



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

December 28, 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", written over a horizontal line.

Shana Zipkin
Counsel for NRC Staff

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

December 21, 2004

HEARING FILE - ATTACHMENT A

Accession Number	Document Date	Title/Description
ML043480194	12/8/2004	12/08/04-E-mail-Self identified changes
ML043520438	12/16/2004	12/16/04-E-mail-Projection of NRC Year End Invoices.
ML043520439	12/16/2004	12/16/04-E-mail-Re: Projection of NRC Year End Invoices.
ML043520441	12/16/2004	12/16/04-E-mail-Re: Projection of NRC Year End Invoices.
ML043510382	12/7/2004	Corrections/Clarifications to the Exelon Generation company, LLC (EGC) Early Site Permit (ESP) Application Site Safety Analysis Report and Emergency Plan for the Clinton ESP Site.

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
ML043500406	Quinn V E, US Dept of Homeland Security, US Federal Emergency Mgmt Agency (FEMA)	Respond to letter dated 11-08-04, requesting the FEMA concurrence with the NRC that the DSER for Exelon/Clinton Early Site Permit application, be shared with Nuclear Industry and other stakeholders.	11/30/2004	Emergency Preparedness-FEMA Correspondence to NRC	McMurtray A, NRC/NSIR/DPR	C-AMS4	1

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
ML043520445	Campe K M, NRC	12/06/04-E-mail-Clinton ESP SER input for site hazards.	12/6/2004	E-Mail	Gilles N V, NRC		19
ML043560028	Scott M L, NRC	12/08/04-E-mail PM Edit On Clinton DSER Sections.	12/8/2004	E-Mail	Campe K M, NRC/NRR/DSSA/SPSB		16
ML043520446	Lee J, NRC	12/08/04-E-mail-Clinton Draft SER for Exelon ESP.	12/8/2004	E-Mail, Memoranda	Gilles N V, NRC		40
ML043500683	Hinson C, NRC/NRR	12/09/04 e-mail regarding comments on Clinton EIS.	12/9/2004	E-Mail	Kenyon T, NRC/NRR	C-CSH	5
ML043520448	Klementowicz S P, NRC	12/10/04-E-mail-Re: Clinton DSER	12/10/2004	E-Mail	Gilles N V, NRC		5
ML043520449	Lee J, NRC	12/13/04-E-mail-Re: Clinton SER for Exelon ESP.	12/13/2004	E-Mail	Gilles N V, NRC		2

Accession Number	Author Name/Affiliation	Title/Description	Document Date	Document Type	Addressee / Addressee Affiliation	Comment	Page Count
ML043520451	Lee J, NRC	12/13/04-E-mail-Re: Clinton SER for Exelon ESP.	12/13/2004	E-Mail, Safety Evaluation Report, Draft	Gilles N V, NRC		14
ML043510211	Hinson C, NRC/NRR	12/14/04 - Comment list and marked-up version of Section 5.9 of Clinton EIS with NRC comments	12/14/2004	Letter	Stoetzel G A, Battelle Memorial Institute, Pacific Northwest National Lab	C-CSH	19
ML043500698	Stoetzel G A, Battelle Memorial Institute, Pacific Northwest National Lab	12/14/04 - Fax document - Marked-up version of Section 5.9 of Clinton EIS from PNL.	12/14/2004	Letter	Hinson C, NRC	C-CSH	17
ML043500694	Hinson C, NRC/NRR	12/14/04 e-mail regarding comments on Clinton EIS,	12/14/2004	E-Mail	Hickey E E, Kenyon T, Stoetzel G A, Battelle Memorial Institute, Pacific Northwest National Lab, NRC/NRR	C-CSH	6
ML043560031	Scott M L, NRC	12/15/04 E-mail re Clinton Section 2.1.	12/15/2004	E-Mail	Lee J, NRC		13

Attachment D - Predecisional/Deliberative Process

Accession Number	Author Name/Affiliation	Title/Description	Document Date	Document Type	Addressee / Addressee Affiliation	Comment	Page Count
ML043520452	Harvey R B, NRC	12/15/04-E-mail-Re: Draft Safety Evaluation Report for Clinton Early Site Permit Application (TAC No. MC1122).	12/15/2004	Draft Safety Evaluation Report (DSER), E-Mail, Memoranda	Gilles N V, NRC		47
ML043520453	Munson C G, NRC	12/17/04-E-mail-DSER Section 3.4.	12/17/2004	E-Mail, Safety Evaluation Report, Draft	Gilles N V, NRC		7
ML043510067	Dennig R L, NRC/NRR/DSSA/PSB	Draft Site Safety Evaluation Report for Exelon Early Site Permit Application (TAC No. MC1122).	12/15/2004	Memoranda	Dudes L A, NRC/NRR/DRIP	ads2	19
ML043510332	Prescott P, NRC	Exelon Early Site Permit Draft Safety Evaluation Report, Chapter 17, Quality Assurance		Safety Evaluation Report			40

Accession Number	Author Name/Affiliation	Title/Description	Document Date	Document Type	Addressee / Addressee Affiliation	Comment	Page Count
ML043500244	AmerGen Energy Co, LLC	Staff PAVAN Computer Runs Supporting Staff Review of Clinton ESP Application SSAR Chapter 2.3.4, Short-Term Diffusion Estimates.	12/8/2004	Graphics incl Charts and Tables, Software Documentati on		C-R Brad Harvey	343
ML043500339	No Known Affiliation	Staff XOQDOQ Computer Runs Supporting Staff Review of Clinton ESP Application SSAR Chapter 2.3.5, Long-Term Diffusion Estimates.	12/10/2004	Spreadsheet File		C-RBH Use 12/10/2004 as the document date, per the submitter	104

December 22, 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 December 28, 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 28th day of December, 2004:

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