

July 15, 2010

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In the Matter of
Progress Energy Florida, Inc.
(Levy County Nuclear Power Plant, Units 1 and 2)
Docket Nos. 52-029 and 52-030

Dear Parties:

Pursuant to the Licensing Board's Memorandum and Order dated August 27, 2009, the Staff is providing the parties an index identifying updates to the hearing file and mandatory disclosures in accordance with 10 C.F.R. §§ 2.1203 and 2.336. For purposes of producing the mandatory disclosures and hearing file, and considering any document as privileged or protected, the Staff treated documents created by agents and contractors of the NRC the same as if those documents were created by the Staff. The index contains the ADAMS accession number, date, and title of each item so as to make the item readily retrievable from the agency's website, www.nrc.gov, using the ADAMS "Find" function in accordance with 10 C.F.R. § 2.1203. Additionally, within a few days of this notification, the Staff will have created a separate folder in the agency's Electronic Hearing Docket ("EHD") associated with this proceeding, entitled "Levy Hearing File." Also attached is the Affidavit of Brian Anderson, as required by 10 C.F.R. § 2.336(c).

In accordance with the Licensing Board's August 27, 2009, and September 3, 2009 Orders, relieving all parties from the obligation of producing privilege logs, as otherwise required by 10 C.F.R. §§ 2.336(a)(3) and 2.336(b)(5), the Staff herein produces a log containing all documents withheld as proprietary, security-related, and safeguards. As directed by the Licensing Board, the Staff shall preserve and maintain all privileged and/or otherwise protected documents during the pendency of this proceeding.

Respectfully submitted,

/signed (electronically) by/

Kevin C. Roach

Counsel for the NRC Staff

Enclosures: Attachment 1: Hearing File Index
Attachment 2: Privilege Log
Attachment 3: Affidavit of Brian Anderson

Attachment 1**Levy County COL Hearing File and Mandatory Disclosures
Hearing File Index
Update 9 – July 15, 2010**

	Accession Number	Document Date	Title/Description
9-1	ML101820632	05/27/2004	Study of Construction Technologies and Schedules, O&M Staffing and Cost, Decommissioning Costs and Funding Requirements for Advanced Reactor Designs.
9-2	ML101540547	06/03/2010	05/27/2010 - Notice of a Forthcoming Closed Meeting with AP1000 Combined License Applicants Regarding Loss of Large Areas Due to Fire or Explosions.
9-3	ML101540589	06/03/2010	06/03/2010 Notice of Forthcoming Closed Meeting With AP1000 Combined License Applicants Regarding Loss of Large Areas Due to Fire or Explosions.
9-4	ML101650098	06/08/2010	Levy, Unit 1 & 2, Supplement 1 to Response to Request for Additional Information Letter No. 055 Related to Foundations.
9-5	ML101650107	06/08/2010	Levy, Units 1 & 2, Supplement 3 to Response to Request for Additional Information letter No. 003 Related to Information Systems Important to Safety.
9-6	ML101650108	06/08/2010	Levy, Units 1 & 2, Supplement 1 to Response to Request for Additional Information Letter No. 064 Related to Radiation Protection Design Features.
9-7	ML101650100	06/10/2010	Levy, Units 1 and 2, SSI Analysis - Scope Description.
9-8	ML101650531	06/10/2010	Levy, Units 1 & 2 - Supplement 1 to Response to Request for Additional Information Letter No. 068 Related to Probabilistic Risk Assessment and Severe Accidents.
9-9	ML101650533	06/10/2010	Levy, Units 1 & 2, Supplement 2 to Response to Request for Additional Information Letter No. 069 Related to Probabilistic Risk Assessment and Severe Accidents.
9-10	ML101720201	06/10/2010	2010/06/10 Levy County COL - Oklahoma Nation of Oklahoma - Levy
9-11	ML101200253	06/11/2010	IR 05200029-10-201, IR 05200030-10-201, on 04/12/10 - 04/16/10, Levy Units 1 and 2.
9-12	ML100960542	06/14/2010	Summary of Teleconferences with PEF to Discuss RAIs Associated with the Environmental Review of the COLA for LNP Units 1 and 2.

	Accession Number	Document Date	Title/Description
9-13	ML100960553	06/14/2010	Teleconference Summary for October 15, 2009, and Additional Clarifying Questions to be Discussed October 22, 2009, Levy, Units 1 & 2 Combined License Application.
9-14	ML100960558	06/14/2010	Teleconference Summary for Levy, Units 1 & 2 Combined License Application October 22, 2009.
9-15	ML100960563	06/14/2010	Teleconference Summary for Levy, Units 1 & 2 Combined License Application October 30, 2009.
9-16	ML100960567	06/14/2010	Teleconference Summary for Levy, Units 1 & 2 Combined License Application November 9, 2009.
9-17	ML100960582	06/14/2010	Teleconference Summary for Levy, Units 1 & 2 Combined License Application January 14, 2010.
9-18	ML101690453	06/16/2010	Levy Nuclear Plant, Units 1 & 2 - Supplement 1 to Response to Request for Additional Information Letter No. 079 Re Offsite Power System.
9-19	ML101740490	06/18/2010	Levy, Units 1 & 2; Response to Request for Additional Information Letter No. 089 Related to Probable Maximum Flood on Streams and Rivers.
9-20	ML101740491	06/18/2010	Levy, Units 1 & 2 - Response to Request for Additional Information Letter No. 090 Related to Probable Maximum Surge and Seiche Flooding.
9-21	ML101720665	06/21/2010	2010/06/21 Levy County COL - Levy County Units 1 and 2 Review Status
9-22	ML101740492	06/21/2010	Levy, Units 1 & 2 - Response to Request for Additional Information Letter No. 091 Related to Groundwater.
9-23	ML101830016	06/23/2010	Levy, Units 1 and 2 - Response to Request for Additional Information Letter No. 092 Related to Accidental Releases of Radioactive Liquid Effluents in Ground and Surface Waters.
9-24	ML101820645	06/30/2010	Levy, Units 1 and 2, Response to Comments Received on Section 404 (b)(1) Alternatives Analysis, Revision 3.
9-25	ML101820643	07/01/2010	Electric Power Annual: Electric Power Industry 2008: Year in Review.

