

September 3, 2009

Mr. James Scarola
Senior Vice President and
Chief Nuclear Officer
Progress Energy, Inc.
P.O. Box 1551
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SUBJECT: SUMMARY OF TELECONFERENCES TO DISCUSS RESPONSES TO
REQUESTS FOR ADDITIONAL INFORMATION REGARDING THE
ENVIRONMENTAL REVIEW OF THE COMBINED LICENSE APPLICATION
FOR THE LEVY NUCLEAR POWER PLANT UNITS 1 AND 2

Dear Mr. Scarola:

The U.S. Nuclear Regulatory Commission (NRC) staff generated requests for additional information (RAIs) from its review of the Progress Energy Florida (PEF) Levy Nuclear Plant (LNP), Units 1 and 2 Environmental Report and information conveyed during the site audit held in Crystal River, Florida, from December 2 thru 4, 2008. These RAIs, generated by NRC staff and the U.S. Army Corps of Engineers (USACE), have been provided to PEF as enclosures to letters (ML090500782, ML090610163, and ML091560119), which were addressed to your attention.

The purpose of this letter is to provide a summary of teleconference discussions held with PEF staff, which led to development of the RAIs or the clarification of information resulting from RAIs. These discussions, beginning January 6, 2009 and ending June 23, 2009, were used to deliberate information presented at the site audit and to convey project status updates. Discussions to specifically clarify responses to the initial round of RAIs occurred on April 28, April 29, May 8, and May 14. The result of these calls assisted NRC staff in resolving outstanding issues with the existing RAIs, but also led to a subsequent round of RAIs. The discussions are summarized in Table 1 in Enclosure 1 of this letter. The teleconference summaries are provided in Enclosure 2. The information provided as enclosures to this letter is being sent to you for your information.

J. Scarola

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If you have questions or require additional information, I can be reached at 301-415-2730 or via email at Douglas.Bruner@nrc.gov. In my absence, please contact Ms. Michelle Moser at 301-415-6509 or via email at Michelle.Moser@nrc.gov.

Sincerely,

/RA/

Douglas Bruner, Environmental Project Manager
Environmental Projects Branch 3
Division of Site and Environmental Reviews
Office of New Reactors

Docket Nos. 52-029 and 52-030

Enclosures: As stated

cc: See next page w/Enclosures

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No.	Subject Area	Additional Clarification and Information to be Provided	Notes:
H-A	Hydrology	(1) Provide information related to the Crystal River Energy Complex (CREC) Unit 3 power uprate and how it would impact the discharge flow rate and temperature in the CREC discharge canal and Gulf of Mexico.	<p>4/23/09 Telecon: Doug Yowell (Progress Energy Florida, Inc. [PEF]/CREC) provided an overview of the planned CREC power uprate during the April 23 teleconference. Mr. Yowell explained that PEF has initiated meetings with Florida Department of Environmental Protection (FDEP) to develop a National Pollutant Discharge Elimination System (NPDES) permitting strategy. Mr. Yowell conveyed that PEF anticipates applying to modify the combined NPDES permit for CREC Units 1, 2, and 3 when PEF is at the 30 percent design stage, which is anticipated to occur in early June. The information regarding the uprate will be publicly available when the NPDES is submitted to FDEP. At the time of the conference call, the information was too premature to provide to NRC. Shortly after PEF applies for the NPDES (approximately 2 months later), PEF will apply to NRC for the CREC power uprate.</p> <p>At the time of the conference call, initial PEF modeling showed no increase in discharge flow rate, but did show an increase in thermal discharge temperature if no mitigation occurs. However, PEF indicated it plans to mitigate for the increased thermal discharge to maintain temperatures below the NPDES permitted level (i.e., 3-hr rolling average < 96.5 F at the exit of the discharge canal). The intake velocity would be maintained < 0.5 fps.</p> <p>PEF indicated the thermal mitigation would involve construction of a new supplemental cooling tower with intake and discharge from/to the existing discharge canal.</p> <p>Dechlor and/or chlorine are expected to be used for the new supplemental cooling tower (as for the existing supplemental cooling towers) and will be included in the modified NPDES.</p> <p>4/29/09 Telecon: Paul Snead (PEF) reiterated information provided during the April 23 telecon. NRC will submit a new request for additional information (RAI) to request additional information.</p>
H-B	Hydrology	(2) Provide a reference that includes "salt balance" modeling of how the Cross Florida Barge Canal (CFBC) and the relic arm of the Withlacoochee River may change after Levy Nuclear Plant (LNP) intake begins operations.	<p>4/29/09 Telecon: Staff clarified that they needed to know whether TMEM-079 had been docketed. The document had been submitted as an attachment to PEF response to RAI 5.2.2-1; however, that response indicated TMEM-079 would be provided in the reading room. PEF clarified that the document was submitted to the docket.</p>
H-C	Hydrology	(22) Explain why the combined discharge for CREC Units 1-3 is smaller after the CREC Unit 3 uprate (1878.15 mgd) than its current value (1897.9 mgd), as stated in Tech Memo TMEM-078.	<p>4/29/09 Telecon: Staff provided PEF with an explanation regarding what specific information is being requested. To provide the requested information, a follow-up telecon was scheduled with Mitch Griffin (PEF), at a time that he would be available.</p> <p>5/6/09 Telecon: Mr. Griffin explained that PEF's estimate of post-uprate combined discharge from CREC Units 1-3 was based upon preliminary information available to PEF at the current time. The recommended uprate plan for CREC Unit 3 calls for turbine upgrades and placement of new helper cooling towers to be located near the firing range. The evaporative loss from the helper cooling towers is one of the reasons that the combined discharges may be less than current values. PEF agreed to provide a supplemental response based on currently available information; however, PEF noted that this information may not be final before the draft environmental impact statement (EIS) is scheduled to be published.</p>

No.	Subject Area	Additional Clarification and Information to be Provided	Notes:
H-D	Hydrology	<p>(23) Regarding the Visual Plumes analysis:</p> <p>a. Describe the approach for representing the 2-km jetty in the model</p> <p>b. Explain how the side slopes of the CREC discharge canal were modeled</p> <p>c. TMEM-078 states "actual dimensions and dilutions are only valid for a short distance." How short are these dimensions? How do the assumed dimensions affect the estimates in the Gulf of Mexico?</p> <p>d. The maximum temperature of the LNP blowdown is stated to be 94.4 F in TMEM-076 and 89.1 F in TMEM-078. Explain why the maximum temperature is different in the two documents.</p>	<p>4/29/09 Telecon: Staff provided PEF with an explanation regarding what specific information is being requested, as described below:</p> <p>(a) Staff requested clarification on the limitations of the model regarding the 2-km jetty and what work-arounds were required in the model to compensate for the limitations.</p> <p>(b) Staff requested a description of the side slopes used in the model and the actual conditions.</p> <p>(c) Staff requested an explanation of the differences in maximum blowdown temperature reported in TMEM-076 (94.4 F) and TMEM-078 (89.1 F). To provide the requested information, a follow-up telecon was scheduled with Mitch Griffin (PEF), at a time that he would be available.</p> <p>5/6/09 Telecon: Mr. Griffin (PEF) participated in the teleconference and provided the following information:</p> <p>(a) The model does not account for boundaries. In order to simulate the effects of the 2-km jetty that extends from the mouth of the canal along the south embankment of the CREC discharge canal into the Gulf, (1) a reflection-type analysis was adopted by assuming that the CREC discharge canal was twice its width, with the hypothetical portion on the south side of the canal embankment/jetty and (2) the assumed flow in the canal was doubled. This hypothetical scenario accounted for the jetty's effect as a barrier to flow. Only the northern half of the resulting hypothetical plume was considered in the impact assessment. The approach for such a workaround is described in the "Visual Plumes Help File" and also in "Environmental Discharge Modeling," authored by Lauren Davis, page 80, paragraph 1.</p> <p>(b) The model uses a rectangular cross section for the CREC discharge canal. The channel width in Visual Plumes analysis was set to 75 ft, which is equal to the bottom width of the CREC discharge canal. The side slopes could be estimated from schematics provided in TMEM -078, but are anticipated to have negligible impact on analyses.</p> <p>(c) There are multiple boundaries assumed for model simulation domain, including the bottom boundary. PEF's analysis only considered "near-field" influences. The plume hits the bottom boundary within 50-100 m of the mouth of the CREC discharge canal. The plume then has a tendency to stay near the bottom. PEF's analysis did not consider tides because the mixing time is short, on the order of a few minutes. The salinity of the discharge is expected to be higher than that of ambient water in the Gulf of Mexico because the concentration of salt increases as water passes through the circulating water system.</p> <p>(d) 89.1 °F is the design discharge temperature during summer from LNP. For NPDES permitting support, PEF used a temperature 6 °F higher than the wet bulb temperature -- this corresponds to 94.4 F. A new analysis is available with temperature set to 92.5 °F, based upon a FDEP request.</p> <p>Staff encountered problems running the Visual Plumes input files provided by PEF, such as divide-by-zero errors in PDS. PEF will re-examine the Visual Plumes input files and provide workarounds -- either new input files that have been verified to run and produce results that PEF used, or operating system/model version information for staff to be able to reproduce these runs.</p>

