

November 5, 2008

Mr. Jay Herrington
Regulatory Supervisor
U.S. Fish and Wildlife Service
Jacksonville Field Office
7915 Bay Meadow Way, Suite 200
Jacksonville, Florida 32256-7517

SUBJECT: REQUEST FOR PARTICIPATION IN THE ENVIRONMENTAL SCOPING
PROCESS AND A LIST OF PROTECTED SPECIES WITHIN THE AREA
UNDER EVALUATION FOR THE LEVY NUCLEAR PLANT, UNITS 1 AND 2,
COMBINED LICENSE APPLICATION REVIEW

Dear Mr. Herrington:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing an application submitted by Progress Energy Florida, Inc. (PEF) for a combined license (COL) for construction and operation of two new commercial nuclear power reactors at its Levy Nuclear Plant Units 1 and 2 (LNP) site approximately 4 miles north of the Levy-Citrus County border. As part of the review of this COL application, the NRC staff is preparing an Environmental Impact Statement (EIS) as required by Title 10 of the *Code of Federal Regulations* (10 CFR) Part 51, the NRC's regulations that implement the National Environmental Policy Act of 1969, as amended (NEPA). The U.S. Army Corps of Engineers (USACE) is a cooperating agency for preparation of the EIS. The EIS includes an analysis of pertinent environmental matters including those involving endangered or threatened species and impacts to fish and wildlife. This letter is being submitted under the provisions of the Endangered Species Act of 1973, as amended (ESA), and the Fish and Wildlife Coordination Act of 1934, as amended (FWCA).

PEF submitted the application for the COL on July 30, 2008, pursuant to the NRC requirements in 10 CFR Part 52. The NRC accepted the application for docketing on October 6, 2008. It is available through the web-based version of the NRC's Agencywide Documents Access and Management System (ADAMS), which can be found at <http://www.nrc.gov/reading-rm/adams.html>. The Environmental Report (ER) is listed in ADAMS under the accession number ML082261323. The LNP COL application, including the ER, is also available on the Internet at <http://www.nrc.gov/reactors/new-reactors/col/levy.html>.

The LNP site is located in Levy County, Florida and consists of approximately 3,105 acres on a greenfield site primarily comprised of mixed forest lands, forested wetlands, and agricultural lands. The site is approximately 8 miles east of the Gulf of Mexico and 3.4 miles north of the Withlacoochee River, Inglis Bypass Channel, and the Cross Florida Barge Canal (CFBC). The closest towns include Inglis, which is approximately 4 miles southwest of the site, and Yankeetown, which is 8 miles southwest of the site. The site is currently zoned as forestry/rural residential, and will be changed to public use pending final approval from the Florida Department of Community Affairs. The siting area for the new units and transmission lines include Citrus, Sumter,

Hernando, Hillsborough, Polk, and Pinellas Counties of Florida, in addition to Levy County, Florida.

The proposed cooling system consists of two mechanical draft cooling towers. The average annual withdrawal rate would be approximately 395,000 gallons per day (gpd), which would be taken from the Gulf of Mexico through the CFBC to make up losses from evaporation, blowdown, drift, and desalinization. Blowdown from the cooling tower would be discharged into the existing Crystal River Energy Complex (CREC) discharge canal located approximately 9.4 miles south of the LNP site. The CREC discharges into the Gulf of Mexico. Enclosed with this letter is a copy of a site map.

The NRC staff, in its review, will evaluate the environmental impacts of construction and operation of the proposed new units and associated transmission lines and will also consider alternatives including alternative sites. PEF has identified four alternative sites in Florida. The four alternative sites to be evaluated in the EIS are located in Citrus County along the Crystal River Energy Complex, Dixie County, Highlands County, and Putnam County.

To support preparation of the EIS on the proposed action, and to ensure compliance with Section 7 of the ESA, the NRC staff requests your office provide to the NRC staff information on Federally-listed proposed and candidate species and critical habitat that may be in the vicinity of the LNP site, the associated transmission line rights-of-way, and the alternative sites. In addition, please provide any information you consider appropriate under the provisions of the FWCA.

The NRC staff plans to hold two public NEPA scoping meetings on December 4, 2008, at the Florida National Guard Armory located at 8551 West Venable Street, Crystal River, Florida 33426. The first meeting will convene at 1:00 p.m., and will continue until approximately 4:00 p.m. The second meeting will convene at 6:00 p.m., with a repetition of the overview portions of the first meeting and will continue until approximately 9:00 p.m. Each meeting will be preceded by an hour-long open house, during which members of the public may meet and talk with NRC staff members on an informal basis. In addition, from December 2 through December 5, 2008, the NRC plans to conduct a site audit to discuss with the applicant the detailed information that is the basis for preparation of the ER, to visit the site and its environs, and to review documentation. You and your staff are invited to attend both the public meetings and the site audit.

Please provide any information, comments, or concerns you feel are appropriate on the scope of the proposed action during the scoping comment period, which ends on December 23, 2008. When the NRC staff completes the draft EIS on the proposed action, the staff plans to send the draft EIS to your office for comment. The anticipated publication date for the draft EIS is October 2009.

J. Herrington

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If you have any questions or require additional information, please contact Mr. Douglas Bruner, Environmental Project Manager, at (301) 415-2730 or via e-mail at Douglas.Bruner@nrc.gov. In his absence, please contact Ms. Jessie Muir at (301) 415-0491 or via email at Jessie.Muir@nrc.gov.

