April 15, 2010

Mr. J. Rodney Little
Director and State Historic Preservation Officer
Maryland Historical Trust
100 Community Place
Crownsville, MD 21032

SUBJECT: SECTION 106 CONSULTATION AND NOTIFICATION OF THE ISSUANCE OF THE DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR THE CALVERT CLIFFS NUCLEAR POWER PLANT, UNIT 3 COMBINED LICENSE APPLICATION REVIEW

Dear Mr. Little:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing an application submitted by Calvert Cliffs 3 Nuclear Project, LLC and UniStar Nuclear Operating Services, LLC (collectively referred to as UniStar) for a combined license (COL) for construction and operation of one new nuclear power plant at its Calvert Cliffs Nuclear Power Plant (CCNPP) site near Lusby, Maryland. The U.S. Army Corps of Engineers (Corps), Baltimore District, is reviewing a joint Federal/State Application for the Alteration of Any Floodplain, Waterway, Tidal or Non-tidal Wetland in Maryland and is a cooperating agency on the draft environmental impact statement (DEIS). As part of the review of the proposed actions, the NRC and Corps staff have prepared the enclosed DEIS (NUREG-1936). The DEIS includes analysis of relevant environmental issues, including potential impacts to historic and cultural resources, and documents the NRC staff's determination regarding the environmental impacts at the proposed site from the construction and operation of one new nuclear power plant. The NRC's determination is independent of the Corps' determination of a Least Environmentally Damaging Practicable Alternative pursuant to the Clean Water Act, Section 404(b)(1) Guidelines. The Corps will conclude its analysis of offsite and onsite alternatives, and issue its decision on the permit application in its Record of Decision, which will be issued after the final environmental impact statement.

In a February 29, 2008, letter, the NRC staff notified you that it will comply with its obligations under Section 106 of the National Historic Preservation Act of 1966, as amended, (NHPA) using the process set forth in Title 36 of the *Code of Federal Regulations* (36 CFR) 800.8(c) in lieu of the procedures set forth in 36 CFR 800.3 through 36 CFR 800.6. Pursuant to 36 CFR 800.8(c), the NRC staff is using the preparation of the DEIS required by the National Environmental Policy Act of 1969, as amended, (NEPA), to comply with its obligations under Section 106 of the NHPA.

The NRC staff has conducted an environmental audit at the site and has reviewed historic and archaeological records. The NRC staff also contacted three Native American Tribes identified as having potential interest in the proposed undertaking. To date, no comments have been received.

The NRC staff has determined that the Area of Potential Effect (APE) for the COL review is the area at the power plant site and the immediate environs that may be directly or indirectly impacted by NRC authorized construction and operation of the proposed new unit. The APE is influenced by the limitation of the scale and nature of the NRC undertaking which does not include most of the ground disturbing activities which constitute "preconstruction" activities. Many of the activities required to build a nuclear power plant do not fall within NRC's regulatory authority and, therefore, are not "construction" as defined by the NRC. Such activities are referred to as "preconstruction" activities in 10 CFR 51.45(c).

In the context of NEPA, under which the DEIS was prepared, the NRC staff's preliminary determination is that the cumulative impact on historical and archaeological resources from the construction and preconstruction activities of the proposed new unit at the CCNPP site and vicinity would be large because the work associated with the proposed project would have an adverse effect on Baltimore & Drum Point Railroad (CT-1259) by demolition, Camp Conoy (CT-1312) by destruction of contributing buildings, and archaeological site 18CV474 by destruction. For the purposes of NHPA 106 consultation, based on the loss of three eligible National Register of Historic Places properties within the APE and the Corps cultural resource analysis and consultation, the Corps concludes with a finding of historic properties adversely affected (36 CFR 800.5(d)(2)). For the purposes of NHPA 106 consultation pursuant to 36 CFR 800.8, the NRC concludes with a finding of historic properties adversely affected based on the loss of archaeological site 18CV474 within the APE from construction activities. A Memorandum of Agreement finalized on March 16, 2010, between the Maryland State Historic Preservation Office, UniStar, and the Corps stipulates agreed-upon mitigation measures appropriate to each property.

