Mark T. Finley
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UniStar
NUCLEAR ENERGY

10 CFR 50.4
10 CFR 52.79
10 CFR 2.390
10 CFR 50.54(hh)(2)
10 CFR 52.80(d)

May 31, 2012

UN#12-043

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

Subject: UniStar Nuclear Energy, NRC Docket No. 52-016
Response to Request for Additional Information for the
Calvert Cliffs Nuclear Power Plant, Unit 3,
RAI 335, Large Area Fires

References:
1) Surinder Arora (NRC) to Paul Infanger (UniStar Nuclear Energy), NON-PUBLIC VERSION "FINAL RAI 335 SPFT 6141, dated February 14, 2012

2) UniStar Nuclear Energy Letter UN#11-214, from Greg Gibson to Document Control Desk, U.S. NRC, Submittal of Guidance and Strategies for the Loss of Large Areas (Redacted) per 10 CFR 50.54(hh)(2) and 10 CFR 52.80(d), Calvert Cliffs Nuclear Power Plant Unit 3, dated July 26, 2011

3) UniStar Nuclear Energy Letter UN#12-025, from Mark T. Finley to Document Control Desk, U.S. NRC, RAI 335, Large Area Fires, dated March 12, 2012

The purpose of this letter is to respond to the request for additional information (RAI) identified in the NRC e-mail correspondence to UniStar Nuclear Energy, dated February 14, 2012 (Reference 1). This RAI addresses the Mitigative Strategies Report (MSR) in Accordance with Title 10 of the Code of Federal Regulations, Part 50.80(d), Revision 0.

Reference 3 indicated that a response to RAI 335, Questions 19.03-3, 19.03-10, 19.03-27, and 19.03-39, would be provided to the NRC by May 31, 2012. The enclosure provides our response to RAI No. 335, Questions 19.03-3, 19.03-10, 19.03-27, and 19.03-39, and includes

Enclosure 1 to this letter contains Sensitive Unclassified Non-Safeguards Information (SUNSI). Upon separation from the attachment, this letter is decontrolled.

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revised COLA content. A Licensing Basis Document Change Request has been initiated to incorporate these changes into a future revision of the COLA.

This response to RAI No. 335, Questions 19.03-3, 19.03-10, 19.03-27, and 19.03-39 includes a change to Section 1.6 of COLA Part 9 and to Part 11P. No previous RAI responses have involved a change to Section 1.6 of COLA Part 9 or to Part 11P.

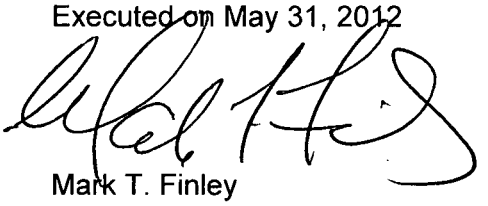
The RAI 335 Question 19.03-10 and 19.03-39 responses provided in Enclosure 1 include changes to the MSR, which is located in Part 9 and Part 11P of the COLA. The COLA Impact changes provided with the RAI 335 Question 19.03-10 and 19.03-39 responses supersede the corresponding sections of the MSR as provided in Reference 2.

Our response does not include any new regulatory commitments. This letter does not contain any proprietary information. However, it does contain Sensitive Unclassified Non-Safeguards Information (SUNSI) that UniStar requests be withheld from the public. We request that it be withheld from public disclosure in accordance with 10 CFR 2.390(d)(1). An affidavit providing the basis for this request for withholding is provided in Enclosure 2.

If there are any questions regarding this transmittal, please contact me at (410) 369-1907 or Mr. Wayne A. Massie at (410) 369-1910.

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

Executed on May 31, 2012



Mark T. Finley

Enclosures:
1) Response to NRC Request for Additional Information RAI No. 335, Questions 19.03-3, 19.03-10, 19.03-27, and 19.03-39, Large Area Fires, Calvert Cliffs Nuclear Power Plant, Unit 3
2) Affidavit Requesting the Withholding of Enclosure 1 from Public Disclosure in Accordance with 10 CFR 2.390
3) Table of Changes to CCNPP Unit 3 COLA Associated with Response to RAI No. 335

cc: Surinder Arora, NRC Project Manager, U.S. EPR Projects Branch
Laura Quinn-Willingham, NRC Environmental Project Manager, U.S. EPR COL Application
Getachew Tesfaye, NRC Project Manager, U.S. EPR DC Application, (w/o enclosures)
Patrica Holahan, Acting Deputy Regional Administrator, NRC Region II, (w/o enclosures)
Silas Kennedy, U.S. NRC Resident Inspector, CCNPP, Units 1 and 2,
David Lew, Deputy Regional Administrator, NRC Region I (w/o enclosures)

ENCLOSURE 2

Affidavit of Mark T. Finley
(Page 1 of 2)

Mark T. Finley, being duly sworn, hereby deposes and states as follows:

1. My name is Mark T. Finley. I am the Senior Vice-President Regulatory Affairs and Engineering, 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#12-043, "UniStar Nuclear Energy, NRC Docket No. 52-016, Response to Request for Additional Information for the Calvert Cliffs Nuclear Power Plant, Unit 3, RAI 335, Large Area Fires," hereafter referred to as the Commercial Information in accordance with 10 CFR 2.390(d), from public disclosure in accordance with the Nuclear Regulatory Commission (NRC) regulations appearing at 10 CFR 2.390(d)(1).

