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10 CFR 52.75
10 CFR 2.390

September 30, 2009

UN#09-385

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

Subject: UniStar Nuclear Energy, NRC Docket No. 52-016
Calvert Cliffs Nuclear Power Plant, Unit 3
Submittal of Revision 6 to the Combined License Application for the Calvert Cliffs
Nuclear Power Plant, Unit 3, and Application for Withholding of Documents

- Reference:
- 1) Greg Gibson (UniStar Nuclear Energy) to Document Control Desk (NRC)
"Submittal of Revision 5 to the Combined License Application for the Calvert
Cliffs Nuclear Power Plant, Unit 3; and Application for Withholding of
Documents," dated June 30, 2009.
 - 2) Sandra Sloan (AREVA NP Inc.) to Document Control Desk (NRC) "Submittal
of Revision 1 of the U.S. EPR Final Safety Analysis Report for Design
Certification, NRC:09:064," dated May 29, 2009.
 - 3) Greg Gibson (UniStar Nuclear Energy) to Document Control Desk (NRC)
"Alternative Site Evaluation and Environmental Report Chapter 9.3," dated
August 29, 2009.
 - 4) John Rycyna (NRC) to Robert Poche (UniStar Nuclear Energy), "RAI No 66
ICE 1 1549.doc (PUBLIC)," dated February 19, 2009.

Provided herein is Revision 6 to the Calvert Cliffs Nuclear Power Plant (CCNPP) Unit 3
Combined License Application (COLA). The enclosed set of disks is a black revision line
version of the COLA. These disks supersede those previously submitted as Revision 5
(Reference 1).

An updated set of COLA documents is being provided in electronic format on the two enclosed
discs (Enclosures 1 and 2). Enclosure 1 contain information UniStar Nuclear Energy believes
can be made publicly available. Enclosure 2 contains information that UniStar Nuclear Energy
requests to be withheld from public disclosure.

COLA Revision 6 contains no Restricted Data or other defense information requiring separation
in accordance with 10 CFR 50.33 (j). Part 9 of COLA Revision 6 contains certain financial,

DO96
NRD

SUNSI and security-related information that UniStar Nuclear Energy is requesting the NRC to withhold from public disclosure in accordance with the requirements of 10 CFR 2.390. An appropriate affidavit (Enclosure 3) is included with this letter supporting proprietary treatment of UniStar Nuclear Energy financial information pursuant to 10 CFR 2.390.

Revision 6 of the CCNPP Unit 3 COLA incorporates the changes resulting from Revision 1 of the U. S. EPR FSAR (Reference 2), UniStar Nuclear Energy responses to NRC Requests for Additional Information submitted to the NRC through August 1, 2009, and the information relating to the CCNPP Unit 3 Alternative Site Evaluation (Reference 3).

One issue we were not able to include in COLA Revision 6 relates to Post Accident Monitoring (PAM) Instrumentation. Developing Technical Specifications that establish an acceptable Administrative Control Program for PAM Instruments is currently an unresolved industry issue and, therefore, could not be included in this revision. UniStar Nuclear Energy is working with the EPR Design Centered Working Group to provide a proposed resolution to the PAM Instrumentation issue. The proposed resolution will be provided in the response to NRC Request for Additional Information No. 66 (Reference 4) for CCNPP Unit 3 and in a future COLA revision.

This submittal contains PDF files, one or more of which may contain hyperlinks. These hyperlinks are either inoperable or are not essential to the use of the filing. Any material referenced by hyperlinks to the Internet that are essential for the use of this filing have been submitted as part of the filing. Any material referenced by a hyperlink to another PDF that was essential for the use of this filing has either been included by reference or submitted as part of this filing.

There are no new regulatory commitments in this correspondence.

If there are any questions regarding this transmittal, please contact me at 410-470-4205, or Mr. Michael Yox of my staff at 410-495-2436.

