EPR Combined License Application
NRC Project Manager, U.S. EPR Combined License Application
NRC Project Manager, U.S. EPR Design Certification Application (w/o enclosure)

Enclosure

Responses to RAI No. 31, Revision 0

Applicable Code Cases

Question 05.02.01.02-2

December 12, 2008

RAI No. 31, Revision 0 (Question 05.02.01.02-2, RAI 5.2.1.2-1)

In Section 5.2.1.2 of Calvert Cliffs COL application, Calvert Cliffs addresses the COL information item by indicating that no additional ASME code cases will be utilized for the Calvert Cliffs unit 3. The applicant is requested to confirm that no ASME Code Cases other than the two code cases listed in Table 5.2-1 will be used for the piping and component design, preservice inspection (PSI) and inservice inspection (ISI) for the proposed unit. If there are other Code Cases to be used for the Calvert Cliffs COL application, provide a list of these code cases which must be acceptable to the NRC in accordance with Regulatory Guides 1.84, 1.147 and 1.192. If they are not acceptable to the NRC in accordance with Regulatory Guides 1.84, 1.147 and 1.192, provide justification for use of those code cases in accordance with 10CFR50.55a(a)(3), (b)(4), (b)(5) and (b)(6).

Response

U.S. EPR FSAR, Section 5.2.1.2, Table 5.2-1 lists the code cases applicable to the EPR design. No other code cases will be utilized at this time. See U.S. EPR FSAR, RAI No. 51 for additional information on U.S. EPR FSAR, Section 5.2.1.2, Table 5.2-1 code cases.

CCNPP Unit 3 FSAR Impact

The CCNPP3 FSAR will not be changed as a result of this question.