

August 29, 2011

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE COMMISSION

In the Matter of	)	
	)	
	)	
PROGRESS ENERGY FLORIDA, INC.	)	Docket Nos. 52-029 and 52-030
	)	
	)	
(Combined License Application for Levy	)	
County Nuclear Power Plant, Units 1 and 2)	)	

NOTICE TO THE COMMISSION OF INFORMATION  
RELEVANT TO THE NRC STAFF APPEAL OF LBP-10-20

On December 10, 2010, the NRC staff (Staff) filed an appeal (Appeal) of the Atomic Safety and Licensing Board's (Board) decision in *Progress Energy Florida, Inc.* (Levy County Nuclear Power Plant, Units 1 and 2), LBP-10-20, 72 NRC \_\_ (Nov. 18, 2010) (slip op.), denying Progress Energy Florida's (Applicant) Motion for Summary Disposition of Contention 8A. To date, this Appeal is still pending before the Commission. The Staff is informing the Commission that subsequent to the Staff's Appeal, the Applicant provided a supplemental RAI response that provided new information regarding the Applicant's low-level radioactive waste (LLRW) management plan. On August 24, 2011, the Staff issued Chapter 11 of the Advanced Final Safety Evaluation Report (AFSER) (ML101050411), which includes the Staff's review of the Applicant's changes to its LLRW management plan.

Respectfully Submitted,

**/Signed (electronically) by/**

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Dated at Rockville, Maryland  
this 29<sup>th</sup> day of August, 2011

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(Levy County Nuclear Site, Units 1 and 2)	)	

CERTIFICATE OF SERVICE

I hereby certify that copies of the NRC Staff's Notice to the Commission of Information Relevant to the NRC Staff Appeal of LBP-10-20 have been served upon the following persons by Electronic Information Exchange this 29th day of August, 2011:

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