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10 CFR 52.75

March 6, 2009

UN#09-145

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

Subject: UniStar Nuclear Energy, NRC Docket No. 52-038
Nine Mile Point Unit 3 Nuclear Power Plant
Revised Submittal Date for NMP3NPP COLA Revision 1 Including FSAR 2.5 Update

Reference: 1) Greg Gibson (UniStar) to Document Control Desk (NRC) "Submittal of Combined License Application for the Nine Mile Point 3 Nuclear Power Plant; and Application for Withholding of Documents," dated September 30, 2008.
2) Prosanta Chowdhury (NRC) to Greg Gibson (UniStar), "Combined License Application Acceptance Review for Nine Mile Point 3 Nuclear Power Plant," dated December 12, 2008.
3) Greg Gibson (UniStar) to Document Control Desk (NRC), "Nine Mile Point Unit 3 Combined Operating License Application Review Schedule," dated February 9, 2009.

In Reference 1, UniStar Nuclear Energy submitted to the U.S. Nuclear Regulatory Commission (NRC) a Combined License Application (COLA) for an AREVA U.S. Evolutionary Power Reactor (U.S. EPR) to be located adjacent to the current Nine Mile Point Unit 1 and Unit 2 Nuclear Power Station.

In Reference 2, the NRC documented completion of their acceptance review and determined the COLA was acceptable for docketing. In that letter the NRC recommended that the COLA be amended to provide standard language identical to that in the R-COLA outside of the braces "{ }". This outside the braces alignment revision was to be considered Revision 1.

Also in Reference 2, the NRC identified other issues in the area of seismology that introduced uncertainty into their review schedule, and they requested that certain supplemental information be provided to the staff for review.

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HRO

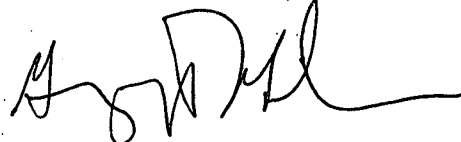
In Reference 3, UniStar stated that the submittal of the requested supplemental seismology information would occur on or before March 10, 2009 as a supplement to the Nine Mile Point Unit 3 Nuclear Power Plant (NMP3NPP) COLA Revision 1.

Subsequent discussions between the NRC Project Manager and UniStar determined that it would be most efficient if the seismic supplemental information and the revision to the standardized braces and generic language be combined into one submittal. The combined document will be Revision 1 to the NMP3NPP COLA. This Revision 1 will be submitted on or before March 31, 2009.

If there are any questions regarding this transmittal or a need for additional information, please contact me at (410)-470-4205 or Mike Yox at (410)-495-2436.

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

Executed on March 6, 2009



Greg Gibson

cc: Prosanta Chowdhury, NRC Project Manager, U.S. EPR COL Application
Philip Brandt, NRC Environmental Project Manager, U.S. EPR COL Application
Paul Michalak, NRC Environmental Project Manager, U.S. EPR COL Application
Getachew Tesfaye, NRC Project Manager, U.S. EPR DC Application (w/o enclosure)
Joseph Colaccino, Chief, EPR Projects Branch, Division of New Reactor Licensing
Loren Plisco, Deputy Regional Administrator, NRC Region II (w/o enclosure)
Ed Knutson, U.S. NRC Senior Resident Inspector, NMP Units 1 and 2
U.S. NRC Region I Office