UniStar Files Petition with Feds

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UniStar Nuclear Energy LLC, the enterprise that hopes to build a new nuclear reactor in Calvert County has filed a petition with the U.S. Nuclear Regulatory Commission (NRC), seeking a review of a recent ruling from a federal panel. The decision handed down in late August by the Atomic Safety and Licensing Board (ASLB) gave UniStar 60 days to address the project’s foreign ownership issue. If UniStar, which is solely owned by Electricite de France (EDF), fails to partner with a U.S. company in the Calvert Cliffs 3 project, the combined license application submitted in 2007 would not be allowed to go forward.

The plan would result in construction of a European style reactor at Calvert Cliffs Nuclear Power Plant in Lusby. Originally, UniStar was a joint venture between EDF and Constellation Energy Group, the owners and operators of Calvert Cliffs Nuclear Power Plant.

In the petition signed by attorneys David A. Repka and Tyson R. Smith, along with Debbie L. Hendell of UniStar, the project was touted as a key component to the nation’s clean energy strategy. "The project would result in a 1600 megawatt generating unit and would provide "a long-term source of low carbon energy in North America. This investment in a new nuclear power project, whether foreign or domestic, is in the national interest."

The challenge to Calvert Cliffs 3’s apparent foreign ownership was submitted in 2008 by several “intervenors,” including the Nuclear Information and Resource Services, Beyond Nuclear, Public Citizen Energy Program and Southern Maryland Citizens’ Alliance for Renewable Energy Solutions.

The petitioners contend that 100 percent indirect foreign ownership of a nuclear reactor is permitted under the Atomic Energy Act, UniStar’s approach is consistent with both NRC precedent and government practice. The petitioners cited at least two cases where they claim the NRC has issued licenses to entities that were 100 percent foreign-owned.

The UniStar petitioners are requesting the NRC “provide clear and objective guidance on foreign ownership and financing issues.”

According to NRC spokesman Neil Sheehan, UniStar officials are requesting the ASLB decision be reviewed by the five-member, presidentially appointed commission that oversees the NRC. The petition was submitted Monday, Sept. 24.

Contact Marty Madden at marty.madden@thebaynet.com

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