



CHRISTOPHER M. FALLON  
Vice President  
Nuclear Development

Serial: NPD-NRC-2013-029

10 CFR 52 Appendix D, subsection X.B

Duke Energy  
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July 25, 2013

U.S. Nuclear Regulatory Commission  
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**Subject: Levy Nuclear Plant Units 1 and 2**  
**Docket Nos. 52-029 and 52-030**  
**Submittal of COL Application, Revision 6**

christopher.fallon@duke-energy.com

Ladies and Gentlemen:

This letter provides Duke Energy Florida, Inc.'s (DEF) revision to the Levy Nuclear Plant, Units 1 and 2, (LNP) combined license (COL) application originally submitted by Progress Energy Florida, Inc. (PEF) letter NPD-NRC-2008-022, dated July 28, 2008. This revision includes an update of the docketed Final Safety Analysis Report (Part 2 of the LNP COL application). Each revision to the LNP COL application is identified by revision bars in the margin for text and tables, and by the revision number for figures.

This revision reflects: changes identified by previous correspondence with the NRC, including responses to requests for additional information (RAI) and voluntary responses submitted to the NRC through July 30, 2013; organizational changes resulting from Duke Energy corporate restructuring; the corporate name change from PEF to DEF as the applicant for the LNP COL application; and miscellaneous errata items.

This revision incorporates by reference Appendix D to 10 CFR Part 52 based on the Westinghouse Electric Company's (Westinghouse's) AP1000 Design Control Document (DCD) Revision 19.

A document identifying each change, as well as its source or basis, is being prepared as an aid to the NRC reviewers and will be submitted via a separate letter on or before August 12, 2013.

The LNP COL application is composed of eleven Parts. Each Part is identified below, along with a brief description of the corresponding revisions being made by this submittal, if any.

Part 1 - General and Financial Information (Revision 5 included).

Revised descriptions of the corporate structure, board of directors, corporate officers and corporate financial information is provided due to Duke Energy's corporate restructuring, as well as the corporate name change from PEF to DEF as the applicant for the LNP COL application. This information reflects the board of directors and corporate officers as of June 30, 2013.

Part 2 - Final Safety Analysis Report (FSAR) (Revision 6 included).

The FSAR revision incorporates LNP-specific responses to NRC RAIs, voluntary submittals, and miscellaneous errata. The revised FSAR also addresses corporate

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structure and organizational changes, and the corporate name change from PEF to DEF as the applicant for the LNP COL application.

Part 3 - Environmental Report (Revision 1, previously submitted).

Part 4 - Technical Specifications (Revision 4 included).

Revision addresses corporate structure and organizational changes, and the corporate name change from PEF to DEF as the applicant for the LNP COL application.

Part 5 - Emergency Plan (Revision 5 included).

Revision addresses LNP-specific responses to NRC RAIs, corporate structure and organizational changes, the corporate name change from PEF to DEF as the applicant for the LNP COL application, and changes to incorporate the requirements of the revised Emergency Planning Rule.

Part 6 - Limited Work Authorization (Revision 1, previously submitted).

Part 7 - Departures and Exemption Requests (Revision 3 included).

Revision addresses the corporate name change from PEF to DEF as the applicant for the LNP COL application, and LNP-specific departures and exemptions identified since the previous COL application revision. An exemption to address DCD Tier 1 changes, as well as a departure from the DCD to incorporate modifications to the containment condensate return system, has been added. This change has been determined to require NRC notification based on the criteria set forth in DC/COL-ISG-011 for COL applicants.

Part 8 - Safeguards/Security Plans (Revision 3, previously submitted).

Part 9 - Withheld Information (Revision 5 included).

Revision addresses updated project cost information as well as updated financial information for DEF and parent organizations, and the corporate name change from PEF to DEF as the applicant for the LNP COL application.

As supported by the Affidavit contained in Enclosure 1, DEF requests that certain financial information marked as proprietary in this Part be withheld from public disclosure.

Part 10 - Proposed License Conditions (including ITAAC) (Revision 5 included).

Revision addresses RAI and voluntary responses, and the corporate name change from PEF to DEF as the applicant for the LNP COL application.

Part 11 - Enclosures (Revision 6 included).

Revision addresses LNP-specific responses to NRC RAIs, corporate structure and organizational changes, and the corporate name change from PEF to DEF as the applicant for the LNP COL application.

