

Water Supply

I. Surface Water Supply for Operations

7. Initiation of Withdrawal—UniStar shall notify MDE WMA by certified mail when withdrawals for the uses specified in this appropriation have been initiated. This appropriation shall expire if water withdrawal is not commenced within seven (7) years after the effective date of issuance of the CPCN Combined Operating License (COL) issued by the U.S. Nuclear Regulatory Commission (NRC) for Calvert Cliffs Unit 3. The time limit has been established based on the anticipated construction schedule and necessary review and approval of the project by the NRC. The time limit may be extended for good cause, at the discretion of MDE WMA, upon written request to MDE WMA prior to the expiration of the seven-year period. Withdrawal associated with operating the desalination plant for generation of fresh water for construction or operation qualifies as initiation.
10. Appropriation Renewal—This appropriation will be reviewed and eligible for renewal 12 years from the date that the CPCN was issued expire coincident with the expiration of the initial COL for Calvert Cliffs Unit 3. In order to renew the appropriation, UniStar shall file a renewal application with MDE WMA no later than 45 days prior to the expiration.
14. Additional Permit Conditions—MDE WMA may at any time (including at triennial review or when a change application is submitted) request that the PSC revise any condition of this appropriation or add additional conditions concerning the character, amount, means and manner of the appropriation or use, which may be necessary to properly protect, control and manage the water resources of the State. Condition revisions and additions will be accompanied by issuance of a revised appropriation.

II. Ground Water Supply for Construction

18. Initiation of Withdrawal—UniStar shall notify MDE WMA by certified mail when withdrawals for the uses specified in this appropriation have been initiated. This appropriation shall expire if water withdrawal is not commenced within two years after the effective date of issuance of the CPCN COL. The time limit may be extended based on a delay in the construction schedule or necessary review and approval of the project by the NRC or for other good cause, at the discretion of MDE WMA, upon written request to MDE WMA prior to the expiration of the two-year period.
21. Appropriation Duration and Renewal—The appropriation will expire in eight (8) years from the effective date of the issuance of the CPCN COL. In the event that the construction schedule for Unit 3 is extended, and ground water will continue to be needed to support construction, a one-year renewal of the appropriation shall be granted only if UniStar provides written documentation to MDE WMA within six months of the expiration date demonstrating that the construction schedule will be extended and ground water will continue to be needed.

22. Additional Permit Conditions—MDE WMA may at any time (including triennial review or when a change application is submitted) request that the PSC revise any condition of this appropriation or add additional conditions concerning the character, amount, means and manner of the appropriation or use, which may be necessary to properly protect, control and manage the water resources of the State. Condition revisions and additions will be accompanied by issuance of a revised appropriation.

III. Construction Dewatering

30. Appropriation Duration and Renewal—The appropriation will expire in six (6) years from the ~~effective date of the issuance of the CPCN~~COL. In order to renew the permit for a period of one year, UniStar shall file a renewal application with ~~MDE WMA~~ no later than 45 days prior to expiration.
31. Additional Permit Conditions—MDE WMA may at any time (including review or when a change application is submitted) request that the PSC revise any condition of this appropriation or add additional conditions concerning the character, amount, means and manner of the appropriation or use, which may be necessary to properly protect, control and manage the water resources of the State. Condition revisions and additions will be accompanied by issuance of a revised appropriation.

Terrestrial and Aquatic Ecology

53. UniStar shall pay \$5,000 to DNR (by December 31, 2008) to be applied to the cost of mapping the substrate of NOB 19-2 in the vicinity of the Project. UniStar shall also fund, up to a capped amount of \$45,000 per acre (2008 dollars), the cost of moving, creating, or restoring oyster habitat equal to the area of bottom in NOB 19-2 that would be directly, adversely impacted by UniStar's new dredging or filling of tidal wetlands within NOB 19-2 pursuant to Condition 44. This effort will be completed within two (2) years of the completion of USACE/~~MDE~~ authorized work in tidal wetlands.