



October 23, 2008

Mr. Theodore Hoehn
Habitat Conservation Scientific Services
Florida Fish and Wildlife Conservation Commission
620 South Meridian Street
Tallahassee, Florida 32399-1600

Subject: Progress Energy Florida Levy Nuclear Plant Units 1 and 2, Response to FWC
letter dated October 10, 2008

Dear Mr. Hoehn:

This letter provides additional clarifying information in response to comments raised in your letter to Progress Energy, dated October 10, 2008. Please note that due to size considerations, the enclosed report referenced in the responses below is being provided to the FWC and the DEP Siting Office only.

Comment 1:

We received your letter with the supporting information on October 1, 2008. We are currently reviewing the information that was provided. Based upon our preliminary review of the information, there are additional items that need clarification or additional supporting documents. The various seagrass survey and monitoring reports indicate that aerial photography was taken during the course of the surveys. In an effort to better understand the changes that have taken place and in the establishment of the baseline for assessing potential impacts to the addition of the Levy Nuclear Plant's effluent, we request digital copies (.jpg format) of the photography - color if it is available.

Response to Comment 1:

The aerial photography referenced in the studies was not included in the final reports provided to the company by the consultants. Statements made and conclusions drawn in these reports based on evaluation of aerial photography are those of the consultant who authored the report.

While aerial photography was attempted for the 1985 316 Demonstration, only 3 out of 8 quarterly overflights resulted in successful photographs. Those photos were used as a tool by the consultant to draw SAV maps on acetate for use in the study. The aerial photographs were not digitized and were not included as part of the report material.

The 316 study concluded that turbidity, color, tide, sea surface condition, and weather in the area were significant impediments to obtaining successful aerial photography.

During the 1993, 1994, and 1995 seagrass studies, aerial photography was unsuccessful 1993-1994, there was a marginal result later in 1994, and none was successful in 1995. The study concluded that the lack of contemporaneous aerial photographs prevented the production of digitized SAV maps but did not hamper the ability to monitor barren and vegetated areas throughout the study area.

The November 2001 study did not include aerial photography.

In summary, it is likely that little useful aerial photography data is available. Progress Energy staff has reviewed the company's files in an effort to ascertain whether any historical aerial photography related to this issue can be found. To date, these efforts have not produced any results, in either hardcopy or electronic format. Efforts to review additional archived materials from the company files are ongoing. Should these efforts locate any of the requested information; it will be provided at that time.

Comment 2:

We are also reviewing the preliminary fish and plankton information that was submitted. Our primary staffer reviewing the information is out till next week and may have additional questions upon their return and completion of the review.

Response to Comment 2:

Based on our October 21, 2008 discussion, Progress Energy understands that no additional response is required to address this issue.

Comment 3:

In the tele-conference meeting on October 7, 2008 with the DEP-NPDES staff, several issues were identified that are pertinent to our evaluation of the site certification application. Progress Energy is currently conducting another evaluation of the seagrasses and benthic community in the vicinity of the Crystal River Nuclear Energy Complex (CREC) discharge canal/thermal plume area. While this study is still on-going, we request a copy of the Scope of Work/Workplan for this study. The information being collected is not expected to be in draft report format till 2009. However, as indicated and requested by DEP-NPDES staff, this preliminary data will be helpful in evaluating the monitoring efforts. We also request any preliminary data and findings of the current study since it will be needed for the evaluation of the baseline and development of suggested recommendations for improvements of the monitoring protocols as part of the Site Certification Process.

Response to Comment 3:

The additional study and final report development referenced above are ongoing. The initial field investigation was conducted by ReMetrix in late 2007 and is summarized in a draft report dated April 24, 2008 (enclosed). This version of the report is being provided in an effort to be responsive to FWC's request; however, this report should not be considered to be final. The results and conclusions found in this version of the report are still under review of Progress Energy staff and this report has not been accepted by the company as a final document. Based on the outcome of Progress Energy's review, the final report may be different than depicted here.

