

September 16, 2009

Mr. James Scarola  
Senior Vice President  
and Chief Nuclear Officer  
Progress Energy, Inc.  
P.O. Box 1551  
Raleigh, NC 27602

SUBJECT: LEVY COUNTY NUCLEAR POWER PLANT UNITS 1 AND 2 COMBINED  
LICENSE APPLICATION – REVISED REVIEW SCHEDULE

Dear Mr. Scarola:

By letter dated July 28, 2008 (ADAMS Accession No. ML082260277), Progress Energy Florida, Inc. (PEF) submitted its application to the U.S. Nuclear Regulatory Commission (NRC) for a combined license (COL) for two AP1000 advanced passive pressurized water reactors pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 52. By letter dated February 18, 2009 (ML090350045), the NRC staff transmitted the Levy County Nuclear Power Plant (LNP) Units 1 and 2 COL Application (COLA) review schedule. For reasons described in more detail below, the NRC staff has reassessed the safety review schedule for the LNP Units 1 and 2 COLA. The revised safety review schedule is included in this letter and supports the issuance of a final safety evaluation report (FSER) in July 2011. Milestones for the remaining phases of the safety review are provided in Table 1. This letter does not include any update to the environmental review schedule.

As previously discussed with your staff, the material properties and characteristics of the LNP site require a more complicated review in the geotechnical and structural engineering areas. As stated in our letter dated February 18, 2009, the LNP Units 1 and 2 COLA review schedule assumes that responses to Requests for Additional Information (RAIs) will be complete and provide sufficient information to address the NRC staff's concerns. In addition, our schedule assumes that RAI responses will be submitted within 30 days of receipt of RAIs related to areas that involve LNP specific information. Although some of your responses to geotechnical and structural engineering RAIs have been received within 30 days, many responses have been submitted later than the assumed 30 day time period. The revised safety review schedule in this letter accounts for the actual submittal dates of your RAI responses.

J. Scarola

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Because the LNP Units 1 and 2 COLA incorporates by reference both Appendix D to 10 CFR 52 and the AP1000 Design Control Document, a substantial portion of your COLA review schedule is dependent on the review schedule for the AP1000 Design Certification Amendment. In addition, as a subsequent combined license applicant, the LNP Units 1 and 2 COLA review schedule is also dependent on the review schedule for the Southern Nuclear Operating Company Vogtle Electric Generating Plant (VEGP) Units 3 and 4 COLA (the Reference COLA for the AP1000 design center). Should any major revisions to the AP1000 Design Certification Amendment, the Vogtle Reference-COLA, or the LNP COLA occur, we will review and re-baseline schedules, as necessary.

Should you have any questions regarding the safety review, please contact me at (301) 415-9967 or Brian.Anderson@nrc.gov.

Sincerely,

*/RA/*

Brian C. Anderson, Lead Project Manager  
AP1000 Projects Branch 1  
Division of New Reactor Licensing  
Office of New Reactors

Docket Nos. 52-029  
52-030

Because the LNP Units 1 and 2 COLA incorporates by reference both Appendix D to 10 CFR 52 and the AP1000 Design Control Document, a substantial portion of your COLA review schedule is dependent on the review schedule for the AP1000 Design Certification Amendment. In addition, as a subsequent combined license applicant, the LNP Units 1 and 2 COLA review schedule is also dependent on the review schedule for the Southern Nuclear Operating Company Vogtle Electric Generating Plant (VEGP) Units 3 and 4 COLA (the Reference COLA for the AP1000 design center). Should any major revisions to the AP1000 Design Certification Amendment, the Vogtle Reference-COLA, or the LNP COLA occur, we will review and re-baseline schedules, as necessary.

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Sincerely,

*/RA/*

Brian C. Anderson, Lead Project Manager  
 AP1000 Projects Branch 1  
 Division of New Reactor Licensing  
 Office of New Reactors

Docket Nos. 52-029  
 52-030

cc w/encl: See next page

Enclosure: Revised COL Safety Review Schedule

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**Table 1: Revised COL Safety Review Schedule**

| <b>Phase of Safety Review</b> |   | <b>Target Completion Date</b> |
|-------------------------------|---|-------------------------------|
| Phase A                       | RAIs and Supplemental RAIs  | May 5, 2010                   |
| Phase B                       | Advanced Final Safety Evaluation Report (SER)<br>without Open Items       | December 14, 2010             |
| Phase C                       | Advisory Committee on Reactor Safeguards Meeting<br>On Advanced Final SER | April 21, 2011                |
| Phase D                       | Final SER Issued  | July 14, 2011                 |

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(Revised 08/25/2009)

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