



Serial: NPD-NRC-2009-139  
July 13, 2009

10CFR52.79

U.S. Nuclear Regulatory Commission  
Attention: Document Control Desk  
Washington, D.C. 20555-0001

**LEVY NUCLEAR POWER PLANT, UNITS 1 AND 2  
DOCKET NOS. 52-029 AND 52-030  
RESPONSE TO REQUEST FOR ADDITIONAL INFORMATION LETTER NO. 043 RELATED TO  
ELECTRIC POWER - INTRODUCTION**

Reference: Letter from Tanya Simms (NRC) to Garry Miller (PEF), dated May 19, 2009,  
"Request for Additional Information Letter No. 043 Related to SRP Section 08.01  
for the Levy County Nuclear Plant Units 1 and 2 Combined License Application"

Ladies and Gentlemen:

Progress Energy Florida, Inc. (PEF) hereby submits our response to the Nuclear Regulatory Commission's (NRC) request for additional information provided in the referenced letter.

A response to the NRC request is addressed in the enclosure. The enclosure also identifies a change that will be made in a future revision of the Levy Nuclear Power Plant Units 1 and 2 application.

If you have any further questions, or need additional information, please contact Bob Kitchen at (919) 546-6992, or me at (919) 546-6107.

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

Executed on July 13, 2009.

Sincerely,

A handwritten signature in black ink, appearing to read 'G. D. Miller'.

Garry D. Miller  
General Manager  
Nuclear Plant Development

Enclosure

cc : U.S. NRC Region II, Regional Administrator  
Mr. Brian C. Anderson, U.S. NRC Project Manager

**Levy Nuclear Power Plant Units 1 and 2  
Response to NRC Request for Additional Information Letter No. 043 Related to  
SRP Section 08.01 for the Combined License Application, dated May 19, 2009**

<u>NRC RAI #</u>	<u>Progress Energy RAI #</u>	<u>Progress Energy Response</u>
08.01-1	L-0392	Response enclosed – see following pages
08.01-2	L-0393	Response enclosed – see following pages
08.01-3	L-0394	Response enclosed – see following pages

**NRC Letter No.:** LEVY-RAI-LTR-043

**NRC Letter Date:** May 19, 2009

**NRC Review of Final Safety Analysis Report**

**NRC RAI NUMBER:** 08.01-1

**Text of NRC RAI:**

RAI-SRP 8.1-EEB-01

FSAR Section 8.1, Table 8.1-201, states that battery service tests are performed in accordance with RG 1.129. This Regulatory Guide is also applicable to maintenance and replacement of batteries. Please confirm that the table statement is not intended to limit the applicability of RG 1.129.

**LNP RAI ID #:** L-0392

**PGN Response to NRC RAI:**

It is confirmed that the statement under "Remarks" column in Table 8.1-201 is not intended to limit the applicability of RG 1.129. Conformance to the RG 1.129 is documented in the COL Application, Part 2, Final Safety Analysis Report APPENDIX 1AA CONFORMANCE WITH REGULATORY GUIDES with only one exception for the version of IEEE Std. 450 used for Generic Technical Specifications.

**Associated LNP COL Application Revisions:**

No COLA revisions have been identified associated with this response.

**Attachments/Enclosures:**

None.

**NRC Letter No.:** LEVY-RAI-LTR-043

**NRC Letter Date:** May 19, 2009

**NRC Review of Final Safety Analysis Report**

**NRC RAI NUMBER:** 08.01-2

**Text of NRC RAI:**

RAI-SRP 8.1-EEB-02

NUREG-0800, Table 8-1 indicates applicability of RG 1.160, pertaining to monitoring the effectiveness of maintenance, and RG 1.182, pertaining to assessment and management of risk before maintenance activities. These two Regulatory Guides were omitted from the AP1000 DCD because it stated that they are not applicable to the design certification. Both guides do, however, have plant specific application. Please clarify whether you considered RG 1.160 and RG 1.182 in the LNP Application, and – if you did consider them – explain why they were not included in Table 8.1-201, or justify why these regulatory guides were not considered.

**LNP RAI ID #:** L-0393

**PGN Response to NRC RAI:**

Conformance to the RG 1.160 and RG 1.182 is documented in the COL Application, Part 2, Final Safety Analysis Report APPENDIX 1AA CONFORMANCE WITH REGULATORY GUIDES and Table 1.9-201. These RGs pertain to more than just electrical and are more appropriately described in Appendix 1AA and Table 1.9-201.

**Associated LNP COL Application Revisions:**

No COLA revisions have been identified with this response.

**Attachments/Enclosures:**

None.

**NRC Letter No.:** LEVY-RAI-LTR-043

**NRC Letter Date:** May 19, 2009

**NRC Review of Final Safety Analysis Report**

**NRC RAI NUMBER:** 08.01- 3

**Text of NRC RAI:**

RAI-SRP 8.1-EEB-04

FSAR Section 8.1, Table 8.1-201 does not include RG 1.180 pertaining to electromagnetic and radiofrequency in safety-related instrumentation. Please discuss the applicability of the RG to LNP.

**LNP RAI ID #:** L-0394

**PGN Response to NRC RAI:**

The Table 8.1-201 lists the Regulatory Guides with applicability to FSAR Section / Subsections 8.2, 8.3.1, and 8.3.2.

The COL Application, Part 2, Final Safety Analysis Report, APPENDIX 1AA CONFORMANCE WITH REGULATORY GUIDES will be changed to include RG 1.180 Rev.1 applicability to LNP as shown below.

Conformance with RG 1.180 Rev.1 is documented in DCD APPENDIX 1A CONFORMANCE WITH REGULATORY GUIDES. The DCD Appendix is incorporated into the FSAR by Reference.

**Associated LNP COL Application Revisions:**

The following change will be made to the LNP FSAR in a future revision:

APPENDIX 1AA CONFORMANCE WITH REGULATORY GUIDES  
Under Regulatory Guide 1.180

Change the sentence from:

Conformance with Revision 0 of the Regulatory Guide is documented in the DCD.

To read:

Conformance of the design aspects is as stated in the DCD.

**Attachments/Enclosures:**

None.