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10 CFR 52.3
10 CFR 52.79

April 14, 2009

UN#09-189

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

Subject: UniStar Nuclear Energy, NRC Docket No. 52-016
Calvert Cliffs Nuclear Power Plant, Unit 3
Restrictions of Construction/Refurbishment of the
Barge Slip/Unloading Facility and Associated Dredging

References: 1) Phase I Compensatory Mitigation Plan, MACTEC Engineering and
Consulting, Inc., February 18, 2009.

This letter provides UniStar Nuclear Energy's commitment to a time-of-year restriction for the work described below associated with construction and refurbishment of the barge slip and unloading facility, and stream stabilization. The time-of-year restriction commitment is being made to protect Puritan Tiger Beetle habitat during the time of the year when the adult tiger beetles are normally active.

For work at the barge dock area, including the restoration of the bulkhead and stream outfall riprap apron, a time-of-year restriction will be followed in order to avoid the potential for a "take" of adult tiger beetles on the beach. Though there is no larval beetle habitat present, adult beetles have been documented foraging on the beach in this area. The time-of-year restriction extends from June 1 to August 31.

For the barge dock area, this restriction will apply only to project activities occurring landward of mean low water and extending up to the sheet pile bulkhead. Dredging from mean low water extending out into the bay is not subject to a seasonal restriction relative to Tiger Beetles. Project activities landward of the sheet pile wall are also not subject to the seasonal restriction for the protection of Tiger Beetles. Figure 6D, dated April 8, 2009, and Figures 6A and 6E, dated July 14, 2008, in Enclosure 2 illustrate the area subject to restriction.

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In addition, the proposed stream stabilization activity at Camp Conoy, identified in the Phase I Compensatory Mitigation Plan, dated February 18, 2009, as SE-4 (Reference 1), would also be subject to the same time-of-year restriction. The restricted areas are indicated in the Enclosure 2, figure entitled "Mitigation Areas and Area Subject to Restrictions – June 1 to August 31," dated April 8, 2009. Outside of this June 1 through August 31 period, restoration activities can be carried out within this 100 foot wide corridor at the confluence of the stream with the Chesapeake Bay, centered on the run of the stream as illustrated in the enclosed figure.

The time-of-year restriction commitment is applicable to the construction/restoration activities of the barge unloading facility and associated stream outfall, but does not apply to the operation and use of this facility.

The regulatory commitment in this correspondence is summarized in Enclosure 1.

If you have any questions, please call Mr. Dimitri Lutchenkov at (410) 470-5524.

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

Executed on April 14, 2009



Greg Gibson

Enclosures: 1) New Regulatory Commitment
2) Modifications for New Bulkhead & Apron Tiger Beetle Seasonally Restricted Work Areas, Mitigation Areas and Area Subject to Restrictions – June 1 to August 31, Modifications @ Existing Barge Unloading Facility, Section Thru Concrete Apron

cc: John Rycyna, NRC Safety Project Manager, U.S. EPR COL Application
Laura Quinn, NRC Project Manager, Environmental Projects Branch 2
Harriet Nash, NRC Senior Aquatic Biologist
Silas Kennedy, U.S. NRC Resident Inspector, CCNPP, Units 1 and 2
Loren Plisco, Deputy Regional Administrator, NRC Region II
Getachew Tesfaye, NRC Project Manager, U.S. EPR DC Application
U.S. NRC Region I Office
Susan Gray – Power Plant Research Program, MD Department of Natural Resources
Kathy Anderson – U.S. Army Corps of Engineers – Baltimore District
Andy Moser – U.S. Fish and Wildlife Service
Bob Zepp – U.S. Fish and Wildlife Service
Cheryl Kerr – Maryland Department of the Environment
Amanda Sigalito – Maryland Department of the Environment

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bcc:

Commitment: CC-09-0001

Enclosure 1
New Regulatory Commitment

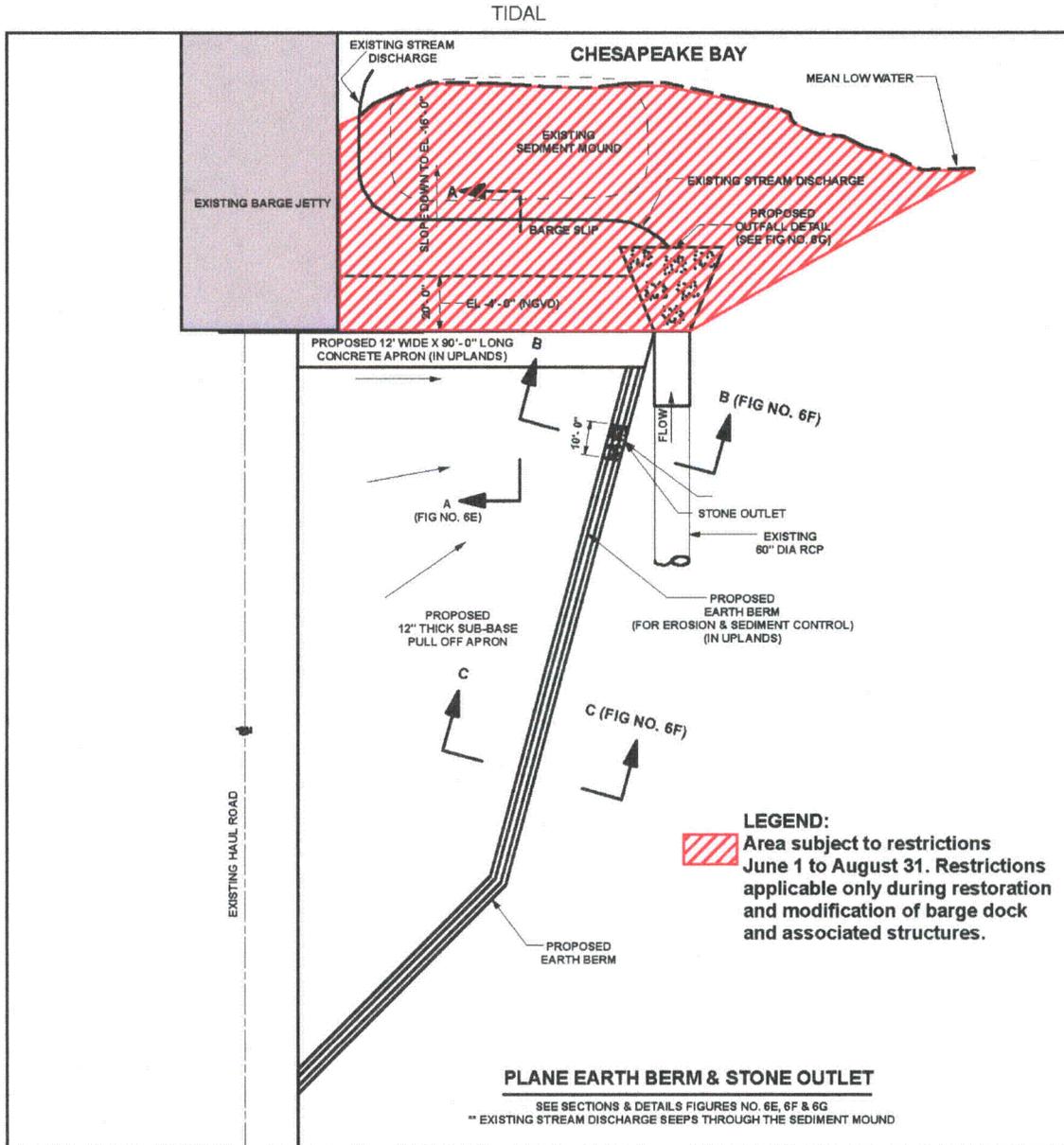
The regulatory commitment in this correspondence is summarized below:

Regulatory Commitment No.	Regulatory Commitment Description	Regulatory Commitment Due Date
CC-09-0001	UniStar Nuclear Energy commits to a June 1 through August 31 restriction for construction and refurbishment of the barge slip and unloading facility, and associated excavation; and stabilization of the stream outfall as described and illustrated in UniStar Letter UN#09-189.	N/A

