

April 10, 2014

Mr. Christopher M. Fallon, Vice President
Nuclear Development
Duke Energy Florida, Inc.
P.O. Box 1006 - ECO9D
Charlotte, NC 28202

SUBJECT: LEVY NUCLEAR PLANT, UNITS 1 AND 2 COMBINED LICENSE APPLICATION –
REVISED REVIEW SCHEDULE

Dear Mr. Fallon:

The purpose of this letter is to revise the review schedule for the Levy Nuclear Plant (LNP) Units 1 and 2 combined license (COL) application as outlined in the table enclosed with this letter. The revised schedule supports issuance of a final safety evaluation report (FSER) in March 2015.

By letter dated June 25, 2013 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML13163A272), the U.S. Nuclear Regulatory Commission (NRC) staff transmitted the current review schedule to Duke Energy Florida (DEF) for a COL application for the LNP Units 1 and 2. The current review schedule was valid if DEF made all documents needed to support NRC review of the changes to the containment condensate return design available for NRC audit by September 4, 2013.

In a letter dated October 21, 2013, DEF notified the NRC staff that it would be unable to provide the necessary information on the established schedule and estimated that the information would be submitted by February 4, 2014 (ADAMS Accession No. ML13296A034). DEF subsequently submitted the design change information to the NRC on February 7, 2014 (ADAMS Accession Nos. ML14042A034 and ML14042A035).

The revised schedule includes the necessary time for staff to complete a review of the design change, departure, and exemption request. The schedule anticipates that the staff may need to perform confirmatory calculations to reach its safety findings. The schedule projects issuing a revised advanced safety evaluation related to the design change by September 2014. The revised schedule assumes that DEF will meet the following schedule milestones:

- Submittal of responses, including proposed changes to the COL application, within 30 days of requests for additional information (RAIs) issued in relation to the subject design change.
- Submittal of a revised COL application at least 75 days prior to issuance of the FSER.

The schedule also assumes that other ongoing review areas, including matters related to Bulletin 2012-01, "Design Vulnerability in Electric Power System," and requirements of Title 10 of the *Code of Federal Regulations* (10 CFR) Part 37, "Physical Protection of Category 1 and Category 2 Quantities of Radioactive Material," are completed prior to staff completing the review of the containment condensate return design change documentation.

The staff will continue to look for opportunities to mitigate this schedule as the COL review progresses. Should you have any questions regarding the safety review schedule, please contact the lead project manager, Donald Habib, at (301) 415-1035 or by e-mail at Donald.Habib@nrc.gov.

Sincerely,

/RA Mark Delligatti for:/

Frank Akstulewicz, Director
Division of New Reactor Licensing
Office of New Reactors

Docket Nos.: 52-029 and 52-030

Enclosure:
As stated

cc: See next page

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

<u>Phase of Safety Review</u>	<u>Previous Date</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	September 2014	March 2015
Completion of the Uncontested Hearing Process		To be determined*

*As directed by the Commission in Commission Order CLI-12-16, the U.S. Nuclear Regulatory Commission will not issue licenses dependent on the Waste Confidence Decision or Temporary Storage Rule prior to resolution of the issues remanded by the D.C. Circuit Court of Appeals.

COL - Progress Energy - Levy County Mailing List

(Revised 12/17/2013)

cc:

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COL - Progress Energy - Levy County Mailing List

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