



10 CFR 30
10 CFR 40
10 CFR 50.4
10 CFR 52.79
10 CFR 70

February 25, 2013

UN#13-012

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

Subject: UniStar Nuclear Energy, NRC Docket No. 52-016
Revised Response to Request for Additional Information for the
Calvert Cliffs Nuclear Power Plant, Unit 3,
RAI No. 329, Sections Related to 10 CFR Parts 30 and 40

- References:
- 1) Surinder Arora (NRC) to Paul Infanger (UniStar Nuclear Energy), "Final RAI 329 NARP 6171" email dated December 14, 2011
 - 2) UniStar Nuclear Energy Letter UN#12-087, from Mark T. Finley to Document Control Desk, U.S. NRC, RAI No. 329, Sections Related to 10 CFR Parts 30, 40 and 70, dated August 16, 2012
 - 3) UniStar Nuclear Energy Letter UN#12-125, from Mark T. Finley to Document Control Desk, U.S. NRC, 10 CFR Part 30 and 40 License Withdrawal Request, dated November 6, 2012

The purpose of this letter is to provide a revised response to the request for additional information (RAI) identified in the NRC e-mail correspondence to UniStar Nuclear Energy, dated December 14, 2011 (Reference 1). This RAI requests that applicable sections of the Calvert Cliffs Nuclear Power Plant (CCNPP) Unit 3 Combined License Application (COLA) be identified which provide information specific to 10 CFR Parts 30, 40 and 70 requirements.

Reference 2 provided the UniStar response to RAI 329, that was subsequently found to contain an incorrect Table of Changes assessing the impact of the RAI 329 response on the CCNPP Unit 3 COLA and previously submitted RAI responses. The purpose of this revised response to RAI 329 is to amend the original RAI 329 response. This letter replaces the Reference 2 RAI

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329 response in its entirety. No changes have been made to the revised COLA content provided in Reference 2.

Enclosure 1 provides our revised response to RAI No. 329, Question 01-14 relating to 10 CFR Parts 30 and 40 and includes revised COLA content. A Licensing Basis Document Change Request has been initiated to incorporate these changes into a future revision of the COLA. The portion of RAI No. 329, Question 01-14 related to compliance with applicable requirements of 10 CFR Part 70 will be responded to under separate cover.

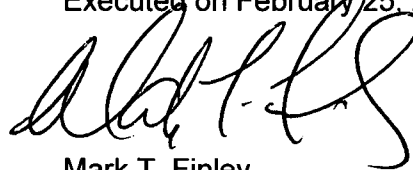
Enclosure 2 provides a Table of Changes to the CCNPP Unit 3 COLA associated with the RAI 329 response.

Our response does not include any new regulatory commitments. This letter does not contain any sensitive or proprietary information.

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 February 25, 2013



Mark T. Finley

- Enclosures:
- 1) Revised Response to NRC Request for Additional Information RAI No. 329, Sections Related to 10 CFR Parts 30 and 40, Calvert Cliffs Nuclear Power Plant, Unit 3
 - 2) Table of Changes to CCNPP Unit 3 COLA Associated with the Response to RAI 329, Calvert Cliffs Nuclear Power Plant, Unit 3

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)
Patricia 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)

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Enclosure 1

**Revised Response to NRC Request for Additional Information
RAI No. 329, Sections Related to 10 CFR Parts 30 and 40
Calvert Cliffs Nuclear Power Plant, Unit 3**

RAI 329

Question 01-14

As a part of the review of your combined license application, the staff will also be determining if your application contains adequate details to establish compliance to the applicable requirements of 10 CFR Parts 30, 40 and 70. To facilitate these reviews, the staff has created the attached tables (see Attachments 1 and 2) to collect the information relevant to your application. Please identify and list applicable sections of your application which include/provide the specific information identified by the staff. Specifically, the staff requests UniStar to complete the last column of the attached tables. Additionally, if your current version of the COLA does not have the requested information, it should be stated so in the last column of the attached tables and in such cases, the specific COLA mark up(s) are to be included in your response to this RAI.

Response

By the Reference 3 letter to Document Control Desk, UN#12-125, UniStar Nuclear Energy (UNE) withdrew the request for licenses under 10 CFR 30 and 40 included in the Calvert Cliffs Nuclear Power Plant (CCNPP) Unit 3 Combined License Application (COLA). UNE will apply for these licenses before the beginning of construction or during construction, as required. The CCNPP Unit 3 COLA is being revised to reflect the withdrawal of the request for licenses under 10 CFR 30 and 40. Since the application for licenses under Part 30 and 40 are being withdrawn, the associated cross-reference tables provided for 10 CFR 30 and 40 in the RAI are not included in this response. The portion of Question 01-14 related to compliance with applicable requirements of 10 CFR Part 70 will be responded to under separate cover.