Enclosure 2

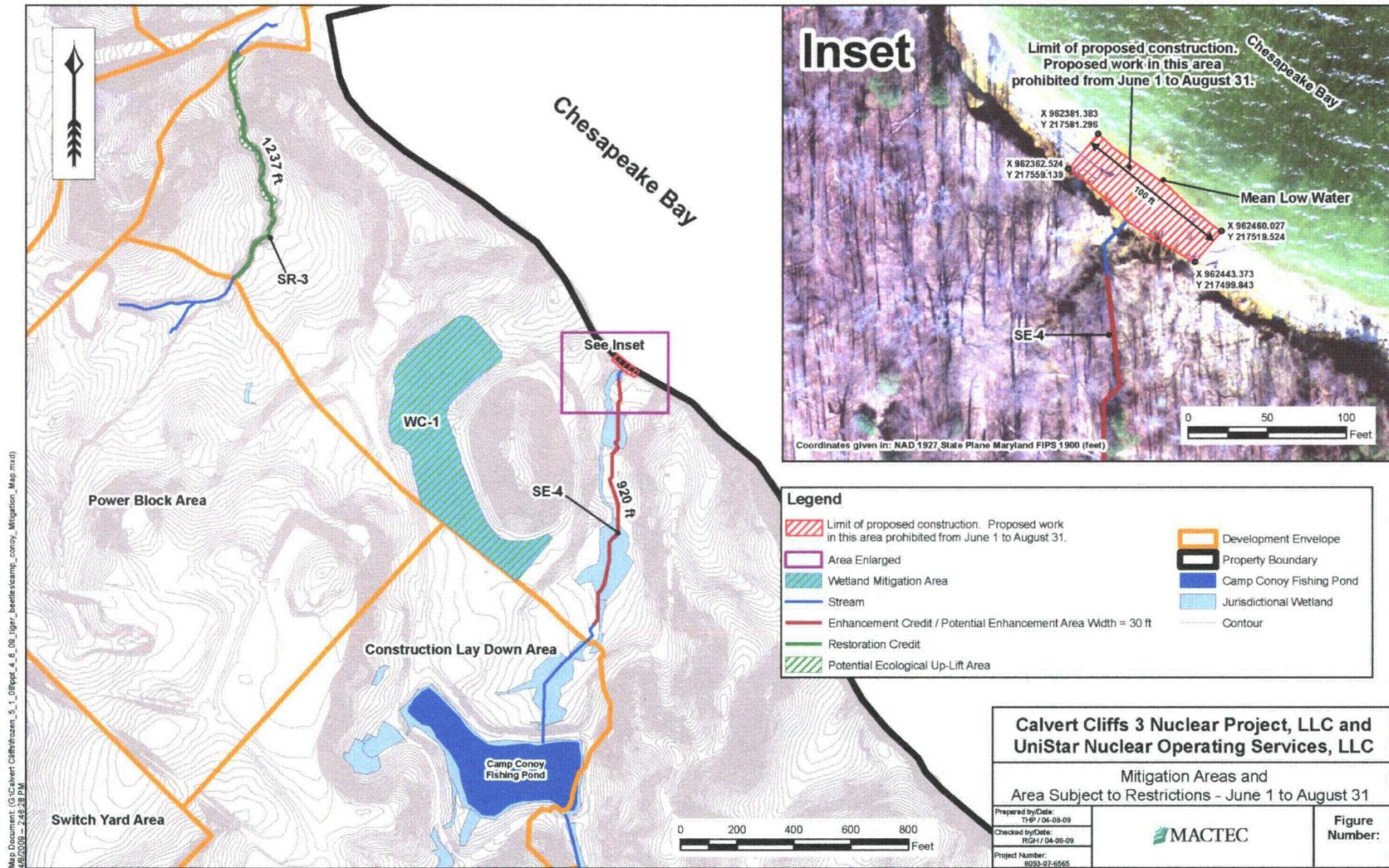
**Modifications for New Bulkhead & Apron Tiger Beetle Seasonally Restricted Work Areas,
Mitigation Areas and Area Subject to Restrictions – June 1 to August 31,
Modifications @ Existing Barge Unloading Facility,
Section Thru Concrete Apron**

