



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

December 21, 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.

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

A series of faint, horizontal, illegible markings or smudges are located at the bottom center of the page.

December 14, 2004

HEARING FILE - ATTACHMENT A

Accession Number	Document Date	Title/Description
ML043440428	3/26/2004	3/26/04 - Fax - Fence line TLD data and map for Clinton (G. Stoetzel to CSH)

December 14, 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
ML043440455	Hinson C, NRC/NRR/DIPM	05/05/04 - E-mail - Construction worker doses for Clinton (CSH to G. Stoetzel) (pre-decisional).	5/5/2004	E-Mail	Stoetzel G A, Battelle Memorial Institute, Pacific Northwest National Lab	C-CSH	2
ML043440394	Illinois Power Co	10/13/03 - Calculations - Dose to construction workers (Clinton) (CSH) (pre-decisional).	10/13/2003	Calculation	,	C-CSH	1
ML043440446	Exelon Nuclear	2/26104 - Rals - Exelon (Clinton) ESP Site Audit Questions (CSH) (pre-decisional).	2/26/2004	- No Document Type Applies	,	C-CSH	2

Accession Number	Author Name/Affiliation:	Title/Description:	Document Date	Document Type	Addressee / Addressee Affiliation	Comment	Page Count
ML043440413	No Known Affiliation	3/02/04 - Notes from conference call with Clinton and PNL (pre-decisional).	3/2/2004	Note	,	C-CSH	2
ML043480219	Harvey R B, NRC	Clinton ESP SER Section 2.3.5.	12/10/2004	E-Mail	Klementowicz S, NRC	C-RBH	8
ML043480096	Stoetzel G A, Battelle Memorial Institute, Pacific Northwest National Lab	Construction Worker Doses for Clinton.	5/5/2004	E-Mail	Hinson C, NRC	C-CSH E-mail envelope properties not available	3
ML043490514	US Dept of Commerce, National Oceanic & Atmospheric Admin (NOAA)	Documents Supporting Staff Review of Clinton ESP Application SSAR Chapter 2.3.1, Regional Climatology.	5/27/2004	Environmental Assessment	,	C-RBH	52
ML043490335	No Known Affiliation	Documents Supporting Staff Review of Clinton ESP Application SSAR Chapter 2.3.3, On-Site Meteorological Measurements Program.	12/7/2004	Graphics incl Charts and Tables	,	C-RBH	15

Attachment D - Predecisional/Deliberative Process

Accession Number	Author Name/Affiliation:	Title/Description:	Document Date	Document Type	Addressee / Addressee Affiliation	Comment	Page Count
ML043480339	Dennig R L, NRC/NRR/DSSA/ SPSB	Draft Safety Evaluation Report for Clinton Early Site Permit Application (TAC MC1122).	12/13/2004	Memoranda	Dudes L A, NRC/NRR/D RIP	ads2	43
ML043440508	Hinson C, NRC/NRR	E-mail - Revised HP RAI.	5/5/2004	E-Mail	Kenyon T, NRC/NRR	C-JOHN BOSKA	3
ML043440472	Stoetzel G A, Battelle Memorial Institute, Pacific Northwest National Lab	E-mail Follow-up Information on Construction Worker Doses at Clinton Site Visit.	3/10/2004	E-Mail	Hinson C, NRC	C-CSH "E-mail envelope properties not available"	2
ML043490492	Harvey R B, NRC	E-mail Regarding Clinton Draft ESP/SER Section 3.3.	12/13/2004	E-Mail	Lee J, NRC	C-RBH	10
ML043490504	Lee J, NRC	E-mail Regarding Clinton Draft ESP/SER Section 3.3.	12/13/2004	E-Mail	Harvey R B, NRC	C-RBH	10

