

## CCNPP3COLA PEmails

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**From:** Anderson, Kathy NAB [Kathy.Anderson@usace.army.mil]  
**Sent:** Friday, September 09, 2011 12:42 PM  
**To:** Lutchenkov, Dimitri  
**Cc:** Francis, Woody NAB; Seib, William NAB; Quinn-Willingham, Laura  
**Subject:** RE: Calvert Cliffs unit 3 ROD & Air Conformity (UNCLASSIFIED)

Classification: UNCLASSIFIED  
Caveats: NONE

Dimitri,

We coordinate with MDE as necessary and will coordinate more as we get closer to the date.

Still working on special conditions. The information you sent today is necessary for the conditions. We can continue to move forward with those and will coordinate the mitigation documents with our Office of Counsel - standard practice.

The NRC can update you on the NRC air conformity. We will discuss with NRC/EPA prior to a decision - not ready to have this discussion yet.

No information to provide you at this time regarding our work on Air Conformity issues.

Also, the ROD is in progress.

Thank you,  
Kathy B. Anderson  
Chief, Maryland Section Southern  
U.S. Army Corps of Engineers, Baltimore District Operations Division, Regulatory Branch  
(410) 962-5690  
(410) 962-6024(fax)  
kathy.anderson@usace.army.mil  
<http://www.nab.usace.army.mil/Wetlands%20Permits/>  
<http://www.facebook.com/USACEBaltimore>  
Directions to office:  
<http://www.nab.usace.army.mil/about%20Us/directions.htm>

-----Original Message-----

From: Lutchenkov, Dimitri [mailto:dimitri.lutchenkov@unistarnuclear.com]  
Sent: Friday, September 09, 2011 12:32 PM  
To: Anderson, Kathy NAB  
Subject: RE: Calvert Cliffs unit 3 ROD & Air Conformity (UNCLASSIFIED)  
Importance: High

- Status of the JPA (with Oct 5, 2011 as target date for coordination with BPW hearing & MDE permit)
  - + Has USACE coordinated with MDE/BPW
  - + Insight into "Special Conditions" contemplated
- Status of air conformity
  - + Has USACE coordinated with NRC & EPA
  - + How will USACE handle the 30 day public comment period

-----Original Message-----

From: Anderson, Kathy NAB [mailto:Kathy.Anderson@usace.army.mil]  
Sent: Friday, September 09, 2011 12:21 PM  
To: Lutchenkov, Dimitri  
Cc: Seib, William NAB; Francis, Woody NAB  
Subject: RE: Calvert Cliffs unit 3 ROD & Air Conformity (UNCLASSIFIED)

Classification: UNCLASSIFIED  
Caveats: NONE

Dimitri,

I am at home due to the flooding in my town. I'd like to chat next week after we take a look at these documents. Please let me check in with Woody. In the meantime, what are the topics of discussion?

Thank you,  
Kathy B. Anderson  
Chief, Maryland Section Southern  
U.S. Army Corps of Engineers, Baltimore District Operations Division, Regulatory Branch  
(410) 962-5690  
(410) 962-6024(fax)  
kathy.anderson@usace.army.mil  
<http://www.nab.usace.army.mil/Wetlands%20Permits/>  
<http://www.facebook.com/USACEBaltimore>  
Directions to office:  
<http://www.nab.usace.army.mil/about%20Us/directions.htm>

-----Original Message-----

From: Lutchenkov, Dimitri [mailto:dimitri.lutchenkov@unistarnuclear.com]  
Sent: Friday, September 09, 2011 11:54 AM  
To: Anderson, Kathy NAB  
Cc: Seib, William NAB; Francis, Woody NAB  
Subject: RE: Calvert Cliffs unit 3 ROD & Air Conformity (UNCLASSIFIED)  
Importance: High

Provided below are responses to your two inquiries. I would like to briefly discuss status with you later this afternoon. Are you available around 1;30 today?

1. Please provide the chain of ownership/relationship of the entities that make up UniStar and the parent company/companies. Please indicate the construction chain and the operation chain up to the parent companies.

ANSWER: The applicant, Calvert Cliffs 3 Nuclear Project, LLC, a Delaware limited liability company, is indirectly wholly-owned via two holding companies (UniStar Project Holdings, LLC and UniStar Nuclear Holdings, LLC) by UniStar Nuclear Energy, LLC ("UNE"). UNE is a wholly-owned indirect subsidiary of E.D.F. International S.A.S. ("EDFI"). EDFI is in turn a wholly owned subsidiary of the largest nuclear power operator in the world, Electricité de France S.A..

2. Please provide draft conservation easement documents for the mitigation areas. Also, please provide a draft document to provide us assurance that the tidal mitigation area would be protected/monitored/remediated and how this would be accomplished since the tidal mitigation area would be in State waters. Do you have any agreement with the State? We will coordinate these documents with our Office of Counsel and have these finalized with the final permit decision. Please see the Restrictive Covenant/Financial Assurance/Bond Surety links and use them to create the drafts for our review.

ANSWER: Two draft "Declaration of Restrictive Covenants" for non-tidal mitigation are attached. One to be executed by CALVERT CLIFFS 3 NUCLEAR POWER PROJECT, LLC for non-tidal mitigation on their

respective property and one to be executed by CALVERT CLIFFS NUCLEAR POWER PLANT, LLC (existing Units 1&2) for non-tidal mitigation on their respective property.