No.	Subject Area	Additional Clarification and Information to be Provided	Notes:
H-E	Hydrology	<p>(24) Regarding salinity modeling of the CFBC and Old Withlacoochee River (OWR):</p> <p>a. It appears that the low-flow condition for the OWR is assumed to be a combination of 70 cfs of seepage entering the system below the Inglis Dam and an additional 50 cfs of freshwater flow from groundwater springs for the CFBC. Where does the additional 50 cfs enter the CFBC-OWR system? How was the assumption of 50 cfs from the groundwater springs estimated and/or justified?</p> <p>b. It appears that the CFBC-OWR salinity model assumes that from the CFBC-OWR junction to the proposed LNP intake location (approximately 2 miles upstream of the junction), salinity would be reduced due to mixing with freshwater flow from the OWR. With salinity in the range of approximately 15 psu, the conclusion of reduced salinity appears to assume that discharge from the OWR would flow upstream toward the LNP intake. Staff request further description of the modeling assumptions and results.</p>	<p>4/29/09 Telecon:</p> <p>(a) PEF described that the 70 cfs seepage value for Inglis Dam was based on USGS Water-Resources Investigations Report I-73 by Glen Faulkner "Geohydrology of the Cross-Florida Barge Canal Area with Special Reference to the Ocala Vicinity." The report was available online and has been downloaded for the staff to access. PEF indicated it did not have a reference for the 50 cfs value for groundwater spring inflow and that the value was based on observation and comparison with seepage from Inglis Dam. Staff expressed the need for a comparison of the seepage value in the model with the observed seepage value.</p> <p>(b) Staff expressed the need for a salinity profile at depth, to augment the average salinity over the entire depth profile reported in TMEM-079, Figure 6.</p>
H-F	Hydrology	<p>(25) NRC RAI 5.2.2-3 (PGN RAI ID#: L-0096): The technical memorandum cited in the subject RAI response (TM 338884-TMEM-074, Rev. 1), which documents the well field modeling effort, is not available in the Progress Energy-provided reading room. The Richland, WA reading room contains a Rev. 0 dated August 11, 2008.</p>	<p>4/29/09 Telecon: PEF provided this document to the reading room today.</p>

No.	Subject Area	Additional Clarification and Information to be Provided	Notes:
H-G	Hydrology	<p>(26) NRC RAI 5.2.2-3 (PGN RAI ID#: L-0096): Provide the following publication quality graphics documenting normal daily withdrawal (1.58 mgd) simulation results:</p> <ul style="list-style-type: none"> • LNP well field drawdown impacts only (operational impacts) • Model water budget diagram • SAS drawdown contour map • Wetlands designation map with SAS drawdown contours overlaid • UFA drawdown contour map <ul style="list-style-type: none"> • Cumulative drawdown impacts (LNP well field and adjacent permitted users) • Model water budget diagram • SAS drawdown contour map • Wetlands designation map with SAS drawdown contours overlaid • UFA drawdown contour map • UFA drawdown contour map for maximum-week withdrawal conditions (5.8 mgd) 	<p>4/29/09 Telecon: Staff found the cumulative drawdown impacts (Figure 8) in the RAI response to be sufficient. Staff requested that PEF provide similar data for model water budget drawdown for LNP well field drawdown impacts. The first item "Model water budget diagram" (LNP operational impacts) was not provided in the TMEM. Remaining bulleted items are available in the TMEM provided to the reading room. Staff will submit a new RAI to request native files for figures needed to produce the EIS. PEF will include TM 338884-TMEM-074, Rev. 1 as an attachment to PEF June 12, 2009 Supplemental RAI Response so that a description of the modeling results is docketed.</p> <p>5/6/09 Telecon: There was some confusion regarding what water table conditions should be used to represent baseline conditions. Staff has determined that baseline conditions should include the impacts of all current permitted users within the model domain. Comparison to the pre-development case will not be required. PEF should include in the RAI clarification a discussion of the rationale for using 2001 conditions for model calibration and representation of current conditions. The following figures should be included in the RAI clarification (or attached TM) and native or GIS (shape) files will be requested in a new RAI request: 1) updated model water budget (see clarification H-L) for LNP and permitted users (Figure 8 in RAI response), 2) Potentiometric contour maps (SAS and UFA) for stress period 2 steady state results (permitted users only), 3) contour maps (SAS and UFA) showing incremental drawdown impacts associated with LNP operations, either assuming steady state conditions or for a 60 year transient run, relative to baseline conditions (i.e., the potentiometric surfaces presented in item 2, not predevelopment), 4) a wetlands map SAS incremental drawdown impacts associated with LNP operations overlaid (scaled to impacted area), 5) contour maps (SAS and UFA) showing incremental drawdown impacts associated with the maximum-week withdrawal conditions of 5.8 mgd relative to baseline conditions, and 6) potentiometric contour maps (SAS and UFA) for stress period 2 steady state results (permitted users only) that accounts for projected increases in adjacent permitted usage within the model domain over the life of the project.</p> <p>5/14/09 Telecon: Discussed the clarification items that were issued following the 5/6/09 telecon. PEF indicated that the requested information and figures would be provided in the June 12 RAI clarifications.</p>
H-I	Hydrology	<p>(27) NRC RAI 5.2.2-3 (PGN RAI ID#: L-0096): Include a publication quality figure showing the location of all permitted well locations within the TMR model domain.</p>	<p>4/29/09 Telecon: PEF indicated that this information is available in the TMEM provided to the reading room. Staff will submit a single RAI to request native files for figures needed to produce the EIS.</p> <p>5/6/09 Telecon: It was agreed that shape files would be the preferred format of native files. On 6/23/09, an RAI requesting native files for figures was sent to PEF.</p>

No.	Subject Area	Additional Clarification and Information to be Provided	Notes:
H-J	Hydrology	(28) NRC RAI 5.2.2-3 (PGN RAI ID#: L-0096): Confirm that the last sentence of the description for Layer 5 of the DWRM2 model in PEF's March 27, 2009 response to RAI 5.2.2-3 is worded correctly. Based on Figure 7 (Attachment 36 to PEF's March 27, 2009 letter [036_Attachment 5.2.2-3G.pdf]), the northeast corner of the model is designated as an active or constant head boundary condition, which would be consistent with implementing brackish groundwater upwelling at this boundary.	4/29/09 Telecon: PEF will confirm the description and, if necessary, will clarify the description. 5/6/09 telecon: PEF will add some clarifying language to this description.
H-K	Hydrology	(29) NRC RAI 5.2.2-3 (PGN RAI ID#: L-0096): The model uses 2001 data to define withdrawals for adjacent permitted users. The RAI response provides the projected usage increases for Levy, Citrus, and Marion Counties (combined) between 2005 and 2025, but it is unclear how these data should be used to project increased usage for wells within the telescopic mesh refinement (TMR) model domain. Provide either of the following usage amounts: (1) combined three-county usage for 2001 or (2) well usage within the TMR model domain for 2005?	4/29/09 Telecon: PEF will provide one or the other usage amounts requested (i.e., either (1) combined three-county usage for 2001 or (2) well usage within the TMR model domain for 2005). 5/6/09 Telecon: PEF expressed concern that using the three-county projections for increased usage might over predict increases for permitted users within the model domain. PEF will look for additional information to constrain these projections. If no additional information is identified, the three-county data will be used to provide a conservative estimate of projected increases in groundwater usage. 5/14/09 Telecon: Staff confirmed that information from this clarification supports item 6 of clarification H-G.
H-L	Hydrology	(30) NRC RAI 5.2.2-3 (PGN RAI ID#: L-0096): Based on the model water budget provided in Figure 8 (Attachment 37 to PEF's March 27, 2009 letter [037_Attachment 5.2.2-3H.pdf]) and the description provided in the text, it appears that the spring and well discharges from Layer 4 of the DWRM2 model should be highlighted in yellow, not blue.	4/29/09 Telecon: PEF will confirm and provide a supplemental response.