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

Executed on September 30, 2009


for Greg Gibson

- Enclosures:
- 1) Calvert Cliffs Nuclear Power Plant, Unit 3 COL Application Revision 6, Public DVD – Black Revision Line Version
 - 2) Calvert Cliffs Nuclear Power Plant, Unit 3 COL Application Revision 6, Proprietary and Security-Related DVD - Black Revision Line Version
 - 3) Affidavit for Withholding of Proprietary Information in Accordance with 10 CFR 2.390.

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cc: Surinder Arora, NRC Project Manager, U.S. EPR COL Application
Getachew, Tesfaye, NRC Project Manager, U.S. EPR DC Application
Laura Quinn, NRC Environmental Project Manager, U.S. EPR COL Application
Loren Plisco, Deputy Regional Administrator, NRC Region II
Silas Kennedy, U.S. NRC Resident Inspector, CCNPP, Units 1 and 2
U.S. NRC Region I Office

Enclosure 1

Calvert Cliffs Nuclear Power Plant, Unit 3

COL Application Revision 6

Public DVD

Black Revision Line Version

Enclosure 2

Calvert Cliffs Nuclear Power Plant, Unit 3

COL Application Revision 6

Proprietary and Security-Related DVD

Black Revision Line Version

Enclosure 3

**Affidavit for Withholding of Proprietary Information
in Accordance with 10 CFR 2.390**

ENCLOSURE 3

Affidavit of Dimitri Lutchenkov

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Dimitri Lutchenkov, being duly sworn, hereby deposes and states as follows:

1. My name is Dimitri Lutchenkov. I am the Director, Environmental Affairs, for UniStar Nuclear Energy, LLC (UniStar).
2. I have been authorized by UniStar to execute this affidavit in support of UniStar's request to withhold proprietary information identified in UniStar's letter to the NRC UN#09-385, "UniStar Nuclear Energy, Docket No. 52-016, "Submittal of Revision 6 to the Combined License Application for the Calvert Cliffs Nuclear Power Plant, Unit 3, and Application for Withholding of Documents" hereafter referred to as the Proprietary Information, from public disclosure in accordance with the Nuclear Regulatory Commission (NRC) regulations appearing at 10 CFR 2.390(a)(4).
3. The proprietary Information is being submitted as proprietary and confidential information as part of an enclosure to UniStar's letter UN #09-385 from Greg Gibson to the NRC Document Control Desk.
4. The Proprietary Information includes detailed financial information regarding costs and taxes associated with the construction and operation of the proposed U.S. EPR nuclear power plant at the Calvert Cliffs Nuclear Power Plant, Unit 3 Site (i.e. CCNPP Unit 3).
5. The Proprietary Information was prepared with the explicit understanding that the information itself would be treated as proprietary and confidential. The information should therefore be withheld from public disclosure. Indeed, UniStar has refrained from publicly disclosing this information. To the best of my knowledge and belief, the Proprietary Information has not otherwise been knowingly made available in any public source.
6. If the Proprietary Information was publicly disclosed, UniStar and Constellation Energy would suffer irreparable and incalculable harm. Specifically, UniStar's competitors would gain valuable insight into otherwise unavailable business strategies, plans, and financial details. By knowing the details included in the Proprietary Information, UniStar's competitors would obtain an unfair commercial advantage that would significantly affect UniStar's ability to compete. In addition, the success of the UniStar's future plans is governed in large part by the cost and tax information, and thus to publicly disclose this information as reflected in the Proprietary Information would result in substantial harm to the competitive position of UniStar.
7. Financial information by its nature is treated as confidential. The specific financial details in the Proprietary Information have not been publicly released for the reasons set forth above. Accordingly, withholding the Proprietary Information from disclosure will not adversely affect the public.

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8. A redacted version of the Proprietary Information has been provided. This version is for public disclosure.
9. The Proprietary Information is being submitted to the NRC in confidence. This Proprietary Information is of a sort customarily held in confidence by UniStar, and in fact has been held in confidence and not otherwise previously publicly released.

Further Affiant sayeth not.



Dimitri Lutchenkov
Director, Environmental Affairs
UniStar Nuclear Energy, LLC

Subscribed and sworn to before me,
Notary Public, this 30th day of September, 2009:

My Commission expires:

