

December 14, 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,

**/RA/**

Shana Zipkin  
Counsel for NRC Staff

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

HEARING FILE - ATTACHMENT A

<b>Accession Number</b>	<b>Document Date</b>	<b>Title/Description</b>
ML043270005	12/3/2004	09/16/2004 Summary of Public Meeting with Exelon Generation Company Regarding Seismic Analysis for Clinton ESP Application.
ML043410062	11/18/2004	11/18/04 E-mail correspondence regarding ER corrections relating to the EGC ESP environmental review.
ML043270432	11/19/2004	11/19/04-E-mail- Seismic Primer
ML043360250	11/30/2004	11/30/04-E-mail- Final 2004 NRC Invoice.
ML043380008	12/9/2004	Request for Additional Information Letter No. 12 - Exelon ESP Application for the Clinton ESP Site.
ML043370356	9/11/2002	Staff Reference for Clinton ESP Application DSER Chapter 2.3.1, Regional Climatology. Illinois State Climatologist Office, "Historical Climate Summary - 118179 Springfield WSO AP, IL."
ML043370314	8/29/2003	Staff Reference for Clinton ESP Application DSER Chapter 2.3.1, Regional Climatology. National Severe Storms Laboratory, "Severe Thunderstorm Climatology." (December 1, 2004).
ML043370319	12/1/2004	Staff Reference for Clinton ESP Application DSER Chapter 2.3.1, Regional Climatology: Illinois State Climatologist Office, "Climate of Illinois" (December 1, 2004).
ML043370363	12/1/2004	Staff Reference for Clinton ESP Application DSER Chapter 2.3.1, Regional Climatology: Illinois State Climatologist Office, "Historical Climate Summary - 112193 Decatur, IL" (December 1, 2004).
ML043370337	9/11/2002	Staff Reference for Clinton ESP Application DSER Chapter 2.3.1, Regional Climatology: Illinois State Climatologist Office, "Historical Climate Summary - 116711 Peoria WSO Airport, IL" (December 1, 2004.)
ML043370311	12/1/2004	Staff Reference for Clinton ESP Application DSER Chapter 2.3.1, Regional Climatology: Illinois State Climatologist Office, "Historical Climate Summary- 115079 Lincoln, ILV (December 1, 2004).

<b>Accession Number</b>	<b>Document Date</b>	<b>Title/Description</b>
ML043370323	4/8/2004	Staff Reference for Clinton ESP Application DSER Chapter 2.3.1, Regional Climatology: Illinois State Climatologist Office, "Illinois Records" (December 1, 2004).
ML043410077	9/11/2002	Staff Reference for Clinton ESP Application DSER Chapter 2.3.1, Regional Climatology: Illinois State Climatologist Office, Historical Climate Summary - 111743 Clinton, IL," (December 3, 2004).
ML043370330	5/27/2004	Staff Reference for Clinton ESP Application DSER Chapter 2.3.1, Regional Climatology: National Climatic Data Center (NCDC), "Temperature Extremes" (November 29, 2004).
ML043350394	11/19/2004	Seismic Risk (Performance Goal) Based Approach Primer - Exelon Early Site Permit (ESP) Application for the Clinton ESP Site.
ML043370309	11/9/2004	Staff Reference for Clinton ESP Application DSER Chapter 2.3.1, Regional Climatology: Ramsdell, J. V., Jr, "Technical Evaluation Report on Design Basis Tornadoes for the Clinton ESP Site," Pacific Northwest National Laboratories, November 9, 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).

<b>Accession Number</b>	<b>Author Name/Affiliation:</b>	<b>Title/Description:</b>	<b>Document Date</b>	<b>Document Type</b>	<b>Addressee / Addressee Affiliation</b>	<b>Comment</b>	<b>Page Count</b>
ML043370350	Moody R, NRC	E-mail to FEMA Transmitting draft EP input to the Draft Safety Evaluation for the Exelon Early Site Permit.	11/8/2004	E-Mail	Quinn V, - No Known Affiliation	C-JDA1	2
ML043370381	Moody R, NRC	E-mail to FEMA Transmitting electronic versions of draft EP input to the Draft Safety Evaluation for the Exelon Early Site Permit.	11/9/2004	E-Mail, Letter	Quinn V, - No Known Affiliation	C-REM2	147

December 7, 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).

<b>Accession Number</b>	<b>Author Name/Affiliation:</b>	<b>Title/Description:</b>	<b>Document Date</b>	<b>Document Type</b>	<b>Addressee / Addressee Affiliation</b>	<b>Comment</b>	<b>Page Count</b>
ML043360191	Scott M, NRC	11/26/04 E-mail Regarding Latest Proposed Words Regarding GDC 2.	11/26/2004	E-Mail	Harvey R B, NRC	C-RBH	2
ML043360199	Harvey R B, NRC	11/29/04 E-mail Regarding Latest Proposed Words Regarding GDC 2.	11/29/2004	E-Mail	Dennig R, NRC	C-RBH	2
ML043360183	Harvey R B, NRC	11/30/04 E-mail Regarding Latest Proposed Words Regarding GDC 2.	11/30/2004	E-Mail	Scott M, NRC	C-RBH	2
ML043360206	Dennig R, NRC	11/30/04 E-mail Regarding Latest Proposed Words Regarding GDC 2.	11/30/2004	E-Mail	Harvey R B, NRC	C-RBH	2
ML043380149	Moody R E, NRC	12/02/04 E-mail- Revised (k).	12/2/2004	E-Mail	Gilles N V, NRC		2
ML043380258	Cook C B, Pacific National Lab	12/02/2004 Email: RE: EHS.	12/2/2004	E-Mail	Harvey R B, NRC	C-R. Brad Harvey	2

<b>Accession Number</b>	<b>Author Name/Affiliation:</b>	<b>Title/Description:</b>	<b>Document Date</b>	<b>Document Type</b>	<b>Addressee / Addressee Affiliation</b>	<b>Comment</b>	<b>Page Count</b>
ML043380169	Harvey R B, NRC	E-mail re EHS.	12/2/2004	E-Mail	Cook C B, Battelle Memorial Institute, Pacific Northwest National Lab	C-R. Brad Harvey	5

December 8, 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.

**/RA/**

\_\_\_\_\_  
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 14, 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 14<sup>th</sup> day of December, 2004:

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**/RA/**

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