



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

November 16, 2004

Administrative Judge Paul B. Abramson, Chair
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Mail Stop: T-3F23
Washington, D.C. 20555-0001

Administrative Judge David L. Hetrick
8740 East Dexter Drive
Tucson, AZ 85715

Administrative Judge Anthony J. Baratta
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Mail Stop: T-3F23
Washington, D.C. 20555-0001

In the Matter of
EXELON GENERATION COMPANY, LLC
(Early Site Permit for Clinton ESP Site)
Docket No. 52-007-ESP

Dear Administrative Judges:

Pursuant to 10 C.F.R. § 2.336(d), the NRC staff hereby provides notice that the Hearing File for this proceeding has been updated. A supplement to the Hearing File Index, listing the additions to the Hearing File, is attached. Also attached is the Affidavit of Nanette V. Gilles. As required by 10 C.F.R. § 2.336(b)(5), the staff is also producing an update to the privilege log at this time. In addition, the staff shall preserve and maintain all privileged documents during the pendency of this proceeding.

Please note that this supplement to the Hearing File contains documents which were previously identified in the privilege logs as not subject to disclosure in the Hearing File. Upon further review, the Staff has determined that these documents do not contain sensitive information and, therefore, should be publically available.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Shana Zipkin", is written over a horizontal line.

Shana Zipkin
Counsel for NRC Staff

Enclosures: Hearing File Index
Affidavit of Nanette V. Gilles
Privilege logs

November 9, 2004

HEARING FILE - ATTACHMENT A

Accession Number	Document Date	Title/Description
ML042920203	10/8/2004	10/08/04-E-mail- Response to RAI Letter No. 11.
ML043140401	11/5/2004	11/05/04-E-mail-Conference Call Information,
ML042890418*	10/5/2004	Response to Request for Additional Information (RAI) Letter No. 3 - Exelon Early Site Permit (ESP) Application for the Clinton ESP Site (TAC No. MC1122).
ML042890390*	10/7/2004	Response to Revision to Request for Additional Information (RAI) Letter- No. 11 - Exelon Early Site Permit (ESP) Application for the Clinton ESP Site (TAC No. MC1122.)
ML042960116**	10/11/2004	Drawing, Figure 3.2-1, "Ultimate Heat Sink Schematic," from Site Safety Analysis Report for the EGC Early Site Permit.
ML042960112**	10/11/2004	Drawing/Map, Figure 1.2-4, "ESP Site Development Details," from Site Safety Analysis Report for the EGC Early Site Permit.
ML042960105**	10/11/2004	Response to Request for Additional Information (RAI) Letter No. 6 - Exelon Early Site Permit (ESP) Application for the Clinton ESP Site.
ML042960118**	12/31/2002	Technical Editing Guidance Reference Source Documentation, "Database File of Evaporation Data, 1963-2002."
ML042960123**	12/31/2002	Technical Editing Guidance Reference Source Documentation, "Database File of Rainfall Data, 1910-2002."

* Identified in "Attachment F" of the privilege log dated October 19, 2004

** Identified in "Attachment F" of the privilege log dated October 26, 2004

November 9, 2004

PRIVILEGE LOG
ATTACHMENT B - ATTORNEY CLIENT

The following documents are being withheld by the NRC Staff as "ATTORNEY-CLIENT" pursuant to 10 C.F.R. § 2.336(b)(5).

Accession Number	Author Name/Affiliation:	Title/Description:	Document Date	Document Type	Addressee / Addressee Affiliation	Comment	Page Count
ML043140412	Gilles N V, NRC	11/08/04-E-mail-Exelon ESP RAIs.	11/8/2004	E-Mail	Hodgdon A D, Lemoncelli M T, NRC, OGC		5
ML043140418	Hodgdon A D, NRC, OGC	11/09/04-E-mail-ESP EP RAIs.	11/9/2004	E-Mail	Gilles N V, NRC		1

Attachment B - Attorney/Client

November 16, 2004

PRIVILEGE LOG
ATTACHMENT C - PREDECISIONAL/DELIBERATIVE PROCESS: INTER-AGENCY

The following documents are being withheld by the NRC Staff as "PREDECISIONAL/DELIBERATIVE PROCESS - INTER-AGENCY" pursuant to 10 C.F.R. § 2.336(b)(5).

Accession Number	Author Name/Affiliation:	Title/Description:	Document Date	Document Type	Addressee / Addressee Affiliation	Comment	Page Count
ML042880016	Roberts D J, NRC/NSIR/DPR	Responses to the Request for Additional Information Questions (RAIs) Related to the Exelon Early Site Permit (ESP) Application.	10/15/2004	Letter	Quinn V E, US Federal Emergency Mgmt Agency (FEMA)	sdb	2
ML043020130	Kray M C, Exelon Nuclear	Response to Revision to Request for Additional Information (RAI) Letter No. 11 - Exelon Early Site Permit (ESP) Application for the Clinton ESP Site (TAC No. MC1122).	10/7/2004	Letter, Report, Technical	NRC/Document Control Desk	sdb	66