Comment 4:

A potentially significant item identified in the October 7, 2008 meeting was possible errors in the model(s) that are used to depict temperatures and salinity from the combined CREC and Levy Plant discharges. Progress Energy and DEP-NPDES staffs plan to meet to discuss the model and its output which describes the current conditions and estimate future conditions. Per our discussions, FWC will maintain close coordination with DEP staff regarding this issue. However, we request that if the modeling is found to be in error or modifications or adjustments are made to the model that revised maps depicting the "baseline" and "project conditions" be provided as quickly as possible for our evaluation in the Site Certification Process.

Response to Comment 4:

As noted above, ongoing discussions are occurring with DEP-NPDES staff regarding the modeling used in support of the NPDES permit. Progress Energy is aware of the FWC's interest in this subject and is committed to providing any additional information deemed necessary through these ongoing discussions. Progress Energy will continue to work with the DEP and the FWC on these issues in the context of the NPDES permit development.

Comment 5:

Finally, we request that any additional documentation that is submitted be individually scanned to allow greater ease and timeliness for review and evaluation.

Response to Comment 5:

Comment acknowledged.

Mr. Theodore Hoehn
October 23, 2008
Page 4

We appreciate your review of these responses. Please contact me if you have any questions or require additional information.

Sincerely,

A handwritten signature in blue ink, appearing to read 'J. Hunter', with a large, stylized flourish at the end.

Jamie Hunter
Lead Environmental Specialist
Progress Energy Florida

Enclosure

cc: see attached list

**DISTRIBUTION LIST FOR
RESPONSES TO COMMENTS ON LEVY NUCLEAR PLANT UNITS 1 AND 2
SITE CERTIFICATION APPLICATION FOR POWER PLANT AND ASSOCIATED FACILITIES
(10/23/2008)**

Recipient
Toni Sturtevant, Esq./Jack Chisolm, Esq. Florida Department of Environmental Protection 3900 Commonwealth Blvd. Tallahassee, FL 32399-3000
Mike Halpin, SCO / Cindy Mulkey, SCO Florida Department of Environmental Protection 2600 Blair Stone Rd. Tallahassee, FL 32399
Allen D. Hubbard / Marc Harris Florida Department of Environmental Protection 2600 Blair Stone Rd., Rm. 258 Tallahassee, FL 32399
Tim Rach Florida Department of Environmental Protection 2600 Blair Stone Rd., Rm. 530B Tallahassee, FL 32399
David D. Whiting / Nijole Wellendorf, Biology Florida Department of Environmental Protection 2600 Blair Stone Rd. Tallahassee, FL 32399
Sally Mann Intergovernmental Programs Florida Department of Environmental Protection 2600 Blair Stone Rd. Tallahassee, FL 32399
Chris Kirts NED Siting Liason Florida Department of Environmental Protection 7825 Baymeadows Way Jacksonville, FL 32256-7590
Mara Nasca SW District - Siting Liaison (& Local Air) Florida Department of Environmental Protection 3051 N. Telecom Parkway Temple Terrace, FL 33637-0926
Stephanie Bailenson Office of Coastal & Aquatic Managed Areas Florida Department of Environmental Protection 3900 Commonwealth Blvd. Tallahassee, FL 32399
Jena Brooks Office of Greenways & Trails Florida Department of Environmental Protection 3900 Commonwealth Blvd. Tallahassee, FL 32399

Recipient
Jim Bradner Administrator, Air Florida Department of Environmental Protection Central District (OR) 3319 Maguire Blvd., Suite 232 Orlando, FL 32803-3767
Barbara Lenczewski, Ph.D., AICP Florida Department of Community Affairs 2555 Shumard Oak Blvd. Tallahassee, FL 32399-0850
Jeffrey S. Moody, REP Planner II Florida Division of Emergency Management Radiological Emergency Preparedness 2555 Shumard Oak Blvd. Tallahassee, FL 32399-0850
Mary Ann Poole Division of Habitat and Species Conservation Florida Fish & Wildlife Conservation Commission 620 S. Meridian St. Tallahassee, FL 32399-1600
Kimberly Menchion, Esq. Department of Transportation 605 Suwannee St. Tallahassee, FL 32399-0450
Connie Mitchell Department of Transportation 605 Suwannee St., MS 58 Tallahassee, FL 32399-0450
John Williamson, Administrator Dept. of Health Bureau of Radiation Control 2094 All Children's Way Orlando, FL 32868-0069
Paul Vause Environmental Administrator Radioactive Materials Program Bureau of Radiation Control 4052 Bald Cypress Way, Tallahassee, FL 32399-1742
Tom Ballinger Public Service Commission Gerald Gunter Building 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850
Katherine Fleming Public Service Commission Gerald Gunter Building 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850

