

May 17, 2012

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

SUBJECT: LEVY 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 No. ML082260277), Progress Energy Florida, Inc. (PEF) submitted its application to the U.S. Nuclear Regulatory Commission (NRC) for combined licenses (COL) for two AP1000 advanced passive pressurized water reactors pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 52. This letter transmits the Levy County Nuclear Plant (LNP) Units 1 and 2 COL application revised review schedule (Enclosure). The review supports the issuance of a final safety evaluation report (FSER) in October 2012.

On March 15, 2012, NRC issued a request for additional information (RAI) to PEF (Accession No. ML120550146) to address recent requirements resulting from NRC's response to Japan's March 11, 2011, Great Tohoku Earthquake and Tsunami. On April 12, 2012, PEF submitted a response stating that it would submit a revised final safety analysis report (FSAR) containing appropriate updated seismic information in August 2012.

Given these dates, the staff plans to issue the FSER in October 2012. The FSER issuance date is based on the following key assumptions:

- PEF meets the "Schedule for Option A Evaluations" milestones proposed in its April 27, 2012, public meeting presentation to NRC (Accession No. ML12115A315);
- PEF demonstrates that the appropriate updated seismic modeling results are completely bounded by the previous results; and
- The information submittals are complete and would not result in the need for additional RAIs.

Should your analysis indicate that the updated modeling results are not fully bounded, an alternate schedule will be developed based on your revised FSAR submittal revision dates.

It is noted that, should the pending merger involving Duke Energy be completed before NRC issues the FSER, PEF would need to submit a revised COL application containing appropriate updated financial and ownership information, and the staff would need to evaluate the updated information. Any resulting effect on the Levy schedule would depend on the timing of these submittals.

Should you have any questions regarding the safety review schedule, please contact Donald Habib at (301) 415-1035 or e-mail at donald.habib@nrc.gov.

Sincerely,

/RA/

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

Docket Nos.: 52-029 and 52-030

Enclosure:
As stated

cc: See next page

J. Elnitsky

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

<u>Phase of Safety Review</u>	<u>Target Completion Date</u>
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)	Completed – September 2011
Phase C ACRS review of Advanced SER with no OIs	Completed – January 2012
Phase D Final SER Issued	October 2012
Complete Mandatory Hearing	February 2013

COL - Progress Energy - Levy County Mailing List
cc:

(Revised 06/23/2010)

Ms. Michele Boyd
Legislative Director
Energy Program
Public Citizens Critical Mass Energy
and Environmental Program
215 Pennsylvania Avenue, SE
Washington, DC 20003

Ms. Georgia Cranmore
Assistant Regional Administrator
NOAA Fisheries Southeast Regional Office
9721 Executive Center Drive North
Saint Petersburg, FL 33702

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

COL - Progress Energy - Levy County Mailing List

Email

APH@NEI.org (Adrian Heymer)
awc@nei.org (Anne W. Cottingham)
Bill.Jacobs@gdsassociates.com (Bill Jacobs)
billn@fcan.org (Bill Newton)
brian.mccabe@pgnmail.com (Brian McCabe)
BrinkmCB@westinghouse.com (Charles Brinkman)
chris.burton@pgnmail.com (Chris Burton)
chris.maslak@ge.com (Chris Maslak)
CumminWE@Westinghouse.com (Edward W. Cummins)
cwaltman@roe.com (C. Waltman)
david.lewis@pillsburylaw.com (David Lewis)
david.waters@pgnmail.com (Dave Waters)
Derlinda.Bailey@chguernsey.com (Derinda Bailey)
ed.burns@earthlink.net (Ed Burns)
gzinke@entergy.com (George Alan Zinke)
jgutierrez@morganlewis.com (Jay M. Gutierrez)
jim.riccio@wdc.greenpeace.org (James Riccio)
joe.w.donahue@pgnmail.com (Joe Donahue)
john.elnitsky@pgnmail.com (John Elnitsky)
Joseph_Hegner@dom.com (Joseph Hegner)
KSutton@morganlewis.com (Kathryn M. Sutton)
kwaugh@impact-net.org (Kenneth O. Waugh)
lchandler@morganlewis.com (Lawrence J. Chandler)
levynuke@ecologyparty.org (Cara Campbell)
Marc.Brooks@dhs.gov (Marc Brooks)
maria.webb@pillsburylaw.com (Maria Webb)
mark.beaumont@wsms.com (Mark Beaumont)
Mark.Crisp@chguernsey.com (Mark Crisp)
maryo@nirs.org (Mary Olson)
matias.travieso-diaz@pillsburylaw.com (Matias Travieso-Diaz)
media@nei.org (Scott Peterson)
Mike.Halpin@dep.state.fl.us (Mike Halpin)
MSF@nei.org (Marvin Fertel)
nirsnet@nirs.org (Michael Mariotte)
Nuclaw@mindspring.com (Robert Temple)
patriciaL.campbell@ge.com (Patricia L. Campbell)
Paul@beyondnuclear.org (Paul Gunter)
pshastings@duke-energy.com (Peter Hastings)
RJB@NEI.org (Russell Bell)
robert.kitchen@pgnmail.com (Robert H. Kitchen)
ronald_m_bright@bellsouth.net (Ronald Bright)
sabinski@suddenlink.net (Steve A. Bennett)
sandra.sloan@areva.com (Sandra Sloan)
sfrantz@morganlewis.com (Stephen P. Frantz)

COL - Progress Energy - Levy County Mailing List

stephan.moen@ge.com (Stephan Moen)
Tansel.Selekler@nuclear.energy.gov (Tansel Selekle)
twinkletoesdms@aol.com (Robert and Deborah Smith)
Vanessa.quinn@dhs.gov (Vanessa Quinn)
william.maher@fpl.com (William Maher)