No.	Subject Area	Additional Clarification and Information to be Provided	Notes:
H-M	Hydrology	(31) In response to RAI 2.3.1-1, the applicant stated that "floodplain storage loss will be mitigated as required by Levy County, SWFWMD, FDEP, and FEMA." Describe these requirements.	<p>4/29/09 Telecon: PEF indicated that ER Table 1.2-1 summarizes Federal, State, and local rules and permit requirements.</p> <p>PEF summarized floodplain mitigation (compensation) that may occur as a result of filling floodplains at the LNP site. PEF indicated floodplain compensation may involve excavating hundreds of acres of uplands to a lower elevation. PEF indicated it has some preliminary information regarding floodplain compensation and that there may be additional information in its Environmental Resource Permit (ERP) application to the State of Florida. Don Hambrick (USACE-Jacksonville) indicated this may go outside of the region of potential disturbance that PEF had previously described to the USACE. This discussion was new information to the staff.</p> <p>PEF indicated it would follow up on this topic soon, maybe at the next week's teleconference.</p> <p>5/6/09 Telecon: PEF stated that floodplain loss compensation is described in the Site Certification Application (SCA), such as Volume 6/Section 6/Appendix 10.4/Attachment A7. PEF indicated that a floodplain loss compensation plan would be submitted to FDEP 90 days prior to start of LNP construction. The State requires a "cup-to-cup" volume compensation. Approximately 110.5 ac-ft of volume would be disturbed due to filling of floodplains at the LNP site. Areas where mitigation may take place were identified during wetlands mitigation; however, Zone A floodplain mappings are based on "desktop" estimates. The estimated impact is approximately a 0.5 inch rise in water level and the impact is not expected to extend offsite. FDEP SCA Conditions are listed as items XXVII(a) on page 22, XXVII(h) on page 26, XXXVIII(a)(4) on page 68, and XL(a). PEF may summarize this discussion in an RAI response.</p>
H-N	Hydrology	(32) Clarify whether the response to RAI 2.3.1-3 should have cited FAC rule 62-302.520(3)(g).	4/29/09 Telecon: PEF will confirm and provide a supplemental response.
H-O	Hydrology	(33) In response to RAI 2.3.3-1, the applicant described an ongoing water quality sampling program in the CREC discharge canal initiated during 2008. Clarify whether water quality data are available for the CREC discharge canal prior to when the current sampling effort began.	4/29/09 Telecon: PEF indicated no water quality data are available for the CREC discharge canal prior to the current sampling effort.
AQ-A	Aquatic Ecology	(3) Provide information regarding control measures used for biofouling of intake and discharge structures at CREC and proposed biofouling control measures to be used for the CWIS in the CFBC (ESRP 5.3.2). For example, provide a discussion of how intake structures are to be cleared of barnacle and mussel biofouling. Would biocides be used to control biofouling in the discharge structures?	4/29/09 Telecon: PEF indicated it would clarify this issue with a supplemental response that similar control measures as used for CREC would be utilized (e.g., use of Clamtrol [Spectra-CT-1300] every few weeks, along with mechanical cleaning).
AQ-B	Aquatic Ecology	(4) Provide information on how blowdown pipelines from LNP would connect with the CREC discharge. Specifically, would the LNP blowdown outfall discharge directly into the CREC discharge canal, or would it connect to existing CREC discharge piping from Units 4 and 5 (ESRP 4.3.2)?	4/29/09 Telecon: PEF indicated it would clarify with a supplemental response. PEF preference is to discharge into CREC main channel with pipe into a head wall. The facility is not yet designed; however, PEF indicated that channel 4/5 would not be used. PEF indicated that some additional information is available in TMEM-078.

No.	Subject Area	Additional Clarification and Information to be Provided	Notes:
Acc-A	Accidents	<p>(5a) The response to NRC RAI 7.1-1 provided in PGN RAI ID L-0080 contains isotopic source terms for design basis accident (DBA) calculations. The response appears to be incomplete and in at least one instance appears to contain source terms that are not consistent with doses listed in the environmental report (ER) and the AP1000 design control document (DCD). Consequently, staff has the following request:</p> <p>a. Isotopic source terms were not provided for the worst 2-hr period for use in calculating exclusion area boundary (EAB) doses for 6 DBAs. Provide the worst 2-hr isotopic source terms for the following AP1000 DBAs:</p> <ul style="list-style-type: none"> I. main steam line break with accident initiated iodine spike II. main steam line break with pre-existing iodine spike III. locked rotor accident with feedwater IV. rod ejection accident V. steam generator tube rupture with accident initiated iodine spike VI. steam generator tube rupture with pre-existing iodine spike. 	<p>4/28/09 Telecon: PEF will request information from Westinghouse.</p> <p>Staff indicated that the source term for the worst 2-hour period was needed for the six accidents described. PEF will request the information from Westinghouse, but is not able to commit to when the information can be provided to the NRC.</p>
Acc-B	Accidents	<p>(5b) The response to NRC RAI 7.1-1 provided in PGN RAI ID L-0080 contains isotopic source terms for DBA calculations. The response appears to be incomplete and in at least one instance appears to contain source terms that are not consistent with doses listed in the ER and the AP1000 DCD. Consequently, staff has the following request:</p> <p>b. Isotopic source terms provided in the response for the rod ejection accident for the 8 to 24 hr period and the 24 to 96 hr period do not appear to be consistent with the AP1000 DCD and Levy County low-population zone (LPZ) doses for those periods. Provide updated source terms or doses.</p>	<p>4/28/09 Telecon: PEF will request information from Westinghouse.</p> <p>Discussions indicated that staff confirmatory calculations match the DCD results for the LPZ (0 to 8 hour and 4 to 30 day); however, the staff confirmatory calculations do not match for the 8 to 24 hours and 24 to 96 hour periods. PEF indicated it will contact Westinghouse to confirm the dose and/or source term calculations for the 8 to 24 hour and 24 to 96 hour periods; however, PEF is not able to commit to when the information will be provided to the NRC.</p>

