

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:

Ronald M. Spritzer, Chairman
Dr. Gary S. Arnold
Dr. William W. Sager

In the Matter of

CALVERT CLIFFS 3 NUCLEAR PROJECT,
LLC, and UNISTAR NUCLEAR OPERATING
SERVICES, LLC

(Combined License Application
for Calvert Cliffs Unit 3)

Docket No. 52-016-COL

ASLBP No. 09-874-02-COL-BD01

February 5, 2009

MEMORANDUM

(Notice pursuant to 10 C.F.R. § 2.309(i))

Pending before the Board is a Petition to Intervene (Petition) by the Nuclear Information and Resource Service, Beyond Nuclear, the Public Citizen Energy Program, and the Southern Maryland Citizens' Alliance for Renewable Energy Solutions. The subject of the Petition is the Application filed by Calvert Cliffs 3 Nuclear Project, LLC and UniStar Nuclear Operating Services, LLC, pursuant to Subpart C of 10 C.F.R. Part 52 for a combined license for Calvert Cliffs Nuclear Power Plant Unit 3. The proposed new reactor would be located in Calvert County, Maryland.

The Petitioners' Reply was filed on December 22, 2008. Accordingly, the Board's decision granting or denying the Petition to Intervene is presently due on or before Thursday, February 5, 2009. See 10 C.F.R. § 2.309(i). The Board hereby provides notice pursuant to 10 C.F.R. § 2.309(i) that it anticipates issuing a decision on the Petition to Intervene on or before March 20, 2009. This extension of the date for the Board's ruling is necessary because the oral argument on Petitioners' standing and the admissibility of their contentions is scheduled for

February 20, 2009. The Board chose that date primarily because of the Petitioners' longstanding request for the opportunity to review Revision 3 to the License Application, which was filed with the NRC in August 2008, but not made available to the public until January 27, 2009. Petitioners' review of Revision 3 might result in the filing of new or amended contentions under 10 C.F.R. § 2.309(f)(2), provide Petitioners with information relevant to the issues already pending before the Board, or both. The Board therefore concluded Petitioners should have the opportunity to review Revision 3 before the oral argument and the Board's ruling on contention admissibility.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD¹

/RA/

Ronald M. Spritzer, Chairman
Administrative Judge

Rockville, Maryland
February 5, 2009

¹Copies of this Order were sent this date by the agency's E-Filing system to the counsel/representatives for: (1) Joint Petitioners Nuclear Information and Resource Services, Beyond Nuclear, Public Citizen Energy Program, and Southern Maryland Citizens Alliance for Renewable Energy Solutions; (2) UniStar Nuclear Operating Services, LLC and Calvert Cliffs-3 Nuclear Project, LLC; (3) NRC Staff; and (4) State of Maryland.

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NUCLEAR REGULATORY COMMISSION

In the Matter of)
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CALVERT CLIFFS 3 NUCLEAR PROJECT, LLC.)
AND UNISTAR NUCLEAR OPERATING)
SERVICES, LLC) Docket No. 52-016-COL
)
(Calvert Cliffs 3 Nuclear Project, LLC))
)
(Combined License))

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB MEMORANDUM (NOTICE PURSUANT TO 10 C.F.R. §2.309(i)) have been served upon the following persons by Electronic Information Exchange.

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[Original signed by Christine M. Pierpoint]
Office of the Secretary of the Commission

Dated at Rockville, Maryland
this 5th day of February 2009