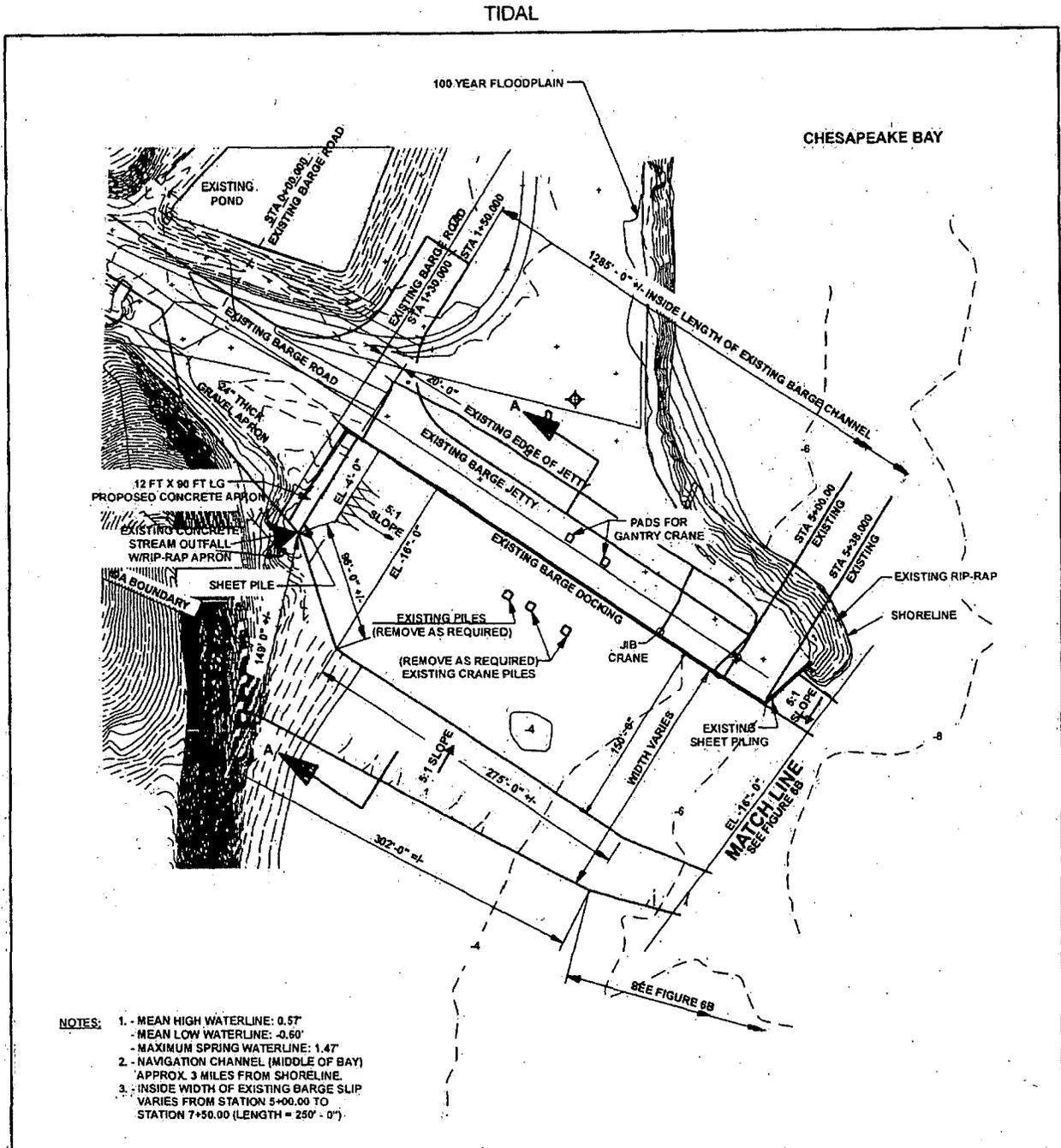
NOTES: 1. -MEAN HIGH WATERLINE: 0.57'
-MEAN LOW WATERLINE: -0.60'
-MAXIMUM SPRING WATERLINE: 1.47'