No.	Subject Area	Additional Clarification and Information to be Provided	Notes:
TE-A	Terrestrial Ecology	<p>(6) PEF Response to NRC RAI 2.4.1-1:</p> <p>a. The updated tables on seasonal observations of wildlife included the south property as part of the LNP site. Break out the wildlife observations for the south property as a separate category.</p> <p>b. Regarding Table 2.4-5, Important Species, provide a map showing the locations for all federal listed species, state listed species and state species of concern observed by PEF contractors on or adjacent to the LNP site, the south property and the blowdown pipeline corridor.</p> <p>c. Provide the number of pedestrian surveys conducted monthly for wildlife and wildlife habitat between September 2006 and November 2008.</p>	<p>4/29/09 Telecon:</p> <p>(a) PEF indicated it would provide a supplemental response with table delineations for the south property.</p> <p>(b) PEF raised concern about disclosing listed species locations as providing this information to potential poachers. PEF will verify with FDEP whether this information can/should be made public. If not, then PEF indicated the information would be made available in the reading room. Staff indicated that this level of detail had been provided for the transmission lines. PEF indicated that the gopher tortoise report identifying these locations is available in the reading room.</p> <p>(c) No specific species surveys have been conducted on site, unless the species was known to be on site (e.g., gopher tortoise). No specific surveys were conducted for other threatened and endangered species. PEF indicated it could provide the number of field visits conducted, but not how many of the field visits supported species survey efforts.</p>
TE-B	Terrestrial Ecology	<p>(7) PEF Response to NRC RAI 2.4.1-2:</p> <p>a. Justify why the remnant reach of the Withlacoochee River and the Cross Florida Barge Canal, which are crossed by the transmission corridor, do not represent waterfowl concentration areas.</p> <p>b. Justify why the Withlacoochee River, which is crossed twice by the Central Florida South transmission corridor, does not represent a waterfowl concentration area.</p> <p>c. Provide the distance between the adjacent waterfowl concentration areas identified in the PEF response and the LNP site or associated facilities.</p>	<p>4/29/09 Telecon: The person knowledgeable of transmission lines was not available. This item was discussed so that PEF was clear on what was being requested. PEF will follow up with a supplemental response.</p>
TE-C	Terrestrial Ecology	<p>(8a) PEF Response to NRC RAI 2.4.1-3:</p> <p>a. Provide a GIS file containing the delineated wetlands and project features that were used to produce the new wetlands map.</p> <p>b. Clarify whether the wetlands map is based upon the completed field delineations for wetlands or is based upon the existing FLUCCS mapping.</p> <p>c. The wetland acreages in Table 2.4.1-3-001 include the south property as part of the LNP site. Break out the wetland acreages for the south property as a separate category/column.</p> <p>d. The FLUCCS wetland cover types identified in Table 2.4.1-3-001 are not consistent with the FLUCCS wetland types noted in the ER Table 2.4-1. Examples include the following: no Stream and Lake Swamps (Bottomland) (FLUCCS 615) is identified in Table 2.4.1-3-001; no freshwater marshes (FLUCCS 641) is identified in Table 2.4.1-3-001; many acres of Wetland Forested Mixed (FLUCCS 641) is identified in ER Table 2.4-1, but less than an acre is noted in Table 2.4.1-3-001. Clarify these inconsistencies.</p>	<p>4/29/09 Telecon:</p> <p>(a) PEF indicated it will provide requested information.</p> <p>(b) PEF indicated that the maps have been modified based on the FLUCCS mapping and the latest survey information. Discrepancies with earlier information reflect the latest on-the-ground work. USACE and FDEP are in the process of completing the delineation. The approved jurisdictional impact areas are near completion for the State and USACE, but the mitigation area is not ready. This information may not be completed for use in the DEIS, but staff indicated this information will need to be available for the FEIS. PEF indicated that the maps it provided will not change for the impact areas, but may change slightly for the mitigation area. In response to a question, PEF indicated that offsite impact/mitigation areas have not been delineated. PEF indicated there is no timeline for completing the offsite delineations and stated that, in their opinion, it is separate from the COL action. Don Hambrick (USACE-Jacksonville) disagreed and indicated that the USACE would need to have a mitigation plan for the offsite areas finalized prior to the FEIS. Don Hambrick indicated USACE had not received any mitigation plans.</p> <p>(c) PEF indicated it will provide the requested information.</p> <p>(d) PEF indicated it will update cover types to match baseline conditions.</p>

No.	Subject Area	Additional Clarification and Information to be Provided	Notes:
TE-D	Terrestrial Ecology	<p>(8b) PEF Response to NRC RAI 2.4.1-3:</p> <p>e. According to the new wetlands map, much of the tree plantation cover type is now identified as wetlands; however, Wetlands Table 2.4.1-3-001 does not list any hydric tree plantation. Clarify why this is and how hydric tree plantation is accounted for?</p> <p>f. Do the acreages of the FLUCCS wetland cover types identified in Table 2.4.1-3-001 reflect adjustments to the boundaries of the FLUCCS cover types derived from the on-the-ground wetland delineations that were completed? If not, what do the acreages represent?</p> <p>g. Table 2.4.1-3-002 combines temporary and permanent wetland impacts for the Pipeline LNP to CFBC, and the Pipeline CFBC to CREC facilities. Separate out the permanent and temporary wetland impacts for these facilities.</p> <p>h. Table 2.4.1-3-002 does not identify any impact to hydric tree plantation; however, a substantial portion of on-site tree plantation is a wetland. Clarify this inconsistency.</p> <p>i. Explain what the 50-foot Buffer to the CFBC is. Explain the nature of the temporary impacts that would occur here and whether it can or would be restored.</p>	<p>4/29/09 Telecon:</p> <p>(e) PEF indicated it will update cover types to match baseline conditions.</p> <p>(f) PEF indicated the acreages reflect FLUCCS that have been updated to reflect on-the-ground delineations.</p> <p>(g) The person knowledgeable of transmission lines was not available. This item was discussed so that PEF was clear on what was being requested. PEF will follow up with a supplemental response. Staff clarified that a breakdown by permanent and temporary impacts was not included for the pipeline, as provided for other facilities.</p> <p>(h) PEF indicated it would update this table.</p> <p>(i) PEF indicated that the pipes would be buried, according to the most current plan. Mechanical equipment would operate within a 50-foot buffer and that the buffer area would be restored. The pipeline would be north of the side cast or partially in the sidecast along the north side of the CFBC, then cross the CFBC near Highway 19, then continue west along the south side of the CFBC until heading south toward the CREC along an existing right of way. The disturbed areas would be mitigated in accordance with the permits. PEF indicated that typically the applicant provides a restoration/mitigation strategy and USACE determines if it is acceptable. PEF indicated it could provide more detail to support the permitting decision.</p>
TE-E	Terrestrial Ecology	<p>(8c) PEF Response to NRC RAI 2.4.1-3:</p> <p>j. Justify how enhanced herbaceous wetlands can attain full maturity and wetland functions in 5 years.</p> <p>k. Justify how enhanced planted pine wetlands can attain full maturity and wetland functions in 5–15 years.</p> <p>l. Provide interpretation and support for the statement that grouting and reinforced diaphragm walls would prevent construction dewatering from impacting adjacent wetlands.</p> <p>m. Provide interpretation and support for the statement that groundwater drawdown of up to 0.5 feet would not impact adjacent wetlands.</p> <p>n. Provide a GIS file containing groundwater drawdown isopleths.</p> <p>o. Table 2.4.1-3-003 (Wetland and Upland Impacts Along Transmission Lines) does not distinguish between wetland and upland impacts. Most of the FLUCCS cover types listed under Wetland Type appear to be upland communities. Revise this table to provide separate estimates of upland impacts and wetland impacts by FLUCCS cover types along the transmission lines.</p>	<p>4/29/09 Telecon:</p> <p>(j) Don Hambrick (USACE-Jacksonville) indicated 5 years was typical.</p> <p>(k) Don Hambrick (USACE-Jacksonville) indicated 5–15 years appeared too short a period to restore pine/savannah to full maturity. PEF will review its statement and, if necessary, provide justification.</p> <p>(l) PEF indicated it will provide some additional detail. PEF indicated it expects minimal impact in areas exterior to the bathtub. The only potential impact would result from leakage into the bathtub, which the grout is intended to minimize. PEF will provide a reference to the dewatering plan.</p> <p>(m) PEF indicated it will clarify the model and results. PEF referenced to TMEM-074, Rev. 1 (November 2008).</p> <p>(n) PEF indicated it will provide this information.</p> <p>(o) The person knowledgeable of transmission lines was not available. This item was discussed so that PEF was clear on what was being requested. PEF will follow up with a supplemental response.</p>

No.	Subject Area	Additional Clarification and Information to be Provided	Notes:
TE-F	Terrestrial Ecology	<p>(9) PEF Response to NRC RAI 2.4.1-4:</p> <p>a. The wetland mitigation plan identifies logging and thinning as major tools to restore/enhance disturbed pine plantations. Most of these plantations are young (less than 20 years old). Clarify whether nonmerchantable stands would be logged/thinned, or whether trees would be allowed to mature before implementing harvest prescriptions.</p> <p>b. The wetland mitigation plan identifies frequent controlled burning as a major tool to restore/enhance disturbed pine plantations. Provide an assessment of how realistic the option of frequent controlled burning is for lands surrounding the LNP.</p> <p>c. PEF provides no firm commitment to restoring wetlands and uplands on remaining undeveloped lands on the LNP site. Without a firm commitment, the EIS analysis will assume that restoration and associated wildlife enhancement would not occur.</p>	<p>4/29/09 Telecon:</p> <p>(a) PEF indicated it will provide the requested information.</p> <p>(b) PEF indicated it currently does this in the vicinity of its Harris plant. The burning is done on a rotating basis (so burning every year somewhere, but a particular location is burned every 2 to 4 years). This is an extensive program.</p> <p>(c) PEF indicated a final mitigation plan has not been developed. There is a commitment to Levy County for a buffer zone. The mitigation plan will be premature for the DEIS and will be finalized for the FEIS.</p>

