



10 CFR 52 Appendix D, subsection X.B

Serial: NPD-NRC-2010-077  
October 4, 2010

U.S. Nuclear Regulatory Commission  
ATTN: Document Control Desk  
Washington, D.C. 20555

**Subject: Levy Nuclear Plant Units 1 and 2  
Docket Nos. 52-029 and 52-030  
Submittal of COL Application, Revision 2**

Ladies and Gentlemen:

This letter provides Progress Energy Florida, Inc.'s (PEF) update to the Levy Nuclear Plant, Units 1 and 2, (LNP) combined license (COL) application submitted by PEF letter NPD-NRC-2008-022, dated July 28, 2008. This update includes the annual update of the docketed Final Safety Analysis Report (Part 2 of the LNP COL application) as required by 10 CFR Part 52, Appendix D, subsection X.B. Additionally, other parts (i.e., Parts 1, 4, 5, 9, 10, and 11) of the LNP COL application are also updated. Each revision to the LNP COL application is identified by revision bars in the margin for text and tables and by the revision number for figures.

This update includes changes identified by previous correspondence, including responses to requests for additional information submitted to the NRC through June 2010, voluntary and supplemental responses, changes to corporate officers, and miscellaneous errata items. This application revision also includes changes identified as standard by the R-COLA applicants in responses to requests for additional information (RAIs), Safety Evaluation Report Open Items (OIs) and other voluntary submittals through mid-July 2010. Also included are standard and site-specific changes necessary to reflect the incorporation by reference of some template revisions submitted by the Nuclear Energy Institute (NEI).

This application revision incorporates by reference the Westinghouse Electric Company's (Westinghouse's) application for amendment to portions of the AP1000 Design Control Document (DCD) Revision 17 (submitted September 22, 2008), and also includes information to address Westinghouse changes to the DCD submitted by letter through approximately the end of June 2010, and which will be included in a future revision of the DCD.

A document identifying each change, as well as its source or basis, is being prepared as an aid to the NRC reviewers and will be submitted by a separate letter by October 15, 2010.

The LNP COL application is composed of several parts. Each of these is identified below along with indication of any revision contained in this document update.

Part 1 - General and Financial Information (Revision 2 included).

Revised to update corporate officers and Board of Directors, and update general information since the submittal of the LNP COL application. Financial information withheld as proprietary and submitted in Part 9.

Part 2 - Final Safety Analysis Report (FSAR) (Revision 2 included).

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P.O. Box 14042  
St. Petersburg, FL 33733

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Revised as described above to incorporate LNP-specific and R-COLA standard responses to NRC RAIs, OIs, voluntary submittals, miscellaneous errata, NEI templates and conforming changes to reflect the incorporation by reference of Westinghouse AP1000 DCD information.

Part 3 - Environmental Report (Revision 1).

The draft Environmental Impact Statement (NUREG-1941) was published in the Federal Register on August 13, 2010, thus the Environmental Report contained in the COLA remains at Revision 1 and revisions based on responses to RAIs are not provided. Pursuant to 10 C.F.R. §51.45(a) and reflecting that the draft EIS has been issued, Progress may in the future supplement the Environmental Report only as necessary to address substantial changes or significant new circumstances or information that meet the criteria of 10 C.F.R. §51.72(a) or §51.92(a), as applicable.

Part 4 - Technical Specifications (Revision 2 included).

Revised to incorporate changes due to the establishment of a setpoint control program. An additional update to this Part will be provided following the next DCD update of the Generic Technical Specifications for the AP1000).

Part 5 - Emergency Plan (Revision 2 included).

Revised to reflect changes due to site-specific RAI responses.

Part 6 – Limited Work Authorization (Revision 1).

Part 7 - Departures and Exemption Requests (Revision 1).

Part 8 – Safeguards/Security Plans (no revision in this update - Revision 2 is latest submittal).

Part 8 - Safeguards/Security Plans, and other security related information (including Fitness For Duty (FFD) information and changes identified in RAI responses) are not current due to the state of flux of the information. An update was provided on September 9, 2009, to reflect the 10 CFR 73 rule changes and the associated revisions to the corresponding NEI templates. A revision to update the plans and incorporate RAI responses will be provided under separate letter by the end of 2010.

Part 9 - Withheld Information (Revision 2 included).

