



10 CFR 52 Appendix D, subsection X.B

Serial: NPD-NRC-2012-002

February 2, 2012

U.S. Nuclear Regulatory Commission

ATTN: Document Control Desk

Washington, D.C. 20555

**Subject: Levy Nuclear Plant Units 1 and 2  
Docket Nos. 52-029 and 52-030  
Submittal of COL Application, Revision 4**

Ladies and Gentlemen:

This letter provides Progress Energy Florida, Inc.'s (PEF) revision to the Levy Nuclear Plant, Units 1 and 2, (LNP) combined license (COL) application submitted by 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 includes changes identified by previous correspondence, including responses to requests for additional information and voluntary responses submitted to the NRC through December 19, 2011, and miscellaneous errata items.

This application 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 by February 8, 2012.

The LNP COL application is composed of several parts. Each of these is identified below along with indication of any revision contained in this document update.

Part 1 - General and Financial Information (Revision 3, previously submitted).

Part 2 - Final Safety Analysis Report (FSAR) (Revision 4 included).

Revised as described above to incorporate LNP-specific responses to NRC RAIs, voluntary submittals, and miscellaneous errata.

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

Part 4 - Technical Specifications (Revision 3, previously submitted).

Part 5 - Emergency Plan (Revision 3, previously submitted).

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

Part 7 - Departures and Exemption Requests (Revision 2, previously submitted).

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

Part 9 - Withheld Information (Revision 3, previously submitted).

Part 10 - Proposed License Conditions (including ITAAC) (Revision 3, previously submitted).

Part 11 - Enclosures (Revision 4, previously submitted).

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

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 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.

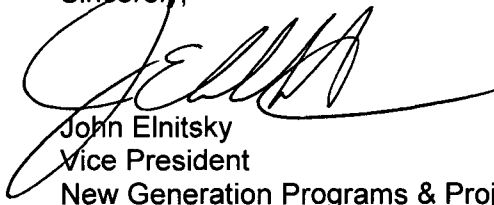
The applicant for this COL is Florida Power Corporation doing business as Progress Energy Florida, Inc. (PEF), as identified in Part 1 of the COL application. The ultimate corporate parent of PEF is Progress Energy, Inc. Progress Energy, Inc. is in the process of a merger with Duke Energy, Inc.; this merger is expected to close by mid-year 2012, pending completion of a review by the responsible State and Federal agencies. PEF will remain the COL holder for LNP after the merger. The merger of Progress Energy, Inc. and Duke Energy, Inc. will result in a larger ultimate corporate parent for PEF that includes and can be expected to have increased financial strength compared to Progress Energy, Inc. Therefore, this merger, when completed, will not have a negative impact to the NRC's financial review and conclusions of that review reflected in Chapter 1 of the Advanced Final Safety Evaluation Report. These statements are supported in the detailed application for the indirect transfer of the operating license for PEF's operating nuclear plant (Crystal River Unit 3) dated September 2, 2011, which has been approved by the Commission in an order approving the indirect transfer on December 2, 2011.

If you have any questions, or need additional information, please contact Bob Kitchen at (919) 546-6992, or me at (727) 820-4481.

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

Executed on this 2nd day of February, 2012.

Sincerely,



John Elnitsky  
Vice President  
New Generation Programs & Projects

Enclosures:    1. Affidavit from PEF letter NPD-NRC-2008-022, dated July 28, 2008  
                     2. Levy Nuclear Plant, Units 1 and 2, COL Application, Revision 4, Non - Public  
                              Version (electronic submittal – 1 DVD enclosed)  
                     3. Levy Nuclear Plant, Units 1 and 2, COL Application, Revision 4, Non - Public  
                              Version, Pre-flight Report

cc :     U.S. NRC Region II, Regional Administrator (w/o Enclosure 2)  
         Mr. Brian Anderson, U.S. NRC Project Manager (w/o Enclosure 2)  
         Mr. Douglas Bruner, U. S. NRC Environmental Project Manager (w/o Enclosure 2)

Enclosure 1 to Serial: NPD-NRC-2012-002

Affidavit from July 28, 2008 Letter, 2 pages

**AFFIDAVIT OF JAMES SCAROLA**

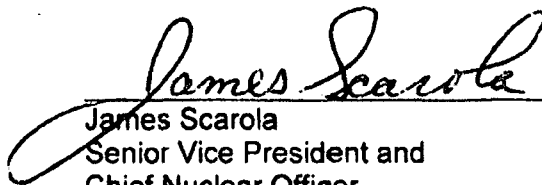
COUNTY OF WAKE )

**I, James Scarola, Senior Vice President & Chief Nuclear Officer, Progress Energy, Inc., do hereby affirm and state:**

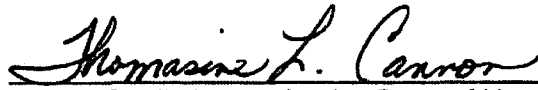
- c. The information is of the type that would customarily be held in confidence by PEF. This financial information consists of PEF's projection for construction, fuel supply, and operating costs. Public disclosure of this information is likely to cause harm to PEF because it would allow contractors, vendors, and competitors to understand PEF's competitive position and schedule prior to securing the related contracts and services or pricing competitive services.

- d. The proprietary information sought to be withheld from public disclosure is identified in Part 9 of the COL application and is marked as proprietary as it appears in the application.
- 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.

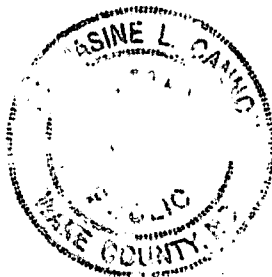
James Scarola, being dully sworn, states that he is Senior Vice President and Chief Nuclear Officer, Progress Energy, Inc., that he is authorized on the part of said Company to sign and file with the U. S. Nuclear Regulatory Commission this combined license application for the Levy Nuclear Power Plant Units 1 and 2, and that all the matter and facts set forth herein are true and correct to the best of his knowledge.

  
James Scarola  
Senior Vice President and  
Chief Nuclear Officer

Subscribed and sworn to before me, a Notary Public, in and for the county and state above named, this 28 day of July 2008.

  
Notary Public in and for the State of North Carolina

My Commission Expires: 9-18-2010



Enclosure 3 to Serial: NPD-NRC-2012-002

Levy Nuclear Plant, Units 1 and 2 COL Application, Revision 4, Non-Public Version, (electronic  
submittal) Submittal 6 Pre-flight Report

## PROGRESS ENERGY LNP COLA SUBMITTAL 6 PRE-FLIGHT REPORT

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This document serves as a pre-flight report for the Levy COLA Submittal 6. The following files (mostly individual figure 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