No.	Subject Area	Additional Clarification and Information to be Provided	Notes:
TE-G	Terrestrial Ecology	<p>(10) PEF Response to NRC RAI 4.3.1-1:</p> <p>a. Table 4.3.1-1-001 does not provide the acreage of temporary and permanent impacts for upland plant communities; only wetland impacts are provided. Revise the table to include the acreage of temporary and permanent impacts for upland plant communities. Clarify whether the acreages of the FLUCCS cover types identified in Table 4.3.1-1-001 reflect adjustments to the boundaries of the FLUCCS cover types derived from the on-the-ground wetland delineations that were completed. If not, what do the acreages represent? Differentiate between the LNP site and the southern property.</p> <p>b. Figure 4.3.1-1 is illegible. Provide a GIS file containing cover types and project features so that the NRC may produce a legible figure for the EIS. The cover types to be provided must be for the individual FLUCCS types present on-site so that they match revised Table 4.3.1-1-001; and they should not be combined into broad categories as presented in Figure 4.3.1-1. Clarify whether the acreages of the FLUCCS cover types identified in Figure 4.3.1-1 reflect adjustments to the boundaries of the FLUCCS cover types derived from the on-the-ground wetland delineations that were completed. If not, what do the cover types represent? Differentiate between the LNP site and the southern property.</p> <p>c. Based upon response to a request for best management practices (BMPs) to restore temporary impacts, the NRC will assume that PEF has not yet committed to any BMPs and will assess temporary impacts in the EIS accordingly.</p> <p>d. PEF indicates that no seed mix is needed for wetlands that are temporarily impacted because an adequate native seed bank is present; however, PEF did not provide its approach to upland areas that are temporarily impacted. Address the upland areas.</p> <p>e. PEF discussion of the value of the 3 stormwater ponds as habitat for wildlife is insufficient for staff to determine benefits to wildlife. Provide the following additional information to assist the staff's review: acreage of each pond; the hydrological attributes of each pond (e.g., permanent surface water, seasonal surface water – the ER is contradictory on this matter); extent and manner of seeding and planting to be pursued in the littoral zone; potential value as an attractant to wildlife.</p>	<p>4/29/09 Telecon:</p> <p>(a) PEF indicated that it will provide this information.</p> <p>(b) PEF indicated the GIS files will be provided.</p> <p>(c) PEF indicated it will attempt to provide some additional detail to strengthen the response. Staff indicated, as an example, the PEF response to RAI 4.3.1-5 included a little more detail.</p> <p>(d) PEF indicated it will attempt to provide some additional detail to strengthen the response. Staff indicated, as an example, the PEF response to RAI 4.3.1-5 included a little more detail.</p> <p>(e) PEF indicated it will provide information in a supplemental response.</p>

No.	Subject Area	Additional Clarification and Information to be Provided	Notes:
TE-H	Terrestrial Ecology	<p>(11) PEF Response to NRC RAI 4.3.1-2:</p> <p>a. Explain how integrating new transmission lines into the existing grid system would reduce bird collisions.</p> <p>b. PEF identified a number of mitigation measures from the literature that can be implemented to reduce bird collisions with transmission lines. However, PEF did not commit to using any of these measures. One of the permitting conditions proposed by the State of Florida is a requirement for an Avian Protection Plan; however, PEF provides no measures to be included in the plan. Identify the measures PEF intends to employ to minimize bird collisions with transmission lines.</p>	<p>4/29/09 Telecon:</p> <p>(a) The person knowledgeable of transmission lines was not available. This item was discussed so that PEF was clear on what was being requested. PEF will follow up with a supplemental response.</p> <p>(b) The person knowledgeable of transmission lines was not available. This item was discussed so that PEF was clear on what was being requested. PEF will follow up with a supplemental response. PEF indicated it would have a company-wide avian protection plan.</p>
TE-I	Terrestrial Ecology	<p>(12) PEF Response to NRC RAI 4.3.1-5:</p> <p>a. Clarify intent with regards to establishing a wildlife corridor between the Goethe State Forest and the south property.</p> <p>b. A commitment is made to use BMPs to minimize the spread of invasive species following land disturbance, including the use of native seed mixes. This appears to contradict the response to NRC RAI 4.3.1-1. Clarify this apparent inconsistency.</p> <p>c. PEF states that success criteria in the wetland mitigation plan include an invasive species component. No success criteria are provided in the wetland mitigation plan. Invasive species control in the plan is limited to one sentence on page 26 that states invasives will be removed. Clarify.</p>	<p>4/29/09 Telecon:</p> <p>(a) PEF indicated the wildlife corridor is not finalized. PEF indicated it could provide locations that are being considered and that this information will be included as part of the mitigation plan. This information will be clarified prior to the FEIS.</p> <p>(b) PEF indicated it would provide a supplemental response.</p> <p>(c) PEF indicated it would provide a supplemental response.</p>
TE-J	Terrestrial Ecology	<p>(13) PEF Response to NRC RAI 4.3.1-7:</p> <p>a. PEF states that the source of off-site fill has not yet been determined, but that existing material stockpiled from construction of the CFBC would be used, if needed. Describe the state of these existing stockpiled materials. If this material is represented by material sidecast from construction of the CFBC 40–50 years ago, this material now supports plant and wildlife communities. Excavation of this material could contribute to additional, substantial impacts to wildlife. Clarify the potential need, source and state of fill.</p>	<p>4/29/09 Telecon:</p> <p>(a) PEF indicated it would provide a supplemental response.</p>

No.	Subject Area	Additional Clarification and Information to be Provided	Notes:
TE-K	Terrestrial Ecology	<p>(14) PEF Response to NRC RAI 5.3.3.2-1:</p> <p>a. Add the LNP site boundary to the salt isopleths maps.</p> <p>b. Update the isopleths maps to account for the estimated deposition rates during normal operation and the conversion to kg/ha/mo.</p> <p>c. The Crystal River Salt Deposition Study PEF provided did not include the final annual report as an attachment. Rather, it included excerpts from a 1998 modeling study (with missing pages). It provides no assessment of impacts to vegetation from salt deposition. Provide the final annual report that addresses salt drift impacts to vegetation.</p>	<p>4/29/09 Telecon:</p> <p>(a) PEF indicated it will add boundaries to the isopleth map and provide in a supplemental response.</p> <p>(b) PEF indicated the map values can be converted to kg/ha/mo by multiplying by (10)(1.5). No additional information is required.</p> <p>This was followed by a discussion of the per-year basis of the modeling, in response to a staff question. PEF indicated the time frame was selected to obtain a 5-year contiguous period with a nearly complete data set. One-year results indicate variability from year to year. Results within 1000 feet of the source (i.e., cooling towers) are interpolated and not dependable (an artifact or characteristic of the model). Staff asked if measurements had been made at CREC for close-in model validation and PEF indicated measurements had not been made. Staff asked if other studies were available and PEF referenced to the author of the SACTI code (Anthony Policastro).</p> <p>(c) PEF indicated that they could not locate the final annual report for the CREC Salt Deposition Study. This was a historic document produced by Florida Power Corp. (prior to PEF). Staff asked if this report could be tracked down at FDEP and PEF indicated it would follow up with FDEP to determine if the document was on file. Staff asked if the Talbot model could be entered to the docket and PEF indicated likely not because of copyright restrictions (it is a journal article).</p>
SE-A	Socioeconomics	<p>(17) Response to NRC RAI 4.4.2-1, PGN RAI ID# L-0122.</p> <p>PEF moved from a table (ER Table 2.5-9) that showed employment by county to a table (RAI Response Table 4.4.2-1-001) that shows employment by Metropolitan Statistical Areas (MSAs) and Non-MSAs. Because the new table does not let staff segregate employment for the counties of interest, staff cannot use the PEF response to analyze employment in the Heavy and Civil Engineering Construction, NAICS 237000, in those counties.</p> <p>Staff request that PEF provide employment and wage data for NAICS 237000 (even though it includes some construction categories that may not be applicable to power plant construction) as a subcategory of general construction. At a minimum, staff request employment data for Levy, Marion, and Citrus Counties for 1990, 2000 and 2005.</p>	<p>4/28/09 Telecon: PEF will provide information as supplement to NRC RAI 4.4.2-1, PGN RAI ID# L-0122 by 2nd week of June 2009.</p> <p>The discussion indicated that staff was not able to track heavy construction employment back to the county level. Staff requested that PEF pull information from the original table (ER table 2.5.9) for Levy, Marion, and Citrus Counties. PEF indicated that there is no county-level data for 2007, but data for 2005 and historical data can be provided. PEF will supplement the RAI with additional tri-county related data and provide the information to the NRC by the 2nd week of June.</p>