This LNP COL application update contains no restricted data or national defense information requiring separation in accordance with 10 CFR 50.33(j).

Consistent with common licensing practice and the original LNP COL application, most of the updated application text is written in the present tense, active voice, including discussions of facilities and programs not yet built or implemented. Exceptions to this approach are the discussions of operating experience and completed studies and evaluations, which are written in the past tense. It should be understood, however, that statements regarding facilities (e.g., structures, systems and components) and pre-construction, pre-operational, and operational activities (e.g., procedures and programs) typically address activities that have not yet been performed and will not be performed until it is reasonable and appropriate to do so.

A set of the revised LNP COL application documents (by Part as identified above) is provided in electronic file format on the enclosed disk (Enclosure 2). Enclosure 2 contains the non-public version of the revised LNP COL application. Appropriate pre-submission checks have been successfully performed on the files to confirm compliance with the guidelines provided on the NRC web site, and they have been found acceptable for electronic submittal. A pre-flight report for Enclosure 2 is provided as Enclosure 3. The disk includes a "packing slip" describing its contents, pursuant to NRC instructions for electronic filing.

If you have any questions, or need additional information, please contact Bob Kitchen at (704) 382-4046, or me at (704) 382-9248.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 25th day of July, 2013.

Sincerely,



Christopher M. Fallon  
Vice President  
Nuclear Development

Enclosures:   1. Affidavit of Christopher M. Fallon  
                  2. Levy Nuclear Plant, Units 1 and 2, COL Application, Revision 6, Non - Public  
                  Version (electronic submittal – 1 DVD enclosed)  
                  3. Levy Nuclear Plant, Units 1 and 2, COL Application, Revision 6, Non - Public  
                  Version, Pre-flight Report

cc :    U.S. NRC Region II, Regional Administrator (w/o Enclosure 2)  
      Mr. Donald Habib, U.S. NRC Project Manager (w/o Enclosure 2)  
      Ms. Mallecia Sutton, U. S. NRC Environmental Project Manager (w/o Enclosure 2)

Enclosure 1 to Serial: NPD-NRC-2013-029  
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Enclosure 1 to Serial: NPD-NRC-2013-029

Affidavit of Christopher M. Fallon, 2 pages

**AFFIDAVIT OF CHRISTOPHER M. FALLON**

STATE OF NORTH CAROLINA )

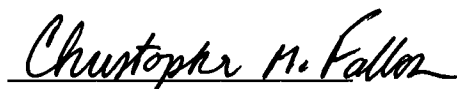
COUNTY OF MECKLENBURG ) ss  
)

I, Christopher M. Fallon, Vice President of Nuclear Development, Duke Energy Corporation, do hereby affirm and state:

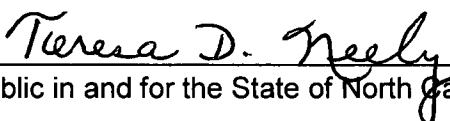
1. I am authorized to execute this affidavit on behalf of Duke Energy Florida, Inc., (hereinafter referred to as "DEF"). I am further authorized to review information submitted to the Nuclear Regulatory Commission ("NRC") and apply for the withholding of information from disclosure. I am making this affidavit in conformance with the provisions of the NRC's regulations at 10 CFR 2.390 and in support of DEF's request for proprietary treatment of certain financial information, as set forth in the transmittal letter to which this Affidavit is attached.
2. I have knowledge of the criteria used by DEF in designating information as sensitive, proprietary, or confidential.
3. Pursuant to paragraph (a)(4) of 10 CFR 2.390, the following is furnished for consideration by the NRC in determining whether the information sought to be withheld from public disclosure should be withheld.
  - a. The information sought to be withheld from public disclosure is owned by DEF and has been held in confidence by DEF.
  - b. The information sought to be protected is not available to the public to the best of our knowledge and belief.
  - c. The information is of the type that would customarily be held in confidence by DEF. This financial information consists of DEF's projections for construction and fuel supply costs, and DEF's financing plan. Public disclosure of this information is likely to cause harm to DEF because it would allow contractors, vendors, and competitors to understand DEF's competitive position and schedule prior to securing the related contracts and services and/or prior to pricing competitive services.

- d. The proprietary information sought to be withheld from public disclosure is identified in Part 9 of the COL application and marked therein as proprietary.
- e. The information is transmitted to the NRC in confidence and under the provisions of 10 CFR 2.390; it is to be received in confidence by the NRC.

