June 8, 2011

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

SUBJECT: LEVY NUCLEAR POWER PLANT, UNITS 1 AND 2 COMBINED LICENSE APPLICATION – ADVANCED SAFETY EVALUATION WITHOUT OPEN ITEMS FOR CHAPTER 16, "TECHNICAL SPECIFICATION"

Dear Mr. Elnitsky:

The U.S. Nuclear Regulatory Commission (NRC) staff is preparing an advanced safety evaluation (ASE) without open items (OIs) for each chapter of the Levy Nuclear Power Plant (LNP), Units 1 and 2 Combined License Application (COLA) submitted by Progress Energy Florida, Inc (PEF) on July 28, 2008.

The staff's ASE without OIs for Chapter 16, "Technical Specification," is being provided to the Advisory Committee on Reactor Safeguards (ACRS) Subcommittee to support upcoming meetings of the ACRS Subcommittee, scheduled to be held in October 2011.

The enclosed ASE without OIs is being provided only to PEF for review of proprietary information pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) 2.390 "Public Inspections, Exemptions, Requests for Withholding." The staff concludes that the enclosed ASE does not contain any information for which exemption from public disclosure has been sought or approved or any factual errors. However, the NRC will withhold the enclosed ASE from public disclosure for ten business days from the date of this letter to allow you the opportunity to verify the staff's conclusion that the ASE contains no such exempt information or any factual errors. If within that ten day period, you do not request that all or portions of the ASE be withheld from public disclosure, the enclosure will be made available for public inspection through the NRC Public Document Room and the Publicly Available Records component of the NRC's Agencywide Documents Access and Management System and placed on the NRC's public web page for this application.

Document transmitted herewith contains sensitive unclassified information. When separated from the enclosure, this document is "DECONTROLLED."

If you have any questions or comments concerning this matter, please contact Mr. David Misenhimer at (301) 415-6590, david.misenhimer@nrr.gov or Mr. Brian Anderson, the lead project manager for the LNP COLA , at (301) 415-9967, brian.anderson@nrc.gov.

Sincerely,

/RA/

Jeffrey Cruz, Chief
AP1000 Projects Branch (NWE 1)
Division of New Reactor Licensing
Office of New Reactors

Docket Nos. 52-029
52-030

Enclosure:
Safety Evaluation, Chapter 16

cc w/o encl: See next page

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Safety Evaluation, Chapter 16

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