Accession Number	Author Name/Affiliation:	Title/Description:	Document Date	Document Type	Addressee / Addressee Affiliation	Comment	Page Count
ML043480040	Harvey R B, NRC	Email: Clinton ESP DSER Section 2.3.4 (Short-Term Diffusion Estimates).	12/10/2004	E-Mail	Ramsdell V, Battelle Memorial Institute, Pacific Northwest National Lab	C-RBH	1
ML043480052	Harvey R B, NRC	Email: Comments on the Clinton ESP DEIS.	12/9/2004	E-Mail	Thomas K, NRC	C-RBH	3
ML043450227	Weiss E W, NRC/NSIR/DNS	ESP-Exelon Clinton-Working File - 12/13/04.	12/13/2004	Safety Evaluation Report, Draft	Dudes L A, NRC/NRR/D RIP/RNRP		73
ML043410291	Weiss E W, NRC/NSIR/DPR	Memo from Eric Weiss to Laura Dudes transmitting revised draft input to DSER for Exelon ESP	12/13/2004	Memoranda	Dudes L A, NRC/NRR/D RIP/RNRP		2

December 14, 2004

PRIVILEGE LOG
ATTACHMENT F- PROPRIETARY/SENSITIVE

The following documents are being withheld by the NRC Staff as "PROPRIETARY/SENSITIVE" 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
ML043440524	Tardiff A, NRC	Exelon ESP Draft Safety Evaluation Report, Section 3.4.1.6, Site Characteristics - Security Plans		Safety Evaluation Report			

Attachment F - Proprietary

December 15, 2004

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of

EXELON GENERATION COMPANY, LLC.

(Early Site Permit for Clinton ESP Site)

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Docket No. 52-007-ESP

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 December 21, 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 21st day of December, 2004:

Administrative Judge
Paul B. Abramson, Chair
Atomic Safety and Licensing Board Panel
Mail Stop: T-3F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
(E-mail: PBA@nrc.gov)

Thomas S. O'Neill
Associate General Counsel
Exelon Nuclear
4300 Winfield Road
Warrenville, IL 60555
(E-mail: thomas.oneill@exeloncorp.com)

Administrative Judge
Anthony J. Baratta
Atomic Safety and Licensing Board Panel
Mail Stop: T-3F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
(E-mail: AJB5@nrc.gov)

Office of the Secretary
ATTN: Docketing and Service
Mail Stop: 0-16C1
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555
(E-mail: HEARINGDOCKET@nrc.gov)

Administrative Judge**
David L. Hetrick
8740 East Dexter Drive
Tucson, AZ 85715
(E-mail: dlmwh@dakotacom.net)

Office of Commission Appellate
Adjudication*
Mail Stop 0-16C1
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Atomic Safety and Licensing Board*
Mail Stop: T-3F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Howard A. Learner
Ann Alexander
Shannon Fisk
Environmental Law and Policy Center
35 East Wacker Drive, Suite 1300
Chicago, Illinois 60601
(E-mail: hlearner@elpc.org,
aalexander@elpc.org, sfisk@elpc.org)

Diane Curran
Harmon, Curran, Spielberg
& Eisenberg LLP
1726 M. Street N.W., Suite 600
Washington, D.C. 20036
(E-mail: dcurran@harmoncurran.com)


Dave Kraft
Executive Director, Nuclear Energy
Information Service
PO Box 1637
Evanston, IL 60204-1637
(E-mail: neis@neis.org)

Michele Boyd
Legislative Representative, Public Citizen
215 Pennsylvania Avenue, SE
Washington, D.C. 20003
(E-mail: mboyd@citizen.org)

Stephen P. Frantz
Paul M. Bessette
Alex S. Polonsky
Morgan, Lewis & Bockius, LLP
1111 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
(E-mail: sfrantz@morganlewis.com,
pbessette@morganlewis.com,
apolonsky@morganlewis.com)

Janet Marsh Zeller, Executive Director
Blue Ridge Environmental Defense League
P.O. Box 88
Glendale Springs, NC 28629
(Email: bredl@skybest.com)

Paul Gunter
Director, Reactor Watchdog Project
Nuclear Information and Resource Service
1424 16th Street, N.W. #404
Washington, D.C. 20036
(E-mail: nirsnet@nirs.org)



Shana Zipkin
Counsel for NRC Staff