

May 19, 2011

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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 19 – May 19, 2011**

	Accession Number	Document Date	Title/Description
19-1	ML11119A159	02/08/2011	2011/02/08 Levy County COL - RE: Missing Transmission Line Information
19-2	ML111030370	03/07/2011	The Significance of Lake Rousseau for Wading Birds and Difficulties Encountered During Nesting Season.
19-3	ML111030363	03/23/2011	Critical Bird Nesting Habitat Near Levy Nuclear Plant Site.
19-4	ML11119A152	03/28/2011	2011/03/28 Levy County COL - FW: Transmission Line Corridors, Levy Nuclear Plant Units 1 and 2
19-5	ML100621198	03/29/2011	Levy County Units 1 and 2 Advanced Safety Evaluation Without Open Items for Chapter 4, "Reactor"
19-6	ML101100014	03/29/2011	Levy County Units 1 and 2 Advanced Safety Evaluation Without Open Items for Chapter 10, "Steam and Power Conversion System"
19-7	ML101250013	03/29/2011	Levy County Units 1 and 2 Advanced Safety Evaluation Without Open Items for Chapter 18, "Human Factors".
19-8	ML110250040	03/30/2011	Levy County Units 1 and 2 Advanced Safety Evaluation Without Open Items for Chapter 6, "Engineered Safety Features"
19-9	ML11119A153	03/31/2011	2011/03/31 Levy County COL - Levy Nuclear- Transmission Line Habitat Surveys
19-10	ML110970593	04/12/2011	Hoehn: Transmittal of Figures for Habitat Surveys Along Transmission Line Corridors, Levy Nuclear Plant Units 1 and 2.
19-11	ML110970618	04/12/2011	Steele: Transmittal of Figures for Habitat Surveys Along Transmission Line Corridors, Levy Nuclear Plant Units 1 and 2.
19-12	ML110970624	04/12/2011	Levy Nuclear Plants Units 1 and 2, Transmittal of Figures for Habitat Surveys Along Transmission Line Corridors.

	Accession Number	Document Date	Title/Description
19-13	ML11112A087	04/14/2011	Levy Nuclear Plant, Units 1 and 2, Voluntary Supplemental Response to Request for Additional Information Letter No. 073 Related to Solid Waste Management System.
19-14	ML11133A327	04/18/2011	2011/04/18 Levy County COL - FW: REQUEST FOR ADDITIONAL INFORMATION LETTER NO. 103 RELATED TO SRP SECTION 2.4.12 FOR THE LEVY COUNTY UNITS 1 AND 2 COMBINED LICENSE APPLICATION
19-15	ML11111A125	04/19/2011	Shearon Harris, Units 2 and 3, and Levy, Units 1 and 2, Summary Identification of Concurrence with Standard Content in Response to Requests for Additional Information - Supplement 4.
19-16	ML11112A033	04/19/2011	Levy, units 1 & 2, Submittal of Revision 3 to Physical Security Plan.
19-17	ML11119A203	04/19/2011	Levy Nuclear Plant, Units 1 and 2 - Loss of Large Areas of the Plant Due to Explosions or Fire - Mitigative Strategies Description and Plans - Revision 1.
19-18	ML11119A154	04/20/2011	2011/04/20 Levy County COL - RE: Transmission Line Corridors, Levy Nuclear Plant Units 1 and 2
19-19	ML11119A155	04/20/2011	2011/04/20 Levy County COL - RE: Levy Nuclear- Transmission Line Habitat Surveys
19-20	ML11119A156	04/20/2011	2011/04/20 Levy County COL - RE: Transmission Line Corridors, Levy Nuclear Plant Units 1 and 2
19-21	ML11116A281	04/26/2011	2011/04/26 Levy County COL - Levy County Units 1 and 2 Review Status
19-22	ML11119A158	04/26/2011	2011/04/26 Levy County COL - FW: Scrub Jays - Levy Project
19-23	ML11133A325	04/26/2011	2011/04/26 Levy County COL - Levy County Lead Safety Project Manager
19-24	ML11129A049	05/02/2011	Levy, Units 1 & 2, Response to Request for Additional Information Letter No. 103 Request for Modflow Input Files.
19-25	ML11129A059	05/04/2011	Levy, Units 1 & 2, Final Safety Analysis Report Chapter 14 - Corrections to Conformance With Standard Content of the Vogtle R-COLA.
19-26	ML11129A060	05/04/2011	Levy Nuclear Plant, Units 1 & 2, Voluntary Submittal Related to the Liquid Waste Management System Described in Chapter 11 of the Final Safety Analysis Report.

	Accession Number	Document Date	Title/Description
19-27	ML11130A106	05/04/2011	Levy, Units 1 and 2, Response to Request for Additional Information No. 102 Related to Physical Security.
19-28	ML11131A028	05/04/2011	Levy, Units 1 & 2 - Supplement 1 to Response to Request for Additional Information Letter No. 066 Related to Physical Security.
19-29	ML11133A356	05/04/2011	2011/05/04 Levy County COL - (UNCLASSIFIED)
19-30	ML11131A117	05/11/2011	2011/05/11 Levy County COL - Levy County Units 1 and 2 Review Status
19-31	ML11132A197	05/12/2011	2011/05/12 Levy County COL - DRAFT RAI - SRP section 2.4.5 - Levy County Units 1 and 2 Combined License Application

**Attachment 2 Levy County COL Hearing File and Mandatory Disclosures
Privilege Log -- Proprietary Information, Security-Related Information, and Safeguards Information
Update 19 – May 19, 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
19-1	ML11131A028 (Public Cover Letter)	Progress Energy Florida, Inc	Response to Request for Additional Information Letter No. 066 Related to Physical Security	11/22/2009	RAI Response	NRC/NRO	Safeguards Information	
19-2	ML11119A204	Progress Energy Florida, Inc	Levy Nuclear Plant, Units 1 and 2 - Loss of Large Areas of the Plant Due to Explosions or Fire - Mitigative Strategies Description and Plans - Revision 1, Enclosure 1 to NPD-NRC-2011-033.	02/28/2011	Report, Technical	NRC/NRO	Security-Related Information	53

	Accession Number	Author Name/ Affiliation:	Title/Description	Document Date	Document Type	Addressee / Addressee Affiliation	Comment	Pages
19-3	ML11112A033 (Public cover Letter)	Progress Energy Florida, Inc	Variances to generic text of NEI 03-12 Revision 6	04/19/2011		NRC/NRO	Safeguards Information	
19-4	ML11112A033 (Public cover Letter)	Progress Energy Florida, Inc	Levy Nuclear Plant Physical Security Plan	04/19/2011	Physical Security Plan	NRC/NRO	Safeguards Information	
19-5	ML11130A106 (Public Cover Letter)	Progress Energy Florida, Inc	Request for Additional Information Letter No. 102 Related to SRP Section: 13.06-Physical Security for the Levy County Nuclear Plant, Units 1 and 2 Combined License Application	05/04/2011	RAI Response	NRC/NRO	Safeguards Information	

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 May 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
Washington, DC 20555-0001
(301) 415-9967
Brian.Anderson@nrc.gov

Executed in Rockville, MD
this 19th day of May, 2011