Accession Number	Author Name/Affiliation:	Title/Description:	Document Date	Document Type	Addressee / Addressee Affiliation	Comment	Page Count
ML043020136	Kray M C, Exelon Nuclear	Response to Request for Additional Information (RAI) Letter No. 3 Exelon Early Site Permit (ESP) Application for the Clinton ESP Site (TAC No. MC1122).	10/5/2004	Letter, Report, Technical	NRC/Document Control Desk	sdb	42
ML043010037	Roberts D J, NRC/NSIR/DPR/E PD	Ltr to Vanessa E. Quinn, Chief - Subject: Request for FEMA Concurrence - Exelon/Clinton Early Site Permit (ESP) Application, Draft Safety Evaluation Report (DSER).	11/8/2004	Letter	Quinn V E, US Federal Emergency Mgmt Agency (FEMA)		3
ML043130225	Roberts D J, NRC/NSIR/DPR/E PD	11/04/04 - Draft Safety Evaluation with Open Items.	11/8/2004	Safety Evaluation Report, Draft	Quinn V E, US Federal Emergency Mgmt Agency (FEMA)	sdt	69

Attachment C - Predecisional/Deliberative Process: Inter-Agency

Accession Number	Author Name/Affiliation:	Title/Description:	Document Date	Document Type	Addressee / Addressee Affiliation	Comment	Page Count
ML043060005	Roberts D J, NRC/NSIR/DPR/E PD	10/27/04 - DSER (Draft Safety Evaluation Report) NSIR/DPR/EPD, Exelon Generation Company, LLC, Clinton Early Site Permit (ESP) Application.	11/8/2004	Letter, Safety Evaluation Report, Draft	Quinn V E, US Federal Emergency Mgmt Agency (FEMA)		74

November 9, 2004

PRIVILEGE LOG
ATTACHMENT D - PREDECISIONAL/DELIBERATIVE PROCESS

The following documents are being withheld by the NRC Staff as "PREDECISIONAL/DELIBERATIVE PROCESS" pursuant to 10 C.F.R. § 2.336(b)(5).

Accession Number	Author Name/Affiliation:	Title/Description:	Document Date	Document Type	Addressee / Addressee Affiliation	Comment	Page Count
ML043140359	Ramsdell J V, Battelle Memorial Institute, Pacific Northwest National Lab	11/8/04 E-mail: Results of confirmatory tornado analyses.	11/8/2004	E-Mail	Lee J, NRC	C-RBH	6
ML043140361	Ramsdell J V, Battelle Memorial Institute, Pacific Northwest National Lab	11/8/04 E-Mail: Revised Tornado Characteristics.	11/8/2004	E-Mail	Lee J, NRC	C-RBH	6
ML043100338	Harvey R B, NRC	E-mail from R. Brad Harvey, NRC to Michael Scott, NRC regarding ACRS Slides.	11/3/2004	E-Mail	Scott M, NRC	C-RBH	2
ML043130259	Harvey B, NRC	FAX: Clinton Response to SSAR RAI 2.3.1-9 (DB Tornado wind speed).	11/5/2004	Letter	Ramsdell V, Battelle Memorial Institute, Pacific Northwest National Lab	C-RBH	1

Attachment D - Predecisional/Deliberative Process

November 10, 2004

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	
)	
EXELON GENERATION COMPANY, LLC.)	Docket No. 52-007-ESP
)	
(Early Site Permit for Clinton ESP Site))	ASLBP No. 04-821-01-ESP
)	

AFFIDAVIT OF NANETTE V. GILLES CONCERNING
MANDATORY DISCLOSURE REQUIREMENT OF 10 C.F.R. § 2.336(d)

I, Nanette V. Gilles, being first duly sworn, do hereby state as follows:

1. I am employed as a Senior Project Manager in the New, Research and Test Reactors Program of the Division of Regulatory Improvement Programs in the Nuclear Regulatory Commission's ("NRC") Office of Nuclear Reactor Regulation. I serve as project manager for the NRC's review of the early site permit application submitted by Exelon Generation Company, LLC, at issue in this proceeding.
2. I hereby certify that all relevant materials required to be disclosed pursuant to 10 C.F.R. § 2.336 (b) and (d) in the captioned proceeding have been disclosed, and that the disclosures are accurate and complete as of the date of this certification.
3. I hereby certify that the foregoing is true and complete to the best of my knowledge, information and belief.



Nanette V. Gilles

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	
)	
EXELON GENERATION COMPANY, LLC.)	Docket No. 52-007-ESP
)	
(Early Site Permit for Clinton ESP Site))	ASLBP No. 04-821-01-ESP

CERTIFICATE OF SERVICE

I hereby certify that copies of the NRC Staff letter dated November 16, 2004, providing notice of the availability of an update to the hearing file, with attachments, together with the affidavit of Nanette V. Gilles, in the captioned proceeding have been served on the following through electronic mail, with copies to follow by deposit in the NRC's internal mail system as indicated by a single asterisk, or through electronic mail, with copies to follow by deposit in the U.S. Mail, first class, as indicated by a double asterisk, this 16th day of November, 2004:

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A handwritten signature in black ink, appearing to read 'Shana Zipkin', written over a horizontal line.

Shana Zipkin
Counsel for NRC Staff