3. Commercial Information is being submitted as confidential information as part of Enclosure 1 to UniStar letter UN#12-043 from Mark T. Finley to the NRC Document Control Desk.

4. The Commercial Information includes information related to physical protection of the proposed U.S. EPR nuclear power plant at the Calvert Cliffs Nuclear Power Plant, Unit 3 Site (i.e., CCNPP Unit 3). In accordance with RIS-2005-26, "CONTROL OF SENSITIVE UNCLASSIFIED NONSAFEGUARDS INFORMATION RELATED TO NUCLEAR POWER REACTORS," this information can be withheld from public disclosure as proprietary information:

5. The Commercial Information was prepared with the explicit understanding that the information itself would be treated as confidential, and is of a type customarily withheld from disclosure by UniStar. 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 Commercial Information has not otherwise been knowingly made available in any public source.

6. Information related to physical protection by its nature is treated as confidential. The specific physical protection details in the Commercial Information have not been publicly released for the reasons set forth above. Accordingly, withholding the Commercial Information from disclosure will not adversely affect the public.

Affidavit of Mark T. Finley
(Page 2 of 2)

7. Enclosure 1 of letter UN#12-043 contains Sensitive Unclassified Non-Safeguards Information (SUNSI). Upon separation from Enclosure 1, this letter is decontrolled.

Further Affiant sayeth not.

Mark T. Finley
Senior Vice-President Regulatory Affairs
& Engineering
UniStar Nuclear Energy, LLC

Subscribed and sworn to before me,
Notary Public, this 31st day of May 2012: Juanita D Clinton

My Commission expires: 6-1-2014

JUANITA D. CLINTON
Notary Public-Maryland
Baltimore County
My Commission Expires
June 01, 2014

Enclosure 3

Calvert Cliffs Nuclear Power Plant, Unit 3

Table of Changes to CCNPP Unit 3 COLA Associated with Response to RAI No. 335

Table of Changes to CCNPP Unit 3 COLA Associated with Response to RAI No. 335

The following table provides the changes to CCNPP Unit 3 COLA associated with the response to RAI No. 335. Please direct questions regarding this change to: Wayne Massie at (410) 369-1910.

Change ID #	Subsection	Type of Change	Description of Change
Part 8 – Withheld			
CC3-12-0113	5.1.1 and 5.1.3	Incorporate COLA markups associated with the RAI 335 Question 19.03-10 and 19.03-39 responses. The section 5.1.1 and 5.1.3 changes to the MSR do not constitute or involve Safeguards Information.	The RAI 335 Question 19.03-10 and 19.03-39 responses include changes to the Mitigative Strategies Report (MSR) which is a COLA Part 8 document. The changes provided with the RAI 335 Question 19.03-10 and 19.03-39 responses supersede the corresponding sections of the MSR as provided in UniStar Nuclear Energy (UNE) Letter UN#11-101, from Greg Gibson to Document Control Desk, U.S. NRC, Submittal of Guidance and Strategies for the Loss of Large Areas per 10 CFR 50.54(hh)(2) and 10 CFR 52.80(d), Calvert Cliffs Nuclear Power Plant Unit 3," dated March 23, 2011. UNE letter UN#11-101, dated March 23, 2011, provided the unredacted MSR in a Safeguards Information (SGI) submittal. The redacted MSR was subsequently transmitted to the NRC by UNE letter UN#11-214, dated July 26, 2011, which is mentioned below in association with the COLA Part 9 changes.
Part 9 – Proprietary and Sensitive Unclassified Non-Safeguards Information			
CC3-12-0113	Section 1.6	Incorporate COLA markups associated with the RAI 335 Question 19.03-10 and 19.03-39 responses. The section 5.1.1 and 5.1.3 changes to the MSR are Security-Related Information and do not constitute or involve Safeguards Information.	The RAI 335 Question 19.03-10 and 19.03-39 responses include changes to the redacted MSR which is located in Part 9 and Part 11P of the COLA. The changes provided with the RAI 335 Question 19.03-10 and 19.03-39 responses supersede the corresponding sections of the MSR as provided in UniStar Nuclear Energy Letter UN#11-214, from Greg Gibson to Document Control Desk, U.S. NRC, Submittal of Guidance and Strategies for the Loss of Large Areas (Redacted) per 10 CFR 50.54(hh)(2) and 10 CFR 52.80(d), Calvert Cliffs Nuclear Power Plant Unit 3," dated July 26, 2011. Text is appended to MSR Section 5.1.1 to further substantiate compliance with NEI 06-12, Section 2.3.1 guidance. Text inserted into MSR Section 5.1.3 to provide fire water storage tank refill information.
Part 11P – Mitigative Strategies Report			
CC3-12-0113	5.1.1 and 5.1.3	Same as above for Part 9 (Section 1.6)	Same as above for Part 9 (Section 1.6)