Also, in accordance with the February 29, 2008, letter, the NRC staff is forwarding the DEIS to you, in your position of State Historic Preservation Officer, for your review and comment and will address your comments in the final environmental impact statement, thus completing consultation under Section 106 of the NHPA with the Maryland Historic Trust, regarding the Calvert Cliffs COL application. Pursuant to 36 CFR 800.8(c), we are requesting your comments on the DEIS and on our preliminary conclusions regarding historic and cultural resources. Please provide any information, comments, or concerns you may have on the DEIS during the comment period, which ends July 6, 2010. Comments should be submitted either by mail to the Chief, Rules and Directives Branch, Division of Administrative Services, Office of Administration, Mailstop TWB-05-B01M, Washington, DC 20555-0001, or by e-mail to CalvertCliffsCOLAEIS@nrc.gov.

The NRC staff plans to hold two public meetings to discuss the analysis and results in the DEIS on Tuesday, May 25, 2010, at the Holiday Inn Select, 155 Holiday Drive, Solomons, Maryland. The first meeting will convene at 1:00 p.m. and will continue until 4:00 p.m., as necessary. The second meeting will convene at 7:00 p.m., with a repeat of the overview portions of the first meeting, and will continue until 10:00 p.m., as necessary. The meetings will be transcribed and will include: (1) A presentation of the contents of the DEIS, and (2) the opportunity for interested government agencies, organizations, and individuals to provide comments on the draft report. Additionally, the NRC and Corps staff will host informal discussions 1 hour before the start of each meeting during which members of the public may meet and talk with NRC and Corps staff members informally. You and your staff are invited to attend.

If you have any questions or require additional information, please contact Ms. Laura Quinn, Environmental Project Manager, by phone at 301-415-2220, or by e-mail at Laura.Quinn@nrc.gov.

Sincerely,

/RA/

Robert G. Schaaf, Chief
Environmental Projects Branch 3
Division of Site and Environmental Reviews
Office of New Reactors

Docket No.: 52-016

Enclosure:
As stated

cc: See next page

If you have any questions or require additional information, please contact Ms. Laura Quinn, Environmental Project Manager, by phone at 301-415-2220, or by e-mail at Laura.Quinn@nrc.gov.

Sincerely,

/RA/

Robert G. Schaaf, Chief
Environmental Projects Branch 3
Division of Site and Environmental Reviews
Office of New Reactors

Docket No.: 52-016

Enclosure:
As stated

cc: See next page

DISTRIBUTION:

PUBLIC	RidsOcaMailCenter	MParkhurst (maryann.parkhurst@pnl.gov)
LQuinn, NRO	RidsOgcMailCenter	WFrancis (woody.francis@usace.army.mil)
SArora, NRO	RidsOpaMail	EChapman (elaine.chapman@pnl.gov)
SImboden, NRO	RidsRgn1MailCenter	MFrench (michael.french@amec.com)
RSchaaf, NRO	RidsNroDserRenv	TONeil (tara.oneil@pnl.gov)
JDavis, FSME	RidsNroDserRap3	
DPickett, NRR	RidsNroDser	
JBiggins, OGC		

ADAMS Accession No.: ML100780329 NRO-002

OFFICE	NRO/DSER/RAP2:PM	NRO/DNRL/NARP:LA	OGC	NRO/DSER/RAP3:BC
NAME	LQuinn**/RA/**	JMcLellan **/RA P. Talukdar for/**	JBiggins**/RA/**	RSchaaf**/RA/**
DATE	04 /09 /2010	04 / 07 /2010	04 /13 /2010	4/15/2010

