

November 30, 2010

Mr. John Elnitsky  
Vice President, Nuclear Plant Development  
Progress Energy Florida, Inc.  
P.O. Box 14042  
Saint Petersburg, FL 33733

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

Dear Mr. Elnitsky:

By letter dated July 28, 2008 (Agencywide Documents Access and Management System (ADAMS) Accession Number 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. The LNP COL application review schedule has been previously communicated to you in several letters. This letter updates and replaces the safety review schedule discussed in the letter dated September 16, 2009 (ML092400041). Further, this letter also changes the environmental review schedule that was discussed in the letter dated January 20, 2010 (ML100070638). The review supports the issuance of a Final Safety Evaluation Report (FSER) and a Final Environmental Impact Statement (FEIS) in April 2012.

#### **Safety Review Schedule**

The LNP Units 1 and 2 COL application incorporates by reference both Appendix D to 10 CFR 52 and the AP1000 Design Control Document amendment submitted by Westinghouse as Revision 17. Therefore, a substantial portion of the LNP Units 1 and 2 COL review schedule is dependent on the review schedule for the AP1000 Design Certification Amendment (DCA). In a letter dated June 21, 2010 (ML101680069), the NRC issued a revision to the review schedule for the AP1000 DCA. Because the technical issues on the DCA required substantial resources well beyond those originally planned, the staff's efforts to complete the design certification amendment has had a resultant impact on the review schedules for plants referencing the AP1000 design. The LNP Units 1 and 2 safety review schedule has been updated to account for the AP1000 DCA schedule provided in the June 21, 2010, letter and the resources impacts incurred to complete the design certification amendment review. The revised LNP Units 1 and 2 safety review schedule is provided in Table 1 of this letter and remains dependent on the AP1000 DCA review schedule. In addition, as a subsequent combined license applicant, the LNP Units 1 and 2 safety review schedule is also dependent on the review schedule for the Southern Nuclear Operating Company Vogtle Electric Generating Plant Units 3 and 4 COL application (the Reference COL application for the AP1000 design center). Should any revisions to the AP1000 DCA, Vogtle Reference COL application, or LNP COL application occur, we will further revise the safety review schedule, as necessary.

**Environmental Review Schedule**

In accordance with the January 20, 2010, environmental review schedule letter, the LNP Draft Environmental Impact Statement (DEIS) was issued on August 6, 2010. The comment period on the DEIS ended on October 27, 2010. Although not all inclusive, comments received include the need for clarification on transmission line routes; a Phase 1 cultural resources survey; and U.S. Fish and Wildlife Service federally-listed species surveys.

In addition, the U.S. Army Corps of Engineers will require additional information to meet its requirements under the Federal Water Pollution Control Act, such as avoidance, minimization and mitigation of wetlands onsite and offsite; and more specific information on wetland functions and values at the non-preferred alternative site locations. Because of the number and complexity of the issues remaining for the NRC and USACE, the schedule for issuance of the FEIS could not be sustained and has been extended, but will not exceed the issuance date of the FSER. PEF will be notified of any additional changes in the environmental review schedule by future correspondence.

We will look for opportunities to mitigate these schedule impacts as the staff works through the remaining technical and environmental issues on this application.

Should you have any questions regarding the safety review schedule, please contact Brian Anderson at (301) 415-9967 or e-mail at [brian.anderson@nrc.gov](mailto:brian.anderson@nrc.gov). Should you have any questions regarding the environmental review schedule, please contact Doug Bruner at (301) 415-2730 or e-mail at [douglas.bruner@nrc.gov](mailto:douglas.bruner@nrc.gov).

Sincerely,

**/RA/**

David Matthews, Director  
Division of New Reactor Licensing  
Office of New Reactors

Docket Nos.: 52-029 and 52-030

Enclosure:

Table 1 Revised Safety Review Schedule for LNP Units 1 and 2 Combined License Application

cc: See next page

**Environmental Review Schedule**

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Sincerely,  
**/RA/**

David Matthews, Director  
 Division of New Reactor Licensing  
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cc: See next page

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**NRO-002**

OFFICE	LA:DNRL/NWE1	PM:DNRL/NWE1	BC:DSER/RAP3	OGC
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DATE	11/15/2010	11/15/2010	11/15/2010	11/17/2010
OFFICE	BC:DNRL/NWE1	DD:DSER	DD: DNRL	
NAME	JCruz	SFlanders	DMatthews	
DATE	11/18/2010	11/22/2010	11/30/2010	

**Table 1: Revised Safety and Environmental Review Schedule for the Levy County Units 1 and 2 Combined License Application**

<b><u>Phase of Safety Review</u></b>	<b><u>Target Completion Date</u></b>
Phase A Requests for Additional Information (RAIs) and Supplemental RAIs	Completed – March 2010
Phase B Advanced Safety Evaluation Report (SER) with no Open Items (OIs)	September 2011
Phase C ACRS review of Advanced SER with no OIs	January 2012
Phase D Final SER Issued	April 2012
<b><u>Phase of Environmental Review</u></b>	<b><u>Target Completion Date</u></b>
Phase 1 Environmental Impact Statement scoping report issued	Completed – May 2009
Phase 2 Draft Environmental Impact Statement (DEIS)	Completed – August 2010
Phase 3 Response to public comments on DEIS completed	November 2011
Phase 4 Final Environmental Impact Statement	April 2012

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(Revised 06/23/2010)

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