COLA Impact

CCNPP Unit 3 COLA Part 1 General Information will be updated as follows in a future COLA revision:

1.1.3 Requested Licenses and Authorized Uses

In addition, this application is for the necessary licenses license issued under ~~10 CFR 30 (CFR, 2007d), 10 CFR 40 (CFR 2007e), and 10 CFR 70 (CFR, 2007f)~~ to receive, possess, and use ~~byproduct, source and special nuclear material. Byproduct, source, and special nuclear material shall be in the form of sealed neutron sources for reactor startup, sealed sources for reactor instrumentation and radiation monitoring equipment calibration, and fission detectors in amounts as required. Byproduct, source, and special nuclear material in amounts as required, without restriction to chemical or physical form, shall be for sample analysis or instrument and equipment calibration or associated with radioactive apparatus or components.~~ Special nuclear material shall be in the form of reactor fuel, in accordance with limitations for storage and amounts required for reactor operation, as described in Part 2 of this Combined License Application.

1.6 REFERENCES

~~CFR, 2007d. Not used. Title 10 Code of Federal Regulations, Part 30, Rules of General Applicability to Domestic Licensing of Byproduct Material, 2007.~~

~~CFR, 2007e. Not used. Title 10 Code of Federal Regulations, Part 40, Domestic Licensing of Source Material, 2007.~~

CCNPP Unit 3 FSAR Chapter 1 will be updated as follows in a future COLA revision:

1.1 INTRODUCTION

This section of the U.S. EPR FSAR is incorporated by reference with the following supplements.

This Final Safety Analysis Report is submitted to the Nuclear Regulatory Commission as part of an application for a Class 103 combined license (COL) to construct and operate a nuclear power facility under the provisions of 10 CFR 52, Subpart C. {This FSAR is also being submitted to the Nuclear Regulatory Commission to support the necessary Materials License Licenses requested in the COL Application Letter (UNE, 2008) to receive, possess and use ~~byproduct, source and special nuclear material under 10 CFR 30, 10 CFR 40 and 10 CFR 70, respectively.~~} This nuclear power facility is designated {Calvert Cliffs Nuclear Power Plant (CCNPP) Unit 3.} This FSAR incorporates the FSAR prepared for the design certification application for the AREVA evolutionary pressurized water reactor, (herein referred to as the U.S. EPR). AREVA NP, the entity sponsoring the design certification application for the U.S. EPR, submitted a revised U.S. EPR design certification application to the NRC on August 10, 2011 (AREVA, 2011).

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Enclosure 2

**Table of Changes to CCNPP Unit 3 COLA Associated with Response to RAI 329,
Calvert Cliffs Nuclear Power Plant, Unit 3**

Table of Changes to CCNPP Unit 3 COLA Associated with Response to RAI No. 329

Change ID #	Subsection	Type of Change	Description of Change
Part 1 – General Information			
CC3-12-0151	1.1.3, 1.6	Incorporate COLA markups associated with the response to RAI 329.	The response to RAI 329, Question 01-14 ¹ deleted references to 10 CFR Part 30 and 40.
Part 2 – FSAR			
CC3-12-0151	1.1	Incorporate COLA markups associated with the response to RAI 329.	The response to RAI 329, Question 01-14 ¹ included the deletion of references to 10 CFR Part 30 and 40. This RAI 329, Question 01-14 response deleted all of the references to 10 CFR Part 30 and 40, in FSAR Section 1.1, which had been added in the RAI 262, Question 01-11 ² response.
CC3-10-0294	1.1, 1.1.7, Table 13.4-1	Incorporate COLA markups associated with the response to RAI 262, Question 01-11 ² .	The response to RAI 262, Question 01-11 ² included the addition of a sentence to FSAR Section 1.1 which indicated that the FSAR is also submitted to support the necessary materials licenses to receive, possess and use byproduct, source and special nuclear material under 10 CFR Part 30, 10 CFR Part 40 and 10 CFR Part 70. The RAI 262, Question 01-11 response also added a reference to FSAR Section 1.1.7 and served to remove all references to 10 CFR Part 30 and 40 from FSAR Table 13.4-1 that were added in the response to RAI 248.
CC3-10-0152	Table 13.4-1	Incorporate COLA markups associated with the response to RAI 248, Question 01-10 ³ .	The response to RAI 248, Question 01-10 ³ included the addition of 10 CFR Part 30 and 40 milestones to FSAR Table 13.4-1, items 8, 11, 14, and 15.

¹UniStar Nuclear Energy Letter UN#12-087, from Mark T. Finley to Document Control Desk, U.S. NRC, Response to Request for Additional Information for the Calvert Cliffs Nuclear Power Plant, Unit 3, RAI 329, Sections related to 10 CFR Parts 30, 40 and 70, dated August 16, 2012.

²UniStar Nuclear Energy Letter UN#10-265, from Greg Gibson to Document Control Desk, U.S. NRC, Response to Request for Additional Information for the Calvert Cliffs Nuclear Power Plant, Unit 3, RAI 262, Requested Licenses and Authorized Uses, dated October 15, 2010.

³UniStar Nuclear Energy Letter UN#10-199, from Greg Gibson to Document Control Desk, U.S. NRC, Response to Request for Additional Information for the Calvert Cliffs Nuclear Power Plant, Unit 3, RAI 248, Introduction and General Description of the Plant, dated July 20, 2010.