OFFICIAL RECORD COPY

COL - Calvert Cliffs Mailing List (Revised 03/25/2010)

cc:

Mr. Richard L. Baker
Bechtel Power Corporation
5275 Westview Drive
Frederick, MD 21703-8306

Ms. Patricia T. Birnie, Esquire
Co-Director
Maryland Safe Energy Coalition
P. O. Box 33111
Baltimore, MD 21218

Ms. Michele Boyd
Legislative Director
Energy Program
Public Citizens Critical Mass Energy
and Environmental Program
215 Pennsylvania Avenue, SE
Washington, DC 20003

Ms. Kristen A. Burger
Maryland People's Counsel
6 St. Paul Centre
Suite 2102
Baltimore, MD 21202-1631

Mr. Carey Fleming, Esquire
Senior Counsel - Nuclear Generation
Constellation Generation Group, LLC
750 East Pratt Street, 17th Floor
Baltimore, MD 21202

Mr. Jay S. Gaines
Director, Licensing
Calvert Cliffs Nuclear Power Plant
1650 Calvert Cliffs Parkway
Lusby, MD 20657-4702

Mr. Greg Gibson
Vice President, Regulatory Affairs
UniStar Nuclear Energy
750 E. Pratt Street
16th Floor Room 1635
Baltimore, MD 21202-3106

Mr. Brian Hastings
Public Utility Commission
William B. Travis Building
P.O. Box 13326
1701 Noth Congress Avenue
Austin, TX 78701-3326

Mr. Roy Hickok
NRC Technical Training Center
5700 Brainerd Road
Chattanooga, TN 37411-4017

Mr. Norris McDonald
President
AAEA
9903 Caltor Lane
Ft. Washington, MD 20744

Mr. R. I. McLean
Nuclear Programs
Power Plant Research Program
Maryland Department of Natural Resources
580 Taylor Avenue (B wing, 3rd floor)
Tawes State Office Building
Annapolis, MD 21401

Charles Peterson
Pillsbury, Winthrop, Shaw & Pittman, LLP
2300 "N" Street, NW
Washington, DC 20037

President
Calvert County Board of Commissioners
175 Main Street
Prince Frederick, MD 20678

Regional Administrator
Region I
U. S. Nuclear Regulatory Commission
475 Allendale Road
King of Prussia, PA 19406

COL - Calvert Cliffs Mailing List

Resident Inspector
U.S. Nuclear Regulatory Commission
P. O. Box 287
St. Leonard, MD 20685

Mr. Tom Sliva
7207 IBM Drive
Charlotte, NC 28262

Mr. David W. Sutherland
Chesapeake Bay Field Office
U.S. Fish and Wildlife Service
177 Admiral Cochrane Drive
Annapolis, MD 21401

Mr. George Wrobel
UniStar Nuclear Energy
100 Constellation Way, 1400P
Baltimore, MD 21202-3106