Sincerely,

/RA/

Gregory P. Hatchett, Acting Branch Chief
Environmental Projects Branch 2
Division of Site and Environmental Reviews
Office of New Reactors

Docket Nos.: 52-029 and 52-030

Enclosure: As Stated

cc / enclosure: See next page

J. Herrington

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If you have any questions or require additional information, please contact Mr. Douglas Bruner, Environmental Project Manager, at (301) 415-2730 or via e-mail at Douglas.Bruner@nrc.gov. In his absence, please contact Ms. Jessie Muir at (301) 415-0491 or via email at Jessie.Muir@nrc.gov.

Sincerely,

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Docket Nos.: 52-029 and 52-030

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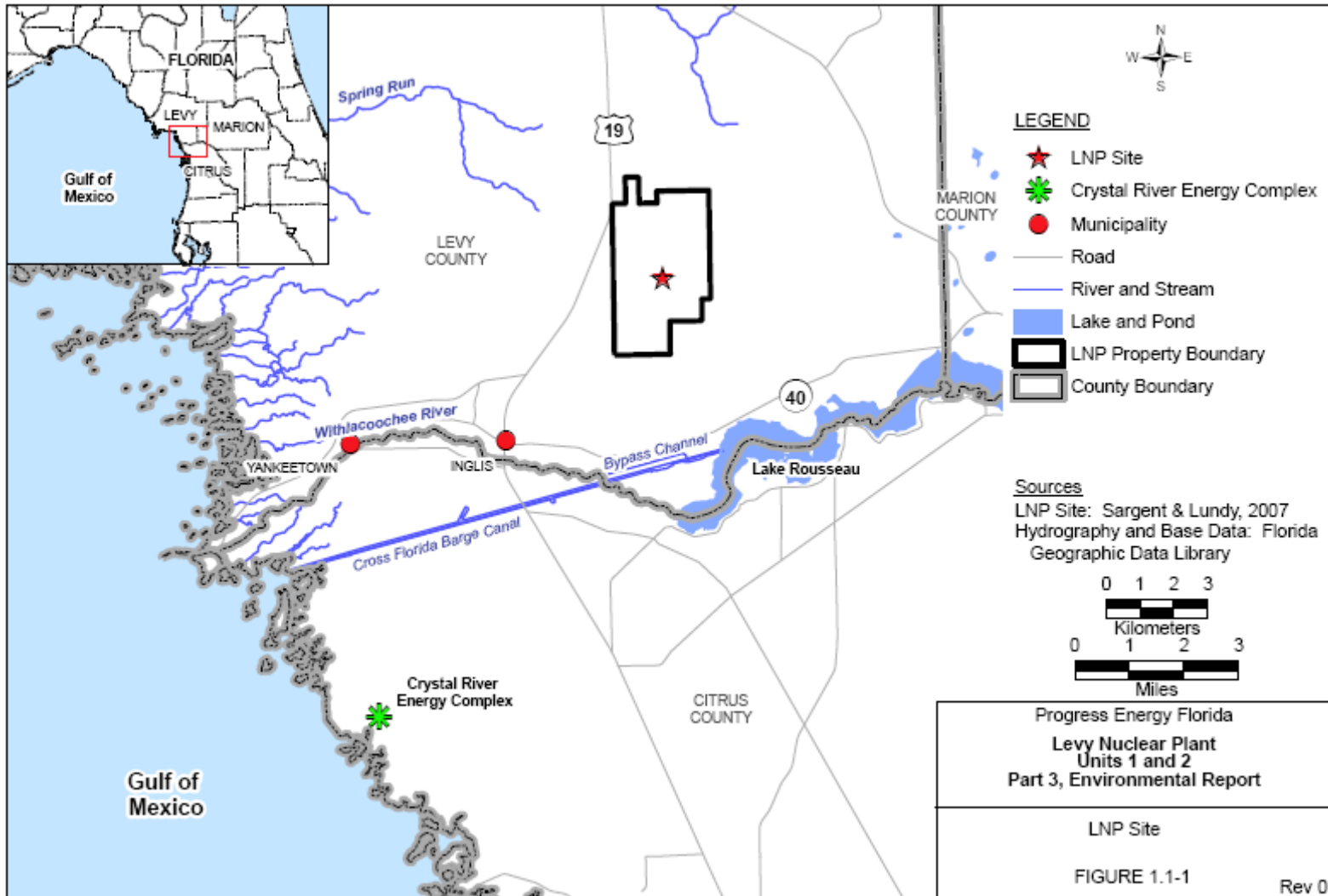
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BAnderson, NRO	PDoub, NRO	GHatchett, NRO	SCoffin, NRO
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OFFICE	PS:RAP2 DSER:NRO	BIO:RENV DSER:NRO	PM:RAP2 DSER:NRO	LA:RAP2 DSER:NRO	OGC	BC:RAP2 DSER:NRO
NAME	MMoser	MMasnik	DBruner	ARedden	SBrock	GHatchett
DATE	10/15/08	10/ /08	10/30/08	10/31/08	11/04/08	11/05/08

OFFICIAL RECORD COPY

Map of the Levy Nuclear Plant Site



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