

August 10, 2011

MEMORANDUM TO: Edwin M. Hackett, Executive Director
Advisory Committee on Reactor Safeguards

FROM: David B. Matthews, Director */RA Frank Akstulewicz for/*
Division of New Reactor Licensing
Office of New Reactors

SUBJECT: LEVY NUCLEAR POWER PLANT UNITS 1 AND 2 COMBINED
LICENSE APPLICATION – ADVANCED SAFETY EVALUATION
WITHOUT OPEN ITEMS FOR CHAPTER 11, “RADIOACTIVE
WASTE”

By letter dated July 28, 2008 (ML082260277), Progress Energy Florida, Inc. (PEF) submitted an application to the U.S. Nuclear Regulatory Commission (NRC) for a combined license (COL) for Levy Nuclear Power Plant (LNP) Units 1 and 2.

Based on our review of the application, the staff is providing the Advisory Committee on Reactor Safeguards (ACRS) its Advanced Safety Evaluation (ASE), without open items for Chapter 11, “Radioactive Waste” (ML101050411). Unless otherwise stated in the ASE, the staff’s review was based on Revision 2 of the application. The ASE is being provided to support a meeting of the subcommittee of the ACRS in October 2011. The ACRS full committee meeting will be held after the subcommittee meeting.

In accordance with the memorandum to the ACRS dated March 17, 2010 (ML100700612), the staff has reviewed the submitted information against the categories for which the ACRS requested be used to highlight information for review by the committee. The staff’s assessment of this chapter is that there are no items that meet the categories for discussion with the Committee.

CONTACT: Donald Habib, NRO/DNRL
301-415-1035

The staff concludes that the ASE does not contain any information exempt from public disclosure. However, the NRC will withhold the ASE from public disclosure for ten business days to allow PEF the opportunity to verify the staff's conclusion that the ASE contains no such exempt information. Therefore, the staff requests that the ACRS withhold the ASE from public disclosure until it has been released publicly in the Agencywide Documents Access and Management System.

The staff will inform the ACRS immediately if PEF requests that any of the information in the ASE be withheld from public disclosure.

Docket Nos. 52-029
52-030

The staff concludes that the ASE does not contain any information exempt from public disclosure. However, the NRC will withhold the ASE from public disclosure for ten business days to allow PEF the opportunity to verify the staff's conclusion that the ASE contains no such exempt information. Therefore, the staff requests that the ACRS withhold the ASE from public disclosure until it has been released publicly in the Agencywide Documents Access and Management System.

The staff will inform the ACRS immediately if PEF requests that any of the information in the ASE be withheld from public disclosure.

Docket Nos. 52-029
52-030

DISTRIBUTION:

PUBLIC	RidsNroLAKGoldstein	NroDnrlNwe1Distribution
RidsNroDcip	RidsAcrsAcnwMailCenter	
RidsNroDe	RidsRgn2MailCenter	
RidsNroDnrl	RidsOgcMailCenter	
RidsNroDnrlNwe1	RWhited	
RidsNroDnrlNwe2	PVokoun	
RidsNroDser	DAyres, Rgn2	
RidsNroDsra	WWang, ACRS	
RidsNroOd	JMartin	
SBurnell, OPA	SGreen	
DTerao	RidsNroDsraSrsb	

ADAMS Accession Numbers:

PKG: ML100700427

SER: ML101050411

ACRS Memo: ML110840556

Cover Letter: ML110840555

NRO-002

OFFICE	DNRL/NWE1:PM	DNRL/NWE1:LA	DNRL/NWE1:BC	DNRL:D
NAME	DHabib	SGreen	JCruz	DMatthews FAkstulewicz for
DATE	8/10/11	8/10/11	8/10/11	8/10/11

OFFICIAL RECORD COPY