COL - Calvert Cliffs Mailing List

Email

APH@NEI.org (Adrian Heymer)
awc@nei.org (Anne W. Cottingham)
BrinkmCB@westinghouse.com (Charles Brinkman)
carey.fleming@cengllc.com (Carey Fleming)
chris.maslak@ge.com (Chris Maslak)
cwaltman@roe.com (C. Waltman)
david.lewis@pillsburylaw.com (David Lewis)
Derlinda.Bailey@chguernsey.com (Derinda Bailey)
ed.burns@earthlink.net (Ed Burns)
eddie.grant@excelservices.com (Eddie Grant)
FAlexander@sha.state.md.us (Felicia Alexander)
george.wrobel@unistarnuclear.com (George Wrobel)
greg.gibson@unistarnuclear.com (Greg Gibson)
gzinke@entergy.com (George Alan Zinke)
jason.parker@pillsburylaw.com (Jason Parker)
jerald.head@ge.com (Jerald G. Head)
jgutierrez@morganlewis.com (Jay M. Gutierrez)
jim.riccio@wdc.greenpeace.org (James Riccio)
JJNesrsta@cpsenergy.com (James J. Nesrsta)
John.O'Neill@pillsburylaw.com (John O'Neill)
Joseph_Hegner@dom.com (Joseph Hegner)
KSutton@morganlewis.com (Kathryn M. Sutton)
kwaugh@impact-net.org (Kenneth O. Waugh)
lchandler@morganlewis.com (Lawrence J. Chandler)
lois@ieer.org (Lois Chalmers)
Marc.Brooks@dhs.gov (Marc Brooks)
maria.webb@pillsburylaw.com (Maria Webb)
mark.beaumont@wsms.com (Mark Beaumont)
Mark.Crisp@chguernsey.com (Mark Crisp)
matias.travieso-diaz@pillsburylaw.com (Matias Travieso-Diaz)
media@nei.org (Scott Peterson)
mike_moran@fpl.com (Mike Moran)
MSF@nei.org (Marvin Fertel)
nirsnet@nirs.org (Michael Mariotte)
Nuclaw@mindspring.com (Robert Temple)
patriciaL.campbell@ge.com (Patricia L. Campbell)
paul.gaukler@pillsburylaw.com (Paul Gaukler)
Paul@beyondnuclear.org (Paul Gunter)
pfree@northwestern.edu (Professor Paul Friesema)
pshastings@duke-energy.com (Peter Hastings)
RJB@NEI.org (Russell Bell)
sabinski@suddenlink.net (Steve A. Bennett)
sandra.sloan@areva.com (Sandra Sloan)
sfrantz@morganlewis.com (Stephen P. Frantz)

COL - Calvert Cliffs Mailing List

sgray@dnr.state.md.us (Susan Gray)
stephan.moen@ge.com (Stephan Moen)
tkkibler@scana.com (Tria Kibler)
trsmith@winston.com (Tyson Smith)
Vanessa.quinn@dhs.gov (Vanessa Quinn)
Wanda.K.Marshall@dom.com (Wanda K. Marshall)
wj3@comcast.net (William Johnston)

Calvert Cliffs Nuclear Power Plant (Environmental)
cc:

Mr. Harold Sharlin
3401 38th Street NW, #318
Washington, DC 20016

Mr. Mark Coles, Business Legislative Rep.
Building and Construction Trades Council
5829 Allentown Road
Camp Springs, MD 20746

Mr. David Murphy
UniStar Nuclear Energy
750 Pratt Street, 14th Floor
Baltimore, MD 21202

Mr. Bud Hanbury
I.U.O.E.
4546 Brittania Way
Suitland, MD 20746

Mr. Richard Lloyd, Attorney
135 W Dares Beach Road, Suite 209A
Prince Fredrick, MD 20678

Mr. Donald Brown
United Association
26205 Yowaiski Mill Road
Mechanicsville, MD 20659

Mr. Mike Dorsey
BCTD
1601 16th Street NW
Washingto, DC 20006

Ms. Delores Caniglia
13400 Lore Pines Lane
Solomons, MD 20688

Ms. Amy Cordner
Calvert Cliffs Nuclear Power Plant
1955 Parkers Creek Spur
Port Republic, MD 20676

Mr. David Zonderman
252 Driftwood
Solomons, MD 20688

Ms. Jacqui Steele-McCall
GS Proctor
9912 Sudan Place
Upper Marlboro, MD 20772

Mr. Joe Mihalcik
UniStar Nuclear Energy
2264 Birch Road
Port Republic, MD 20676

Mr. David Turner
Constellation
24672 Apple Sauce Lane
Hollywood, MD 20636

Mr. Bill Burch
MACTEC
21740 Beaumeade Circle, #150
Ashburn, VA 20147

Alan Summerville
ICF International
9300 Lee Highway
Fairfax, VA 22031-1207

Mr. Norman Meadow
MD Conservation Council
2304 South Road
Baltimore, MD 21209

Mr. Charles E. MacDonald
P.O. Box 38
Chesapeake Beach, MD 20732

Mr. Danny Adams
MD Department of the Environment
1800 Washington Blvd.
Baltimore, MD 21250