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<p>PURPOSE: PLANT EXPANSION DATA SOURCE: BECHTEL CORPORATION DATUM: (NGVD 29) PROJECT LATITUDE/LONGITUDE: 38.424133 -76.441598</p>	<p>FIGURE 6 D MODIFICATIONS FOR NEW BULKHEAD & APRON TIGER BEETLE SEASONALLY RESTRICTED WORK AREAS</p> <p style="text-align: center;">SCALE IN FEET NOT TO SCALE</p>	<p>CALVERT CLIFFS NUCLEAR POWER PLANT</p> <p>TIGER BEETLE SEASONALLY RESTRICTED WORK AREAS</p> <p>IN: PATUXENT / WEST CHESAPEAKE BAY COUNTY OF: CALVERT STATE: MD DATE: 4/08/09</p>
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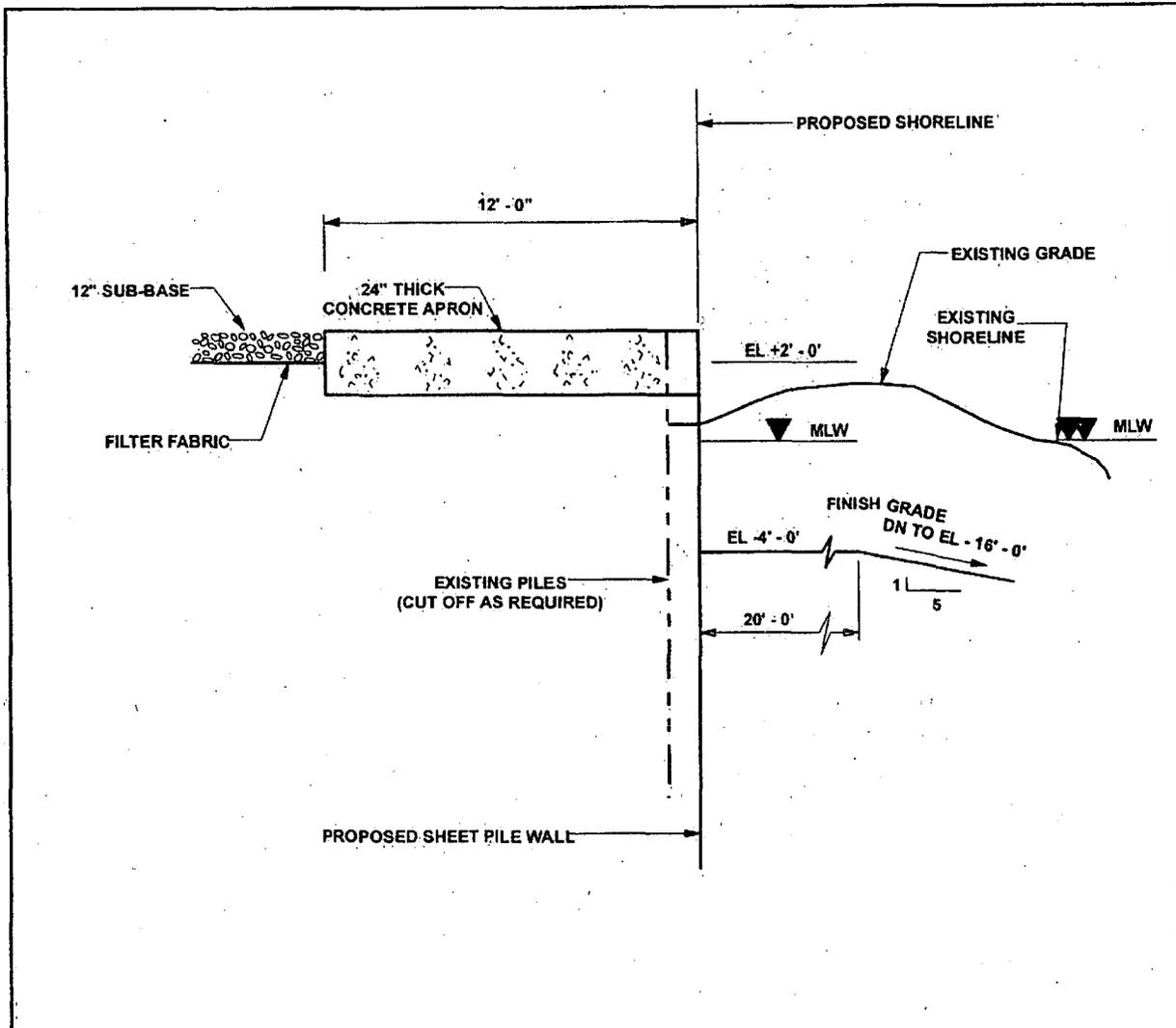




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<p>PURPOSE: PLANT EXPANSION DATA SOURCE: BECHTEL CORPORATION DATUM: (NGVD 29) PROJECT LATITUDE/LONGITUDE: 38.424133 -76.441598</p>	<p>FIGURE 6 A MODIFICATIONS @ EXISTING BARGE UNLOADING FACILITY</p> <p>SCALE IN FEET</p> <p>0 50 100 150 Feet</p>	<p>CALVERT CLIFFS NUCLEAR POWER PLANT</p> <p>IN: PATUXENT / WEST CHESAPEAKE BAY COUNTY OF: CALVERT STATE: MD</p> <p>APPLICATION BY: CALVERT CLIFFS 3 NUCLEAR PROJECT, LLC AND UNISTAR NUCLEAR OPERATING SERVICES, LLC</p> <p>DATE: 5/09/08 REV1 7/14/08</p>
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SECTION A-A

SEE FIGURE 6A FOR LOCATION OF APRON AND SHEET PILING
SEE FIGURE 6D FOR MODIFICATIONS OF NEW BULKHEAD AND APRON

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PURPOSE: PLANT EXPANSION DATA SOURCE: BECHTEL CORPORATION DATUM: (NGVD 29) PROJECT LATITUDE/LONGITUDE: 38.424133 -76.441598	FIGURE 6 E SECTION THRU CONCRETE APRON	CALVERT CLIFFS NUCLEAR POWER PLANT
	SCALE IN FEET NOT TO SCALE	IN: PATUXENT / WEST CHESAPEAKE BAY COUNTY OF: CALVERT STATE: MD APPLICATION BY: CALVERT CLIFFS 3 NUCLEAR PROJECT, LLC AND UNISTAR NUCLEAR OPERATING SERVICES, LLC DATE: 5/09/08 REV1 7/14/08