No.	Subject Area	Additional Clarification and Information to be Provided	Notes:
SE-B	Socioeconomics	(19) Response to Information Need SE-7: Provide source of the new table provided in the response. Clarify if it is the same source as used for ER Table 2.5-9. Provide a more specific source than "US Census Bureau" for the tables provided in Attachment 1: SE-7-001_Hvy_ConstEmp_2006.pdf, SE-7-002_Pwr_Comm_Const_Emp_2006.pdf, SE-7-003_Utility_Const_Emp_2006.pdf.	4/28/09 Telecon: PEF will provide requested information as a supplemental response to NRC RAI 4.4.2-1, PGN RAI ID# L-0122 by 2 nd week of June 2009. Staff needs a citation to track employment and wage data back to a source. PEF will supplement the Information Need, and the information will be provided to the NRC by the 2 nd week of June.
SE-C	Socioeconomics	(20) Provide the reference for Levy County budget figures shown in Table 2.5-12 and discussed in Section 2.5.2.1.2. The cited references are for Citrus and Marion Counties.	4/28/09 Telecon: PEF will investigate and provide updates during the 4/29/09 telecon. Staff cannot locate the reference for the Levy County budget figures in the ER. PEF indicated that the information may have been provided under the Citrus County budget. PEF will track down the source for the budget figures and, if in error, will supplement the information. Information will be provided to the NRC by the 2 nd week of June. 4/29/09 Telecon: PEF indicated the Levy County budget information had been provided by the County in tabular form by fax. PEF indicated this information will be provided as a supplemental response.
SE-D	Socioeconomics	(21) 019_Attachment 2.5.2-1A.pdf from PEF's response to NRC RAI 2.5.4-1 shows the census block groups in which the African-American population meets at least one of the two criteria. The text in the RAI response indicates that 60 census block groups within the 50-mi radius have African-American populations that are 20 percent greater than the Florida average (or greater than 34.6 percent) and that, of the 60 census block groups, 41 have African-American populations of 50 percent or more. Provide a revised figure that distinguishes the location of the 41 census block groups with 50 percent or more from the other 19 census block groups.	4/28/09 Telecon: PEF indicated it will provide the requested information as a supplemental response to NRC RAI 2.5.4-1 by the 2 nd week of June 2009. The discussion indicated that minority populations cannot be distinguished on the aforementioned figure, and that the information is generally provided in census blocks. Although PEF indicated that going to a finer gradation is not required per NUREG-1555, they will supplement the information with a more detailed figure. The information will be provided to the NRC by the 2 nd week of June.

No.	Subject Area	Additional Clarification and Information to be Provided	Notes:
SE-E	Socioeconomics	<p>(34) Response to NRC RAI 4.4.2-9.</p> <p>In order to allow staff to calculate sales and use tax revenue that would be generated during construction of LNP, provide the following information:</p> <p>1) Provide a reference for the assertion that “most of these purchases of equipment and materials will qualify for Florida’s steam production and pollution control sales tax exemption” made in section 4.4.2.2.1 of the ER and in PEF’s response to NRC RAI 4.4.2-9. Staff has found an exemption for steam that is produced for certain purposes, including to operate pollution control equipment; and an exemption for equipment to generate electricity that would be primarily used for the manufacture of tangible goods in Florida; but nothing for equipment used to generate electricity for residential and commercial uses in Florida and nothing for pollution control equipment.</p> <p>2) Verify that PEF considered the value of Florida use tax to be paid on non-exempt material and equipment purchased outside Florida in considering tax revenue that would be generated during construction.</p> <p>3) If the response to 1 and 2 changes the tax impact conclusions in section 4.4.2.2.1, provide revised conclusions.</p> <p>4) Provide a reference for the assertion in PEF’s response to the RAI that the state would send 0.5% of sales tax revenue back to the local area to fund local services. Also clarify whether “local area” means “counties” or something else. Explain the calculations in the following sentences describing distribution of sales tax revenue: “About \$.29 million would go to the counties in rough proportion to the distribution of the construction workforce, as presented in ER Table 4.4-1. The remaining \$1.71 million would go to the State, which would send some of the funds (0.5 percent) back to the local area to fund local services.”</p>	<p>5/14/09 Telecon: For item 1, information came from PEF tax lawyers. PEF will provide a reference in a supplemental response. For item 2, consultant stated that use tax was considered, and they will show where it appears in the projected tax revenues, as part of the supplemental response.</p> <p>For item 3, consultant did not expect a change.</p> <p>For item 4, PEF will provide the reference and explain the calculation in a supplemental response.</p>
SE-F	Socioeconomics	<p>(35) In order to allow staff to calculate property tax revenue that would be generated during operation of LNP, provide a reference for the assertion in section 4.4.2.2.2 of the ER that tax valuation would be based on the cost of construction, less the pollution control components.</p>	<p>5/14/09 Telecon: PEF indicated that it will address this as part of a supplemental response to RAI 4.4.2-9. The reference source was PEF tax attorneys. A reference will be provided in the supplemental response.</p>
Met-A	Meteorology	<p>(18) What is the anticipated delivery date for updated PAVAN runs with 2-year data set?</p>	<p>4/29/09 Telecon: A safety RAI response indicated this information will be provided in July 2009. PEF indicated it would provide PAVAN input/output files by July 1, 2009 for the 2-year data set. A supplemental response explaining the update in more detail will come in the later part of July 2009.</p>

**Teleconference Summary with PEF
Levy County COL
January 6, 2009, 1:00 PM EST**

Discussion Topic

Introductions

Information needs clarified during site audit held December 2 through 5, 2008

Status

- PEF submitted input/output files (Calculation Native Files). NRC has provided these files to PNNL
 - PEF submitted GIS Data Files. NRC has provided these files to PNNL
 - PEF is in the process of preparing responses to information needs, which will include documents that have been requested. Responses are expected to be submitted to NRC next week
- SHPO
- PEF copies of all letters to/from SHPO, that included consultation and coordination, will be provided with responses to information needs
 - PEF preference is to keep privileged or sensitive information from SHPO as confidential. Suggestion was made by NRC staff for PEF to submit sensitive information to the NRC and the NRC would docket as non-public; however, it has been decided that NRC staff will seek this information directly from SHPO (see Information Need CR-14). Information that was not sensitive has already been provided to the NRC by PEF through GIS data files
 - PEF will send the PEF Guidance Document and the SHPO's concurrence on the Inadvertent Finds Procedure to the NRC in response to an information need
 - The PEF policy document on Cultural Resources has not been sent to SHPO. Suggestion was made by NRC staff for PEF to obtain SHPO concurrence on this document to strengthen their positions
- Reading Room – Accessibility of PEF documents
- Reading rooms in Richland and Chantilly are stocked
 - The reading rooms contain a list of the documents stocked in the respective reading room
 - HP/RC documents requested during the site audit have been sent to the CH2M Hill office in Parsippany, New Jersey
 - Transportation documents have been sent to the CH2M Hill office in Columbus, Ohio
- Preparation
- LWA vs. COL impacts – PEF has revised text and tables in Section 4.6 and Section 4.8, which will be provided by PEF next week with the responses to information needs
 - EIS Scoping Summary Report will describe scoping activities conducted by the staff and is expected to be publicly available by May 28, 2009. This report will focus on the comments received by the NRC and our responses

Managing Site Audit and Information

- Files that are either executables or in a native format (e.g., codes, GIS layers) are not ADAMS compatible. Progress Energy is submitting these files under separate cover letters
- NRC needs sufficient basis for each RAI and must determine whether or not the information has already been provided
- Before RAIs are published there will be interaction with PEF to discuss follow-up items from the audit, additional needs for the reading rooms, responses to information needs, etc.