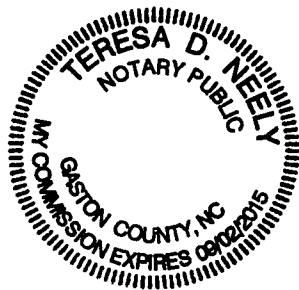
Christopher M. Fallon, being duly sworn, states that he is Vice President of Nuclear Development, Duke Energy Corporation, that he is authorized on the part of said Company to sign and file with the U.S. Nuclear Regulatory Commission these revisions to the combined license application for the Levy Nuclear Plant Units 1 and 2, and that all the matters and facts set forth herein are true and correct to the best of his knowledge.

  
Christopher M. Fallon  
Vice President  
Nuclear Development

Subscribed and sworn to before me, a Notary Public, in and for the county and state above named, this 25 day of July 2013.

  
Notary Public in and for the State of North Carolina

My Commission Expires: 9/2/2015



Enclosure 2 to Serial: NPD-NRC-2013-029  
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Enclosure 2 to Serial: NPD-NRC-2013-029

Levy Nuclear Plant, Units 1 and 2 COL Application, Revision 6, Non-Public Version, (electronic  
submittal – 1 DVD enclosed)

Enclosure 3 to Serial: NPD-NRC-2013-029

Levy Nuclear Plant, Units 1 and 2 COL Application, Revision 6, Non-Public Version, (electronic  
submittal) Submittal 8 Pre-flight Report



This document serves as a pre-flight report for the Levy COLA Submittal 8. The following files do not pass pre-flight or do not meet NRC criteria, but text is word searchable and clarity/legibility is of high quality.

No.	File Name	Preflight Status	Reason
<b>Part 2 – FSAR</b>			
1	LNP_FSAR_APP02_CC.pdf	Error/Failed	Figure resolution is less than 300 ppi
2	LNP_FSAR_FIG02_05_04_05_204.pdf	Error/Failed	Figure resolution is less than 300 ppi; Figure is output from an engineering analysis program; highest output resolution used
<b>Part 4 – Technical Specifications</b>			
1	LNP_Part04_Technical_Specifications.pdf	Error/Failed	< 300 ppi
<b>Part 5 - Emergency Plan</b>			
1	LNP_EP_SUPP_UNITS_1_and_2_EAL_BASIS_DOC.pdf	Error/Failed	< 300 ppi
2	Citrus County - Cert. Letter.pdf	Error/Failed	< 300 ppi, font not embedded
3	Citrus Memorial Hospital - Cert. Letter.pdf	Error/Failed	Font not embedded
4	Dept. of Public Safety - Cert. Letter.pdf	Error/Failed	< 300 ppi, font not embedded
5	Florida DEM - Cert. Letter.pdf	Error/Failed	< 300 ppi, font not embedded
6	Levy County - Cert. Letter.pdf	Error/Failed	< 300 ppi, font not embedded
7	Marion County - Cert. Letter.pdf	Error/Failed	< 300 ppi, font not embedded
8	Nature Coast EMS - Cert. Letter.pdf	Error/Failed	Font not embedded
9	Seven Rivers Medical - Cert. Letter.pdf	Error/Failed	Font not embedded
<b>Part 9 – SUNSI Information</b>			
1	Citrus County Emergency Plan Part 01 - Draft.pdf	Error/Failed	< 300 ppi, font not embedded due to OCR
2	Citrus County Emergency Plan Part 02 - Draft.pdf	Error/Failed	font not embedded due to OCR
3	Levy County Emergency Plan Part 01 – Draft.pdf	Error/Failed	< 300 ppi, font not embedded due to OCR
4	Levy County Emergency Plan Part 02 – Draft.pdf	Error/Failed	< 300 ppi, font not embedded due to OCR
5	Marion County Emergency Plan Part 01 – Draft.pdf	Error/Failed	< 300 ppi
6	State of Florida REMP – Annex A – Appendix VI-Draft.pdf	Error/Failed	< 300 ppi

No.	File Name	Preflight Status	Reason
7	State of Florida REMP – Annex A-Draft.pdf	Error/Failed	< 300 ppi, font not embedded
<b>Part 11 – Reference Info</b>			
1	LNP_Part11_QAPD.pdf	Error/Failed	Font not embedded due to OCR, < 300 ppi due to logos, signatures, and figures