June 9, 2011

MEMORANDUM TO: Edwin M. Hackett, Executive Director
Advisory Committee on Reactor Safeguards

FROM: David B. Matthews, Director /*RA FAkstulewicz for/*
Division of New Reactor Licensing
Office of New Reactors

SUBJECT: LEVY NUCLEAR POWER PLANT, UNITS 1 AND 2 COMBINED LICENSE APPLICATION – ADVANCED SAFETY EVALUATION WITHOUT OPEN ITEMS FOR CHAPTER 17, "QUALITY ASSURANCE"

By letter dated July 28, 2008 (ML082260277), Progress Energy Florida, Inc. (PEF) submitted an application to the U.S. Nuclear Regulatory Commission (NRC) for a combined license (COL) for Levy Nuclear Power Plant (LNP) Units 1 and 2.

Based on our review of the application, the staff is providing the Advisory Committee on Reactor Safeguards (ACRS) its Advanced Safety Evaluation (ASE), without open items for Chapter 17, "Quality Assurance" (ML110180232). Unless otherwise stated in the ASE, the staff's review was based on Revision 2 of the application. The ASE is being provided to support a meeting of the subcommittee of the ACRS in October 2011. The ACRS full committee meeting will be held after the subcommittee meeting.

For Chapter 17, the staff has reviewed the safety evaluation and found no topics that meet the categories of interest that ACRS members would like to review in detail

CONTACT: Thomas Galletta, NRO/DNRL
301-415-3199

The staff concludes that the ASE does not contain any information exempt from public disclosure. However, the NRC will withhold the ASE from public disclosure for ten business days to allow PEF the opportunity to verify the staff's conclusion that the ASE contains no such exempt information. Therefore, the staff requests that the ACRS withhold the ASE from public disclosure until it has been released publicly in the Agencywide Documents Access and Management System.

The staff will inform the ACRS immediately if PEF requests that any of the information in the ASE be withheld from public disclosure.

Docket Nos. 52-029
52-030

The staff concludes that the ASE does not contain any information exempt from public disclosure. However, the NRC will withhold the ASE from public disclosure for ten business days to allow PEF the opportunity to verify the staff's conclusion that the ASE contains no such exempt information. Therefore, the staff requests that the ACRS withhold the ASE from public disclosure until it has been released publicly in the Agencywide Documents Access and Management System.

The staff will inform the ACRS immediately if PEF requests that any of the information in the ASE be withheld from public disclosure.

Docket Nos. 52-029
52-030

DISTRIBUTION:

| | |
|---|---|
| PUBLIC | RidsNroLAKGoldstein |
| RidsNroDcip | RidsAcrsAcnwMailCenter |
| RidsNroDe | RidsRgn2MailCenter |
| RidsNroDnrl | RidsOgcMailCenter |
| RidsNroDnrlNwe1 | DAyres, Rgn2 |
| RidsNroDnrlNwe2 | WWang, ACRS |
| RidsNroDser | KRoach |
| RidsNroDsra | SGreen |
| RidsNroOd | JPeralta |
| SBurnell, OPA | LMrowca |
| RidsNroDnrlNwe1Distribution | |

**ADAMS Accession Numbers:**
**PKG: ML100700440**
**ASE: ML110180232**
**Cover Letter: ML111040476**
**ACRS Memo: ML111040478** ***via-email NRO-002**

| OFFICE | DNRL/NWE1:PM | DNRL/NWE1:LA | DNRL/NWE1:BC | DNRL:D |
|---|---|---|---|---|
| NAME | TGalletta | *KGoldstein | JCruz | DMatthews<br>*/RA FAkstulewicz for/* |
| DATE | 06/03/11 | 06/06/11 | 06/08/11 | 06/09/11 |

**OFFICIAL RECORD COPY**