USACE

USACE was not available for this teleconference. The following items will be discussed with the Corps or during the next teleconference

- RAIs from the Corps and other Corps requirements
- Review of Vogtle EIS to see where information may be required for Levy
- USACE met with PEF and their consultant, Biological Resource Associates, to discuss wetlands mitigation. PEF presented an overview (same as that presented to the State) of conceptual wetland mitigation strategies/plans and potential mitigation sites. PEF indicated during this teleconference that there will be a follow-up visit for jurisdictional wetlands and delineation. A mitigation plan for the project was submitted to the State of Florida last week
- USACE interacted with CH2M Hill (Martha Klein) on January 22 and 23 to review jurisdictional determinations and wetlands delineation on the plant and haul road sites
- Discuss Purpose and Need
- Corps Public Notice will be submitted upon completion of DEIS
- NRC to review USACE Implementation Plan

Other

- Next teleconference: 1:00 pm EST, January 22, 2009
- Interactions with other agencies
 - o PEF continues to work with the FDEP such as the NPDES permitting group
 - o Public meetings regarding transmission lines (~200 miles) are scheduled for the following
 - Crystal River January 13, 2009
 - Brooksville January 14
 - Homosassa January 15

Schedule

- Scoping period ended December 23, 2008. Scoping Summary Report to be issued May 28, 2009
- RAIs
 - o PNNL/ISL prepares EIS RAIs November 18 - January 8
 - o NRC review of RAIs January 9 - January 23
 - o Resolution of EIS RAIs with PNNL/ISL January 26 - January 30
 - o OGC review of EIS RAIs January 30 - February 13
 - o Resolve comments on EIS RAIs February 17 - February 23
 - o RAIs issued to PEF February 24
 - o RAI Responses from PEF February 25 - March 27

Participants on Teleconference (January 6, 2009)

Paul Snead (PEF)
Arun Kapur (PEF)
Eric Woods (CH2M Hill)
Loren Young (CH2M Hill)
Scott Freeman (CH2M Hill)
Steve Wyngarden (ISL/ICF)
Mellissa DuMond (ISL/ICF)
Michael Smith (PNNL)
Michelle Moser (NRC)
Douglas Bruner (NRC)

**Teleconference Summary with PEF
Levy County & Shearon Harris COL
January 22, 2009, 1:00 PM EST**

Discussion Topic

Introductions

RAP2 transition to RAP 3

NRC has created a new Environmental Branch in the Office of New Reactors. Levy and Shearon Harris have been placed in the new Branch, RAP3. Michelle Moser will be the Alternate Project Manager for both sites. Doug Bruner and Don Palmrose will act as alternates for the other's site if Michelle is not available.

Information needs

- Status
 - o NRC received responses to PEF information needs discussed during the site audit via e-mail and the information needs have been distributed to PNNL/ISL and NRC staff. CD with references has been sent by PEF to the Document Control Desk for the public record
- SHPO
 - o Information on Cultural Resources requested during the site audit has been provided to the NRC with the exception of privileged or sensitive information. NRC staff will request privileged or sensitive information directly from SHPO
- Other
 - o Status of overall schedule for transmission lines studies and surveys to include a plan has been provided with PEF's response to information needs
 - o LWA vs. COL impacts – Revised text and tables for Section 4.6 and Section 4.8 are included as attachments with PEF's response to information needs

Managing Site Audit and Information

- Applicant has responded to the information needs discussed during the site audit. The information has been provided to the EPM, the Documents Processing Center, and forwarded to PNNL to assist with formulating and/or finalizing RAIs
- Letter responding to PEF's request to classify the location of alternative greenfield sites as proprietary is currently going through concurrence

USACE

The following items will be discussed with the Corps:

- Corps will review the Vogtle EIS to see where additional information may be necessary for the Levy EIS. Corps will be submitting this information to the NRC in the form of RAIs. Additional information may be forthcoming as time progresses
- Corps met with PEF during the week of January 19-23, to finalize the wetlands delineation. Delineation includes the site, heavy haul road and temporary roads
- Corps Public Notice notifying the public of the project will be submitted after the 404 Permit application is finalized

ENCLOSURE 2 (b)

PEF/NRC Interactions with Other Agencies/Public

- FDEP Staff Analysis Report is now complete. NRC will access this document via the State's website. Testimony and hearings start in February and end in April 2009. Ruling on the SCA is expected in September 2009
- PEF public meetings on transmission lines were held as scheduled
- Projected interactions include NPDES permitting agencies outside of the SCA

Schedule

- Scoping period ended December 23, 2008. Scoping Summary Report to be issued May 28, 2009
- RAIs
 - o PNNL/ISL prepares EIS RAIs (complete) November 18 - January 8
 - o NRC review of RAIs (complete) January 9 - January 23
 - o Resolution of EIS RAIs with PNNL/ISL January 26 - January 30
 - o OGC review of EIS RAIs January 30 - February 13
 - o Resolve comments on EIS RAIs February 17 - February 23
 - o RAIs issued to PEF February 24
 - o RAI Responses from PEF February 25 - March 27

Harris RAI Responses

- PEC working on responses
 - o Should be submitted by February 12, 2009
 - o PEC intends to submit their site selection report to be withheld under 10 CFR 2.390
 - o One document requested by the Staff concerns rare plants. This document was given to PEC under a MOU with the source. The need for this document will be reviewed by the NRC Staff and PEC is to be informed as to this outcome.
 - o Three references are copyrighted material and a fourth involves a calculation package in the aquatics ecology section of the NRC RAIs. Copyrighted material may need to be ordered by the NRC and the fourth reference is to be reviewed again.
- Need (PEC or NRC/USACE) for a conference call for RAI clarification or for PEC to brief NRC on anticipated responses
 - o PEC stated they understand the information requested by the RAIs and no clarification or additional briefings are needed at this time.

Revising Harris Schedule

- Open discussion
 - o Issue under the Safety review concerning the level of the Harris Reservoir still under discussion between NRC Staff and PEC
- Status of PEC's annual update of ER
 - o PEC response: Should be accomplished in June 2009

Other

- Next conference call: February 10, 1:00pm EST

Participants on Teleconference (January 22, 2009)

Paul Snead (PEF)	Steve Wyngarden (ISL/ICF)
Arun Kapur (PEF)	Mellissa DuMond (ISL/ICF)
Eric Woods (CH2M Hill)	Michael Smith (PNNL)
Loren Young (CH2M Hill)	Michelle Moser (NRC)
Scott Freeman (CH2M Hill)	Douglas Bruner (NRC)
	Don Palmrose (NRC)
	Tara O'Neil (PNNL)

**Teleconference Summary with Progress Energy
Levy and Harris COLAs
February 26, 2009, 1:00 PM EST**

Discussion Topic

Introductions

Levy County Environmental Review

NRC Activities

- Levy RAIs
 - RAIs were submitted to Progress Energy Corp. (PEC) on February 25, 2009. Responses from PEC are due March 27
 - Two RAIs have been identified as 4.7-1 in the package submitted to PEC. RAI 4.7-1 on page 26 under Socioeconomics/Environmental Justice should be identified as 4.7-3
 - Clarification was requested for RAI 2.5.2-2. The NRC is asking for the names of organizations contacted
 - The USACE submitted another RAI, USACE-11, to address Corps needs regarding alternative sites with regard to LEDPA
 - PEC will contact the NRC if they have questions regarding the RAIs or if a teleconference is going to be necessary
- NRC completed its review of binned scoping comments. PNNL is now drafting responses to the EIS scoping comments. NRC is scheduled to begin review of the responses on March 26
- NRC staff are currently addressing contentions

USACE

- The Corps is still evaluating jurisdictional determinations and wetlands delineation. The review may take up to an additional two months.
- There is an area of property in the northwest corner of the site that will be used for an administrative building and training facility. PEC is of the opinion that this area is independent of the plant site. If isolated wetlands are found then PEC may be requesting a "no permit required" determination
- Next week, PEC will provide sufficient information to the Corps for issuing the Corps' public notice for the 404 Section 10 Permit application. There is a 30-day public comment period after the notice is published

Other

- Hearings for the Levy Site Certification Application are occurring at the State level. Hearings this week are addressing the plant portion. Proposed transmission will be subject to the hearings in the following weeks

Schedule

- Scoping period ended December 23, 2008. Scoping Summary Report to be issued May 28, 2009
- RAIs
 - o RAIs issued to PEC Feb 25
 - o RAI Responses from PEC Feb 25 - Mar 27
 - o Drafting sections of the DEIS (PNNL) Jan 28 - Apr 24

ENCLOSURE 2 (c)

- DEIS Sections Review and Editing (PNNL) Apr 27 - Jun 22
- Review and comment of Preliminary DEIS (NRC) Jun 23 - Jul 7
- DEIS Writing Meeting at PNNL (NRC/PNNL) Jul 13 - Jul 17
- Edit DEIS after Writing Meeting (PNNL) Jul 20 - Aug 7
- NRC Issues FR Notice of Availability of DEIS Oct 21