	Accession Number	Document Date	Title/Description
9-26	ML101820644	07/01/2010	Net Generation by Energy Source: All Sources.
9-27	ML101830254	07/02/2010	FERC Final EIS for FGT Phase VII.
9-28	ML101830272	07/02/2010	Crystal River Nuclear Power Plant At a Glance.
9-29	ML101830285	07/02/2010	Facility Detail Report from EPA on CEMEX Inglis Quarry.
9-30	ML101830292	07/02/2010	Facility Detailed Report from EPA on Crystal River Limestone Quarry.
9-31	ML101830295	07/02/2010	Facility Detail Report Crystal River - Lecanto Facility.
9-32	ML101830297	07/02/2010	Facility Detailed Report from EPA Florida Rock Industries - Gulf H.
9-33	ML101830301	07/02/2010	EPA Database Results for Anderson Materials, Inc.
9-34	ML101830302	07/02/2010	EPA Database Results for Bell Concrete.
9-35	ML101870716	07/06/2010	2010/07/06 Levy County COL - Levy County Units 1 and 2 Review Status

**Attachment 2 Levy County COL Hearing File and Mandatory Disclosures
Privilege Log -- Proprietary Information, Security-Related Information, and Safeguards Information
Update 9 – July 15, 2010**

Certain documents otherwise subject to inclusion in the hearing file and mandatory disclosures for this proceeding have been determined by the NRC Staff to contain trade secrets, privileged or confidential commercial or financial information subject to withholding from public disclosure pursuant to 10 C.F.R. § 2.390. In addition, some documents have been determined by the NRC staff to contain security-related information authorized to be withheld under § 2.390(d)(1). Finally, some documents contain Safeguards Information, which is withheld from disclosure pursuant to the following statutory and regulatory provisions: Section 147 of the Atomic Energy Act of 1954, as amended, and 10 C.F.R. §§ 2.390(a)(3), 73.21, and 73.22. Pursuant to 10 C.F.R. § 2.336(b)(5), the Staff is providing this log to identify the following documents, designated “proprietary,” or security related and subject to protected status under Section 2.390.

	Accession Number	Author Name/ Affiliation:	Title/Description	Document Date	Document Type	Addressee / Addressee Affiliation	Comment	Pages
9-1	ML 101650532	Progress Energy Florida, Inc	Enclosure to NPD-NRC-2010-044 - Supplement 1 to Response to LNP-RAI-LTR-068 Involving Loss of Large Areas of the Plant Mitigative Strategies Plan.	06/10/2010	- No Document Type Applies	NRC/NRO	Security related information withheld as proprietary pursuant to 10 C.F.R. 2.390(d)	3
9-2	ML 101650534	Progress Energy Florida, Inc	Levy, Units 1 and 2, Enclosure, Supplement 2 to Response to LNP-RAI-LTR-069 Involving the Loss of Large Areas of the Plant Mitigative Strategies Plan.	06/10/2010	- No Document Type Applies	NRC/NRO	Security related information withheld as proprietary pursuant to 10 C.F.R. 2.390(d)	8

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	
)	Docket Nos. 52-029-COL
Progress Energy Florida, Inc.)	52-030-COL
)	
Levy County Nuclear Plant,)	

AFFIDAVIT OF BRIAN ANDERSON CONCERNING
MANDATORY DISCLOSURE REQUIREMENTS OF 10 C.F.R. § 2.336(d)

I, Brian Anderson, do hereby state as follows:

1. I am employed as a Senior Project Manager in the AP1000 Projects Branch 1 of the Division of New Reactor Licensing in the Nuclear Regulatory Commission's ("NRC") Office of New Reactors. I serve as project manager for the NRC's review of the Combined License Application submitted by Progress Energy Florida, at issue in this proceeding.

2. In accordance with the Licensing Board's August 27, 2009 and September 3, 2009 Memorandum and Orders, I hereby certify that subject to the mandatory disclosure and hearing file requirements, the NRC staff has conducted a reasonable good faith search for all relevant materials and from these materials, the NRC staff has only exempted from disclosure documents or information exempted from disclosure pursuant to the law, including NRC regulations or the Licensing Board's August 27, 2009 and September 3, 2009, Memorandum and Orders. The NRC staff has not excluded any information due to it not being reasonably accessible because of undue burden or cost. The disclosures are accurate and complete as of July 1, 2010.

3. I hereby certify under penalty of perjury that the foregoing is true and complete to the best of my knowledge, information, and belief.

Executed in Accord with 10 CFR § 2.304(d)

Brian Anderson
Senior Project Manager, AP1000 Projects Branch 1
Division of New Reactor Licensing
U.S. Nuclear Regulatory Commission
Mail Stop T-6 D-23
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(301) 415-9967
Brian.Anderson@nrc.gov

Executed in Rockville, MD
this 17th day of July, 2010