

March 31, 2014

Mr. Mark T. Finley
President and CEO
UniStar Nuclear Energy
5404 Wisconsin Avenue
Suite 400
Chevy Chase, MD 20815

SUBJECT: REQUEST FOR WITHDRAWAL OF COMBINED LICENSE APPLICATION FOR
NINE MILE POINT 3 NUCLEAR POWER PLANT

Dear Mr. Finley:

By letter dated September 30, 2008, as supplemented by letter dated November 18, 2008, Nine Mile Point 3 Nuclear Project, LLC, and UniStar Nuclear Operating Services, LLC (UniStar), submitted an application to the U.S. Nuclear Regulatory Commission (NRC) for a combined license (COL) for a single unit of the U.S. Evolutionary Power Reactor (U.S. EPR). This reactor would be identified as Nine Mile Point 3 Nuclear Power Plant (NMP3NPP) and located adjacent to the current Nine Mile Point Nuclear Station, Unit 1 and Unit 2, in Oswego County, NY. The COL application was accepted for docketing on December 12, 2008 (Docket Number 52-038) (Agencywide Documents Access and Management System (ADAMS) Accession No. ML083300486). By letter dated December 1, 2009, UniStar requested that the NRC temporarily suspend the COL application review, including any supporting reviews by external agencies, until further notice (ADAMS Accession No. ML093430638). The NRC granted the suspension. By letter dated November 26, 2013, UniStar requested the NRC to withdraw the NMP3NPP COL application, including the Safeguards/Security Part, from the docket (ADAMS Accession No. ML13333A287). The purpose of this letter is to acknowledge your November 26, 2013, letter and provide you our response.

In accordance with the requirements of Title 10 of the *Code of Federal Regulations* (10 CFR) Part 2, Section 2.107(a), and on the basis of the statements contained therein, your request to withdraw the NMP3NPP COL application from the docket is acceptable to the NRC. Enclosed with this letter is a copy of the *Federal Register* Notice announcing the withdrawal of the application from the docket, as required by 10 CFR 2.107(c). The staff communicated to you via a telephone call that the NRC staff would need to spend a few hours to administratively close out the application. You stated that UniStar agrees to pay as long as the charges are reasonable.

M. T. Finley

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If you have any questions regarding this matter, I may be reached at 301-415-1647 or via e-mail at Prosanta.Chowdhury@nrc.gov.

Sincerely,

/RA/

Prosanta Chowdhury, Project Manager
Licensing Branch 1
Division of New Reactor Licensing
Office of New Reactors

Docket No.: 52-038

Enclosure: As stated

cc w/encl.: See next page

M. T. Finley

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*via email

NRO-002

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OFFICIAL RECORD COPY

COL - Nine Mile Point Mailing List
cc:

(Revised 12/17/2013)

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