Shearon Harris Environmental Review

Review of Responses to RAIs

- Open Items: Several RAI responses state documents or information would be provided later. Still being reviewed and discussed. Key items include:
 - NRC indicated the information expected to be included in these documents was key in the completion of the DEIS and wanted to confirm or establish dates that NRC could expect to receive them.
 - McCallum-Turner Site Selection report Date Unknown
 - PEC is hopeful that this report will be transmitted to NRC in early March 2009.
 - Wetlands delineation Feb. 2009
 - PEC is waiting for the contractor to send them a completed report. PEC anticipates the report should be sent to the NRC in April 2009.
 - Details of intake design, impacted aquatic habitats, construction period, and need for dredging Feb. 2009
 - PEC has not defined the details of the design yet but is working on this.
 - Emergent wetlands Apr. 2009
 - PEC indicated the work was to be done in February and a report is anticipated in April 2009
 - Wetlands delineation for Transmission ROW Apr. 2009
 - Work is not yet completed and a report should be available in the future when the work has been completed.
 - This is not likely to be available for the DEIS.
 - LEPDA analysis May 2009
 - A contractor has been selected (Environmental Systems, Inc.)
 - The kick-off meeting was held the week of February 16-20.
 - PEC is still hopeful on the May report date, but indicated that June was more likely
 - Instream flow studies Nov. 2009
 - Studies should be completed in November 2009.
 - This effort is interwoven with the modeling of withdrawals from Cape Fear River and the potential development of withdrawal requirements with State and other Federal permitting agencies.
 - Information not available for 5 USACE RAIs Date Unknown
 - ACE RAI #s 15, 28, 29, 30, and 31
 - Completion and report dates remain To Be Determined.
 - Cultural Resource Phase 1 Report March – May 2009
 - Field work for Phase 1 has been completed.
 - Summary report is being prepared with anticipated delivery date to PEC of mid- to late-March 2009.
 - PEC expects to delivery to SHPO in the April/May 2009 timeframe, given product is satisfactory.
 - PEC will alert NRC of the delivery to SHPO.

- Future (within a couple of weeks) discussion on the responses to several RAIs, such as:
 - NRC indicated the need of a conference call with PEC contractors and NRC/PNNL SMEs to discuss/clarify the following RAI responses and needs:
 - Air Quality RAI 2.7-2
 - Accident RAI 7.1-1
 - Terrestrial RAI 4.3.1-2
 - Land Use RAI 4.1.1-1
 - Transmission Lines RAI 3.7-1
 - Assumption(s) used for analysis of emergent wetlands
 - PEC indicated a document with applicable information should be in the reading room (submitted to reading room on February 5, 2009).
 - Alternative Site Selection RAI 9.4-1
 - In some cases there may be a need for a follow-on RAI to address an outstanding issue.
 - PEC understood and requested that the conference call be arranged no sooner than the week of March 16-20 to accommodate their contractor's schedules for the Levy RAI responses.
 - PEC also requested some information regarding our questions/issues and NRC be provided before the call to assist PEC staff and contractors in preparation for the discussions. NRC would send a short summary of the issues to PEC prior to the conference call.

Re-submitting SACTI CD-Rom

- The SACTI CD-Rom failed ADAMS processing and needs to be corrected then resubmitted. PEC will do so as soon as possible.

Confirmatory GIS Analysis

- Table 2.1-1: reversal of reactor center-points (coordinates for Unit 2 are reported for Unit 3 and vice versa)
 - NRC/PNNL expressed concern that this may have impact on various ER analyses; PEC agreed and would check it out
- Discrepancy in total acreage of transmission line
 - This may affect several disciplines including terrestrial and aquatic ecology, land use, transmission lines, and cultural resources.
 - This topic will likely be included in SME discussion of RAI 3.7-1 listed above

Schedule

NRC is currently evaluating the RAI responses with respect to potential impacts on the environmental review schedule. The LEPDA analysis from PEC is the current critical path for the environmental review. PEC delivery of the LEPDA analysis in June 2009 will result in a further delay. Discussions with PEC contractors and NRC/PNNL SMEs will allow for a better evaluation and determine the effects on the overall schedule. PEC indicated their willingness to help resolve this issue.

Participants on Teleconference (February 26, 2009)

Paul Snead (PEC)	Steve Wyngarden (ISL/ICF)
Arun Kapur (PEC)	Mellissa DuMond (ISL/ICF)
Joseph Pavletich (PEC)	Michael Smith (PNNL)
Eric Woods (CH2M Hill)	Ellen Prendergast-Kennedy (PNNL)
Loren Young (CH2M Hill)	Roger Dirkes (PNNL)
Scott Freeman (CH2M Hill)	Tara O'Neil (PNNL)
Don Hambrick (USACE)	Douglas Bruner (NRC)
Tom Fredericks (NRC)	Don Palmrose (NRC)

Next Teleconference: March 12, 2009, 1:00pm EST (proposed)

**Teleconference Summary with PEF/PEC
Levy and Harris COLAs
June 4, 2009, 1:30 PM EDT**

Discussion Topic

Introductions

Levy County Environmental Review

NRC and USACE

- NRC staff provided Progress Energy Florida (PEF) with a summary of the RAIs that will be sent to PEF when they finish going through the internal review process at NRC.
- Discussion on documents/data anticipated to be submitted to NRC
 - NRC previously requested contact information for Walter Frick, of the USEPA. Progress Energy provided NRC and PNNL staff an alternative contact since Walter Frick retired from the USEPA. The alternative contact, Lorin Davis at CH2MHill, worked on the hydrology model with Walter Frick, but did not work on the Levy Nuclear Plant Application.
 - Progress Energy has developed the Section 404(b)(1) Alternatives Analysis to support the LEDPA analysis (USACE RAI No. 11). It is currently undergoing legal review and will be sent to the USACE and NRC no later than June 30.

Schedule

- Scoping Summary Report issued May 28, 2009.
- Schedule for RAIs and DEIS
 - DEIS sections review and editing (PNNL) 04/27/09 – 06/22/09
 - Review and comment of preliminary DEIS (NRC) 06/23/09 – 07/07/09
 - DEIS writing meeting at PNNL (NRC/PNNL) 07/13/09 – 07/17/09
 - Edit DEIS after writing meeting (PNNL) 07/20/09 – 08/07/09
 - NRC issues FR Notice of Availability of DEIS 10/21/09
 - EPA issues FR Notice of Filing for DEIS 10/26/09

Shearon Harris Environmental Review

Updates on:

- Status of Phase 1 cultural resource Summary Report
 - This is expected to be sent to the SHPO on Friday, June 5. A proprietary copy will be sent to the NRC docket as well as placed in the reading room.
- Hydrology items
 - The below hydrology items will be addressed in ER, rev 1, which is expected to be delivered to the NRC on June 30.
 - Implementation of NEI 07-07 (references)

- ER Issues (GW Table 2.3-54 and text in ER, Pg 2-33 of the ER, Hydraulic Conductivity values)
- Progress will be providing supplemental RAI responses on June 5. These responses will include information on the following:
 - Site Selection process criteria clarification
 - Biota survey of fire pond
- The Conformity Determination is expected to be provided in the July 6th RAI supplemental responses. Conversations between NC and PEC staff provided helpful clarification of the NC information needs. PEC agreed that a phone discussion prior to submittal of their information and analysis was appropriate to assure the needed information is provided.
- Progress Energy does not intend to submit an application for the 404(b)(1) permit until around the time of the Final EIS. Because Monte Matthews, the USACE contact for Shearon Harris, was not available for this call, the following items will be discussed on a future phone call, which will occur as soon as possible, ideally on Friday, June 5, 2009:
 - 404(b)(1) Alternatives Analysis
 - Wetlands Delineation
 - Compensatory Mitigation

Other

- Next Teleconference: June 18, 2009, 1:00pm EDT (proposed).
- Participants on last Harris/Levy teleconference (April 23, 2009):

Paul Snead (PEC)	Michelle Moser (NRC)
Joseph Pavletich (PEC)	Don Palmrose (NRC)
Arun Kapur (PEC)	Nancy Kunzleman (NRC)
Eric Woods (CH3MHill)	Roger Dirkes (PNNL)
Loren Young (CH2M Hill)	Ellen Prendergast-Kennedy (PNNL)
Scott Freeman (CH2M Hill)	Rajiv Prasad (PNNL)
Don Hambrick (USACE)	Ann Miracle (PNNL)
	Bill Baber (ISL/ICF)
	Steve Wyngarden (ISL/ICF)