

Exelon Nuclear  
200 Exelon Way  
KSA3-N  
Kennett Square, PA 19348

Telephone 610.765.5610  
Fax 610.765.5755  
www.exeloncorp.com

52.17

December 15, 2004

U.S. Nuclear Regulatory Commission  
ATTN: Document Control Desk  
Washington, DC 20555

Early Site Permit (ESP) Application for the Clinton ESP Site  
Docket No. 52-007

Subject: Revised Response to Request for Additional Information (RAI)  
Letter No. 3 (TAC No. MC1122)

- Re: 1) Letter, U.S. Nuclear Regulatory Commission (N. V. Gilles) to Exelon Generation Company, LLC, (M. Kray), dated July 22, 2004, Request for Additional Information Letter No. 3 – Exelon Early Site Permit Application for the Clinton ESP Site (TAC No. MC1122)
- 2) Letter, Exelon Generation Company, LLC, (M. Kray), to U.S. Nuclear Regulatory Commission (Document Control Desk) dated October 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)

Request for additional information (RAI) 13.3-2 contained in reference (1) pertains to the emergency planning portion of the Exelon Generation Company, LLC (EGC) ESP application. EGC timely responded to the RAI in its correspondence of reference (2). EGC now revises its response to RAI 13.3-2, and includes herewith the requested copy of the state and local emergency plans (the "Plans").

The State of Illinois and the Illinois Emergency Management Agency consider the Plans to be exempt from public disclosure per section 7(1) of the Illinois Freedom of Information Act [5 ILCS 140/7(1)] since the public disclosure of this information could adversely impact government response capabilities. As such, the Plans (in their entirety) are requested to be withheld by the NRC from public disclosure pursuant to 10 CFR, Section 2.390(a)(3) as a document "specifically exempted from disclosure by statute."

D073  
4445

U.S. Nuclear Regulatory Commission

December 15, 2004

Page 2 of 3

Please contact Eddie Grant of my staff at 610-765-5001 if you have any questions regarding this submittal.

Sincerely yours,



Marilyn C. Kray

Vice President, Project Development

TPM/erg

cc: U.S. NRC Regional Office (w/ enclosures, w/o attachments)  
Ms. Nanette V. Gilles (w/ enclosures, w/o attachments)  
Mr. David L. Smith, IEMA (w/ enclosures, w/o attachments)

Enclosure: Revised Response to RAI 13.3-2

**AFFIDAVIT OF MARILYN C. KRAY**

State of Pennsylvania

County of Chester

The foregoing document was acknowledged before me, in and for the County and State aforesaid, by Marilyn C. Kray, who is Vice President, Project Development, of Exelon Generation Company, LLC. She has affirmed before me that she is duly authorized to execute and file the foregoing document on behalf of Exelon Generation Company, LLC, and that the statements in the document are true to the best of her knowledge and belief.

Acknowledged and affirmed before me this 15<sup>th</sup> day of December, 2004.

My commission expires 10-6-07.



Notary Public