Recipient
Laura Kammerer Bureau of Historical Preservation Resources SHPO, Department of State R.A. Gray Building 500 S. Bronough Street Tallahassee, FL 32399-0250
Michael Moehlman, Executive Director Withlacoochee RPC 1241 SW 10 th Street Ocala, FL 344710323
Kim Loewen East Central Florida RPC 631 N. Wymore Road, Ste 100 Maitland, FL 32751
Manny Pumariega, AICP/Suzanne Cooper, Tampa Bay RPC 4000 Gateway Centre Blvd., Suite 100 Pinellas Park, FL 33782
David Moore, Executive Director Southwest Florida Water Management District 2379 Broad Street Brooksville, FL 34604-6899
Kirby Green Executive Director. St. Johns River Water Management District 4049 Reid Street Palatka, FL 32178
Thomas Reitz Levy County Public Library System 612 East Hathaway Avenue Bronson, FL 32621
Fred Moody County Coordinator 355 S. Court Street Bronson, FL 32621
Ann Brown, Esq. County Attorney 380 S. Court Street Bronson, FL 32621
Citrus County Library System Flossie Benton Rogers 425 West Roosevelt Blvd. Beverly Hills, FL 34465
Anthony J. Schembr County Administrator 110 Apopka Avenue Inverness, FL 34450
Janet Dunleavy Hernando County Public Library 238 Howell Avenue, Room 460 Brooksville, FL 34601

Recipient
David Hamilton, County Administrator, 20 N. Main Street, Room 460 Brooksville, FL 34601
Marshall Breeding Marion County Public Library 2720 East Silver Springs Blvd. Ocala, FL 34470
Major General Pat Howard County Administrator 601 S.E. 25 th Avenue Ocala, FL 34471
Lucy Gangone Sumter County Library System 910 N. Main Street Bushnell, FL 33513
Bradley Arnold, County Administrator 910 North Main Street Bushnell, FL 33513
Marilyn Stevenson Pinellas Public Library Cooperative 1330 Cleveland Street Clearwater, FL 33755
Fred Marquis County Administrator 315 Court Street Clearwater, FL 33756
Patricia G. Bean County Administrator 601 E. Kennedy Blvd. Tampa, FL 33602
Michael Herr Polk County Manager 330 W. Church Street Bartow, FL 33830
Cindy Hall Lake County Manager 315 W. Main Street Tavares, FL 32778
Jim Stevens City Manager 100 N. Main Street Wildwood, FL 34785
Jay Evans City Manager 501 W. Meadow Street Leesburg, FL 34748

Recipient
Bruce Haddock City Manager 100 State St. W. Oldsmar, FL 34677
Derrell Smith Chief of Staff 306 E. Jackson Street Tampa, FL 33602
Sally McCranie Town Clerk 135 Highway 40 W. Inglis, FL 34449
David Sollenberger City Manager 302 W. Reynolds Street Plant City, FL 33563
Bill Bailey City Manager 20750 River Drive Dunnellon, FL 34431
Rick Tschantz, Esquire Hillsborough County EPC Roger P. Stewart Center 3629 Queen Palm Dr Tampa, FL 33619-1309
Rainbow River Railroad Committee 9769 SW 206 Circle Dunnellon, FL 34431
Jennifer Codo-Salisbury, Planning Director Central Florida Regional Planning Council 555 East Church Street Bartow, FL 33830-3931