Tidal mitigation in the form of at least 4.5 acres of restoration or enhancement of benthic habitat to improve foraging habitat for fish species, as suggested by and being coordinated with the Maryland Department of the Environment (MDE)/National Marine Fisheries Service (NMFS), is still in the initial phase of planning. A plan for identifying the appropriate location has been developed and accepted by the agencies. A site selection evaluation is in process which will identify a recommended tidal mitigation project location. Once concurrence is provided by the agencies then the next step will be the development of an implementation plan and project design. The milestone for completion of these latter steps is far out in the future and will address how the tidal mitigation area would be protected/monitored/remediated. As such, UniStar cannot provide specifics at this early stage of the project but can assure that all applicable regulations and bonding requirements will be in place prior to starting any tidal mitigation work.

-----Original Message-----

From: Anderson, Kathy NAB [mailto:Kathy.Anderson@usace.army.mil]  
Sent: Monday, August 22, 2011 10:09 AM  
To: Lutchenkov, Dimitri  
Cc: Seib, William NAB; Francis, Woody NAB  
Subject: RE: Calvert Cliffs unit 3 ROD & Air Conformity (UNCLASSIFIED)

Classification: UNCLASSIFIED  
Caveats: NONE

Dimitri,

The update is that the permit documents are drafted; special conditions 80% drafted; ROD - filling in blanks in the draft; air - reading the air documents you provided today and will get that information into the ROD this week.

We will not be attending JE this week in order for us to keep the project moving forward. We need the following information from you:

1. Please provide the chain of ownership/relationship of the entities that make up UniStar and the parent company/companies. Please indicate the construction chain and the operation chain up to the parent companies.
2. Please provide draft conservation easement documents for the mitigation areas. Also, please provide a draft document to provide us assurance that the tidal mitigation area would be protected/monitored/remediated and how this would be accomplished since the tidal mitigation area would be in State waters. Do you have any agreement with the State? We will coordinate these documents with our Office of Counsel and have these finalized with the final permit decision. Please see the Restrictive Covenant/Financial Assurance/Bond Surety links and use them to create the drafts for our review.

<http://www.nab.usace.army.mil/Wetlands%20Permits/mitigation.htm>

If you have any concerns, please let me know. At this time, we are still on track to meet the MDE/BPW decision timeframe.

Thank you,  
Kathy B. Anderson  
Chief, Maryland Section Southern  
U.S. Army Corps of Engineers, Baltimore District Operations Division, Regulatory Branch  
(410) 962-5690  
(410) 962-6024(fax)  
kathy.anderson@usace.army.mil

<http://www.nab.usace.army.mil/Wetlands%20Permits/>  
<http://www.facebook.com/USACEBaltimore>  
Directions to office:  
<http://www.nab.usace.army.mil/about%20Us/directions.htm>

-----Original Message-----

From: Lutchenkov, Dimitri [mailto:dimitri.lutchenkov@unistarnuclear.com]  
Sent: Monday, August 22, 2011 9:24 AM  
To: Seib, William NAB; Anderson, Kathy NAB  
Subject: Calvert Cliffs unit 3 ROD & Air Conformity

Good morning Bill and Kathy. As requested by Marie Burns last week, I am reaching out to you (while Marie is out) to get a more detailed update on the status of the CC3 ROD process (including air conformity determination). As you are aware, there is a JEC this coming Wednesday, August 24th, and the subject of wetlands permitting will be the major/lead topic. In this regard, I left a voice message with each of you to call me at your earliest convenience to discuss the status and how UniStar can help the Corps with any questions or concerns.

Regards,

Dimitri Lutchenkov

410-470-5524

Classification: UNCLASSIFIED  
Caveats: NONE

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Classification: UNCLASSIFIED  
Caveats: NONE

**Hearing Identifier:** CalvertCliffs\_Unit3Cola\_Public\_EX  
**Email Number:** 2702

**Mail Envelope Properties** (92390DD291B2BB4298B1C7BBA081AA67EDCD81)

**Subject:** RE: Calvert Cliffs unit 3 ROD & Air Conformity (UNCLASSIFIED)  
**Sent Date:** 9/9/2011 12:41:46 PM  
**Received Date:** 9/9/2011 12:42:26 PM  
**From:** Anderson, Kathy NAB

**Created By:** Kathy.Anderson@usace.army.mil

**Recipients:**

"Francis, Woody NAB" <WOODY.FRANCIS@usace.army.mil>

Tracking Status: None

"Seib, William NAB" <William.Seib@usace.army.mil>

Tracking Status: None

"Quinn-Willingham, Laura" <Laura.Quinn-Willingham@nrc.gov>

Tracking Status: None

"Lutchenkov, Dimitri" <dimitri.lutchenkov@unistarnuclear.com>

Tracking Status: None

**Post Office:** nab-ml4bal.nab.ds.usace.army.mil

<b>Files</b>	<b>Size</b>	<b>Date &amp; Time</b>
MESSAGE	9584	9/9/2011 12:42:26 PM

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**Priority:** Standard

**Return Notification:** No

**Reply Requested:** No

**Sensitivity:** Normal

**Expiration Date:**

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