Mr. Juan Carlos Recinos
Local Union 201
1507 Rhode Island Avenue NE
Washington, DC 20018

Mr. Bob Migliaccio
Iron Workers Local 201
1507 Rhode Island Avenue NE
Washington, DC 20008

Ms. Dawn Tuckor
Calvert County Minority Business Alliance
4140 Holbrook Road
Huntington, MD 20639

Mr. Brad Kanbowsky
P.O. Box 1276
Huntington, PA 20637

Mr. Timothy Butler
12407 Red Rock Trial
Lusby, MD 20657

Mr. Milo Chaffee
Sheet Metal Workers Local 100
4725 Silver Hill Road
Suitland, MD 20746

Mr. Keith Crissman
Constellation
23380 Tara Lane
Hollywood, MD 20636

Mr. Frank Fox
Sierra Club
27290 Woodburn Hill Road
Mechanicsville, MD 20659

Mr. Mic Gribben
Tetra Tech Inc.
20251 Century Blvd.
Germantown, MD 20874

Mr. Tyrone Washington
Iron Workers Local 201
3917 29th Street Apt 214
Washington, DC 20008

Mr. Ryan Leonard
Iron Workers Local 201
4665 Port Tobacco Road
Nanjemoy, MD 20662

Ms. Felicia Alexander
Maryland State Highway Administration
707 North Calvert Street, Mail Stop C-301
Baltimore, MD 21202

Lee and April Minin
P.O. Box 998
Solomons, MD 20688

Mr. John Rayner
Iron Workers Local Union No 5
9100 Old Marlboro Pike
Upper Marlboro, MD 20772-3627

Mr. Michael Lukey
MACTEC
21740 Beaumeade Circle, #150
Ashburn, VA 20147

Mr. Phillip Benavides
North American Young
Generation in Nuclear
3591 Saint Leonard Road
Port Republic, MD 20676

Mr. Robert Tufts
Maryland Green Party
1308 Fairfax Avenue
Churchton, MD 20733

Mr. Michael Pritchard
Iron Workers Local Union No 5
24380 Mervell Dean Road Apt B
Hollywood, MD 20636

Mr. Woody Francis
U.S. Army Corps of Engineers
Baltimore District
P.O. Box 1715
Baltimore, MD 21209-1715

Ms. Dantia Boonchaisri
Calvert County Dept. of Economic Development
Courthouse, 175 Main Street
Prince Fredrick, MD 20678

Mr. Kenneth Moore
8258 Cooperleaf Court
Owens, MD 20736-3615

Ms. Theresa Hunter
42566 Anne Court
Hollywood, MD 20636

Ms. Deborah McClure
Chamber of Commerce
1165 Beacon Way
Lusby, MD 20657

Mr. Randy Holter
P.O. Box 76
Newburg, MD 20664

Professor Paul Friesema
Environmental Policy and Culture Program
304 Scott Hall
601 University Place
Northwestern University
Evanston, IL 60208-1006

Vance T. Ayres
Executive Secretary Treasurer
Washington DC Building Trades Council
5829 Allentown Rd.
Camp Springs, Md. 20746

Jim McAllister
Director, Regional Planning
Tri-County Council for Southern Maryland
P.O. Box 745
Hughesville, MD 20637

Mr. Bob Nelson, Health Physicist
Maryland Dept. of the Environment
1800 Washington Blvd.
Baltimore, MD 21230

Ms. Brenda MacNair
11010 Mill Brdge Road
Lusby, MD 20657

Mr. James Sinclair
2120 Tamarac Trail
Lusby, MD 20657

Mr. Nick Garrett
Calvert Tourism Commission
378 Cambridge Place
Prince Fredrick, MD 20678