Part 9 of the application contains certain financial information that PEF requested the NRC to withhold from public disclosure in accordance with the requirements of 10 CFR 2.390 in the original application and has been updated to reflect current cost estimates. In support of this request for continuing proprietary treatment of the information in Part 9, PEF is enclosing a copy of the original affidavit that was submitted when the information was initially provided. Part 9 also contains state and local radiological emergency plans designated as "Sensitive-Federal, State, Foreign Government, and International Agency Controlled," as requested by the NRC. In addition, Part 9 is revised to include a plan related to cyber security regulations.

Part 10- Proposed License Conditions (including Inspections, Tests, Analyses, and Acceptance Criteria [ITAAC]) (Revision 2 included).

Revised to incorporate LNP-specific and R-COLA standard RAI responses, voluntary submittals, responses to SER OIs, revisions of the DCD, and miscellaneous errata.

Part 11 - Enclosures (Revision 3 included).

Revised to provide an updated Quality Assurance Program Description and to include a plan related to cyber security regulations.

This LNP COL application update contains no restricted data or national defense information requiring separation in accordance with 10 CFR 50.33.

Consistent with common licensing practice and the original LNP COL application, most of the updated application text is written in the present tense, active voice, including discussions of facilities and programs not yet built or implemented. Exceptions to this approach are the discussions of operating experience and completed studies and evaluations, which are written in the past tense. It should be understood, however, that statements regarding facilities (e.g., structures, systems and components) and pre-construction, pre-operational, and operational activities (e.g., procedures and programs) typically address activities that have not yet been performed and will not be performed until it is reasonable and appropriate to do so.

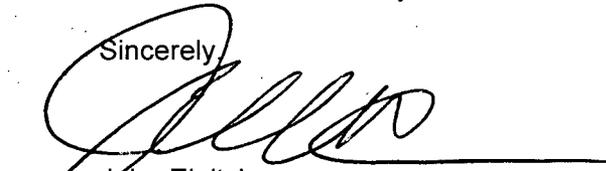
A set of the revised LNP COL application documents (by Part as identified above) is provided in electronic file format on the enclosed disk (Enclosure 2). Enclosure 2 contains the non-public version revised LNP COL application. Appropriate pre-submission checks have been successfully performed on the files to confirm compliance with the guidelines provided on the NRC web site, which have been found acceptable for electronic submittal. A pre-flight report for Enclosure 2 is provided as Enclosure 3. The disk includes a "packing slip" describing its contents, pursuant to NRC instructions for electronic filing.

If you have any questions, or need additional information, please contact Bob Kitchen at (919) 546-6992, or me at (727) 820-4481.

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

Executed on this 4th day of October, 2010.

Sincerely,



John Elnitsky  
Vice President  
New Generation Programs & Projects

- Enclosures:
1. Affidavit from PEF letter NPD-NRC-2008-022, dated July 28, 2008
  2. Levy Nuclear Plant, Units 1 and 2, COL Application, Revision 2, Non - Public Version, (electronic submittal)
  3. Levy Nuclear Plant, Units 1 and 2, COL Application, Revision 2, Non - Public Version, Pre-flight Report

cc : U.S. NRC Region II, Regional Administrator (w/o Enclosure 2)  
Mr. Brian Anderson, U.S. NRC Project Manager (w/o Enclosure 2)  
Mr. Douglas Bruner, U. S. NRC Environmental Project Manager (w/o Enclosure 2)

bc : John Elnitsky, Vice President – NGPP (w/o enclosures)  
Robert Kitchen, Manager-Nuclear Plant Licensing (w/o enclosures)  
Tillie Wilkins, NGPP-Licensing (w/o enclosures)  
John O'Neill, Jr. (Pillsbury Winthrop Shaw Pittman, LLP) (w/o enclosures)  
A. K. Singh (Sargent & Lundy, LLC) (w/o enclosures)  
Cynthia Malecki (Sargent & Lundy, LLC)  
Lorin Young (CH2M HILL) (w/o enclosures)  
John Archer (WorleyParsons) (w/o enclosures)  
NGPP Records Inbox  
File: NGPP (Dawn Bisson)

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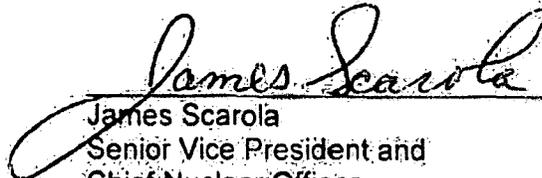
Enclosure 1 to Serial: NPD-NRC-2010-077

Affidavit from July 28, 2008 Letter, 2 pages

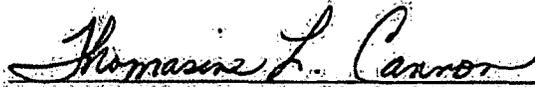


- d. The proprietary information sought to be withheld from public disclosure is identified in Part 9 of the COL application and is marked as proprietary as it appears in the application.
- e. The information is transmitted to the NRC in confidence and under the provisions of 10 CFR 2.390; it is to be received in confidence by the NRC.

James Scarola, being dully sworn, states that he is Senior Vice President and Chief Nuclear Officer, Progress Energy, Inc., that he is authorized on the part of said Company to sign and file with the U. S. Nuclear Regulatory Commission this combined license application for the Levy Nuclear Power Plant Units 1 and 2, and that all the matter and facts set forth herein are true and correct to the best of his knowledge.

  
James Scarola  
Senior Vice President and  
Chief Nuclear Officer

Subscribed and sworn to before me, a Notary Public, in and for the county and state above named, this 28 day of July 2008.

  
Notary Public in and for the State of North Carolina

My Commission Expires: 9-18-2010



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Enclosure 3 to Serial: NPD-NRC-2010-077

Levy Nuclear Plant, Units 1 and 2 COL Application, Revision 2, Non-Public Version, (electronic  
submittal) Pre-flight Report

This document serves as a pre-flight report for the Levy COLA Submittal 4. The following files (mostly individual figure files) do not pass pre-flight or do not meet NRC criteria, but text is word searchable and clarity/legibility is of high quality.

No.	File Name	Preflight Status	Reason
<b>Part 1 – General and Financial Information</b>			
1	LNP_Part01_General_and_Financial_Information.pdf	Error/Failed	< 300 ppi (due to company logos on the financial reports)
<b>Part 2 – FSAR</b>			
1	LNP_FSAR_APP02_CC.pdf	Error/Failed	Figure resolution is less than 300 ppi
2	LNP_FSAR_FIG01_01_201.pdf	Error/Failed	Figure resolution is less than 300 ppi
3	LNP_FSAR_FIG02_05_04_05_204.pdf	Error/Failed	Figure resolution is less than 300 ppi; Figure is output from an engineering analysis program; highest output resolution used
<b>Part 4 – Technical Specifications</b>			
1	LNP_Part04_Technical_Specifications.pdf	Error/Failed	< 300 ppi for two figures
<b>Part 5 - Emergency Plan</b>			
1	LNP_EP_FIG_Intro-3.pdf	Error/Failed	Figure resolution is less than 300 ppi
2	LNP_EP_FIG_Intro-4.pdf	Error/Failed	Figure resolution is less than 300 ppi
3	LNP_EP_SUPP_UNITS_1_and_2_EAL_BASIS_DOC.pdf	Error/Failed	< 300 ppi for one figure
4	Citrus County - Cert. Letter.pdf	Error/Failed	< 300 ppi, font not embedded
5	Citrus Memorial Hospital - Cert. Letter.pdf	Error/Failed	Font not embedded
6	Dept. of Public Safety - Cert. Letter.pdf	Error/Failed	< 300 ppi, font not embedded

No.	File Name	Preflight Status	Reason
7	Florida DEM - Cert. Letter.pdf	Error/Failed	< 300 ppi, font not embedded
8	Levy County - Cert. Letter.pdf	Error/Failed	< 300 ppi, font not embedded
9	Marion County - Cert. Letter.pdf	Error/Failed	< 300 ppi, font not embedded
10	Nature Coast EMS - Cert. Letter.pdf	Error/Failed	Font not embedded
11	Seven Rivers Medical - Cert. Letter.pdf	Error/Failed	Font not embedded
<b>Part 9 – SUNSI Information</b>			
1	Citrus County Emergency Plan Part 01 - Draft.pdf	Error/Failed	< 300 ppi, font not embedded due to OCR
2	Citrus County Emergency Plan Part 02 - Draft.pdf	Error/Failed	font not embedded due to OCR
3	Levy County Emergency Plan Part 01 – Draft.pdf	Error/Failed	< 300 ppi, font not embedded due to OCR
4	Levy County Emergency Plan Part 02 – Draft.pdf	Error/Failed	< 300 ppi, font not embedded due to OCR
5	Marion County Emergency Plan Part 01 – Draft.pdf	Error/Failed	< 300 ppi
6	State of Florida REMP – Annex A – Appendix VI-Draft.pdf	Error/Failed	< 300 ppi
7	State of Florida REMP – Annex A-Draft.pdf	Error/Failed	< 300 ppi
<b>Part 11 – Reference Info</b>			
1	LNP_Part11_QAPD.pdf	Error/Failed	Font not embedded due to OCR, < 300 ppi due to logos, signatures, and figures