Dr. Gwen DeBois
Physicians for Social Responsibility
1817 Sulgnwe Avenue
Baltimore, MD 21209

Ms. June Sevilla
P.O. Box 354
Solomons, MD 20688

Mr. John M. Fowler
Office of Federal Agency Programs
Advisory Council on Historic Preservation
Old Post Office Building
1100 Pennsylvania Avenue, NW, Suite 809
Washington, DC 20004

Ms. Lori Byrne
Wildlife and Heritage Division
Maryland Dept. of Natural Resources
580 Taylor Ave, E-1
Annapolis, MD 21401

Mr. Leopoldo Miranda
Field Supervisor
Chesapeake Bay Field Office
U.S. Fish & Wildlife Service
177 Admiral Cochrane Drive
Annapolis, MD 21401

Mr. Jay Gaines
12947 Huron Drive
Lusby, MD 20657

Robert W. Duncan, Director
Virginia Department of Game and Inland Fisheries
4010 West Broad Street
Richmond, Virginia 23230

Mr. Bill Scarafia
St. Mary's County Chamber of Commerce
44220 Airport Road
California, MD 20619

Mr. Joseph Green
29 Francis Street
Annapolis, MD 21401

Mr. Paul Swartz
Executive Director
Susquehanna River Basin Commission
1721 N. Front Street
Harrisburg, PA 17102

Ms. Patricia Kurkul
Regional Administrator
National Marine Fisheries Service
Northeast Regional Office
One Blackburn Drive
Gloucester, MA 01930

Mr. J. Rodney Little
Director and State Historic Preservation Officer
Maryland Historical Trust
100 Community Place
Crownsville, MD 21032

Ms. Shari Wilson, Secretary
Maryland Department of the Environment
1800 Washington Boulevard
Baltimore, MD 21230

The Honorable Natalie Proctor, Chief
Cedarville Band of Piscataway Indians, Inc
16816 County Lane
Waldorf, MD 20601-3335

Steven G. Bowman
Commissioner
Virginia Marine Resources Commission
2600 Washington Avenue, 3rd Floor
Newport News, VA 23607

Ms. Tonya Hardy
Executive Director
Commission on African History and Culture
Banneker-Douglas Museum
84 Franklin Street
Annapolis, MD 21401

Mr. Carl Roe
Executive Director
Pennsylvania Game Commission
2001 Elmerton Avenue
Harrisburg, PA 17106-9797

The Honorable William “Red Wing” Tayac, Chief
The Piscataway Indians Nation
P.O. Box 131
Accokeek, MD 20607

The Honorable Mervin Savory, Chairman
Piscataway Conoy Confederacy and subtribes, Inc.
P.O. Box 1484
LaPlata, MD 20646

Mr. John R. Griffin, Secretary
Maryland Department of Natural Resources
580 Taylor Avenue
Tawes State Office Building
Annapolis, MD 21401

E-mail

kathy.anderson@usace.army.mil (Kathy Anderson)
woody.francis@usace.army.mil (Woody Francis)
phillip.benavides@comcast.net (Phillip Benavides)
trondelle2002@yahoo.com (Trondelle Brooks)
whbiv@nc.rr.com (William Buchanan)
kcrissman@md.metrocast.net (Brenice Crissman)
afisher@citizen.org (Allison Fisher)
pfree@northwestern.edu (Paul Friesema)
paul@beyondnuclear.org (Paul Gunter)
kevin@beyondnuclear.org (Kevin Kamps)
dimitri.lutchenkov@unistarnuclear.com (Dimitri Lutchenkov)
norrismcdonald@msn.com (Norris McDonald)
smcgarvey@bctd.org (Sean McGarvey)
meadownd@jhu.edu (Norm Meadow)
csavoy@smwlocal100.com (Clifton Savoy)
RCCouncil@aol.com