

March 16, 2005

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 John P. Segala. As required by 10 C.F.R. § 2.336(b)(5), the staff is producing an update to the privilege log at this time. In addition, the staff is continuing to preserve and maintain all privileged documents during the pendency of this proceeding.

Finally, please find enclosed a copy of the draft "Safety Evaluation of Early Site Permit Application in the Matter of Exelon Generation Company, LLC, for the EGC Early Site Permit Site," dated February 2005 ("DSER"). The DSER is also available in electronic form at <http://www.nrc.gov/reactors/new-licensing/esp/clinton.html> on the NRC Web site. Copies of the enclosed DSER are being sent via first-class mail to the parties on the NRC Staff's service list.

Respectfully submitted,

/RA/

Mauri T. Lemoncelli
Counsel for NRC Staff

Enclosures: As stated

March 8, 2005

HEARING FILE - ATTACHMENT A

Accession Number:	Document Date	Title
ML050670436	02/11/2005	02/11/05-E-mail- Re: Copy of Exelon ESP DSER.
ML050480478	02/11/2005	02/11/05-E-mail-Re: Copy of Exelon ESP DSER, Appendices A & B.
ML050480447	02/11/2005	02/11/05-E-mail-Re: Copy of Exelon ESP DSER-#1.
ML050670270	03/03/2005	03/03/2005-E-mail-Exelon ESP re: NRC Invoice for 4 th Qtr 2004.
ML050670302	03/04/2005	03/04/05-E-mail-Exelon ESP re: NRC Invoice for 4 th Qtr 2004.
ML050670580	03/08/2005	03/08/05- E-mail-Conference line for Thursday Hydrology call.
ML050670322	03/08/2005	03/08/05-E-mail-Fwd: Draft Safety Evaluation Report for the Exelon Early Site Permit Application.
ML050620431	03/02/2005	03/2/05- Draft Environmental Impact Statement for An Early Site Permit (ESP) at the Exelon ESP Site (TAC MC1125).
ML050620302	03/02/2005	3/2/05-Notice of Availability of the Draft Environmental Impact Statement (DEIS) for An Early Site Permit (ESP) at the Exelon ESP Site (TAC NO. MC1125).
ML050400436	02/28/2005	Clinton, Early Site Permit Draft Safety Evaluation Report, Appendix A, Chronology of Early Site Permit application for the EGC ESP Site.
ML050400450	02/28/2005	Clinton, Early Site Permit Draft Safety Evaluation Report, Appendix B, References.
ML050400378	02/28/2005	Clinton, Early Site Permit Draft Safety Evaluation Report, Chapter 1 with Table of Contents and Abbreviations.
ML050620197	02/28/2005	Clinton, Early Site Permit Draft Safety Evaluation Report, Chapter 13, Conduct of Operations.
ML050400404	02/28/2005	Clinton, Early Site Permit Draft Safety Evaluation Report, Chapter 17, Quality Assurance.
ML050400411	02/28/2005	Clinton, Early Site Permit Draft Safety Evaluation Report, Chapter 18, Review by the Advisory Committee on Reactor Safeguards.
ML050400423	02/28/2005	Clinton, Early Site Permit Draft Safety Evaluation Report, Chapter 19, Conclusions.
ML050400386	02/28/2005	Clinton, Early Site Permit Draft Safety Evaluation Report, Chapter 2, Site Characteristics.
ML050400394	02/28/2005	Clinton, Early Site Permit Draft Safety Evaluation Report, Chapter 3, Site Safety Assessment.

ML050540039	03/04/2005	Draft Safety Evaluation Report for the Exelon Early Site Permit Application.
ML050670134	03/08/2005	Press Release-05-044: NRC Seeks Public Input On Clinton Early Site Permit Application; Meeting To Be Held April 19.
ML050630552	02/23/2005	Review of Draft Safety Evaluation Report for the Early Site Permit (ESP) Application for the Clinton ESP Site.

March 8, 2005

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	
ML050660361	Higgins M, NRC/OGC	02/23/2005 - E-Mail re: Conclusions with open item in ESP DSERs-Attorney Client Privilege.	02/23/2005	E-Mail	Anand R, Gilles N V, Scott M L, Segala J, Sosa B, NRC/NRR/DRI P/RNRP	CH

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March 8, 2005

Comment	Cheri Nager		C-TJK2
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Type Document	E-Mail	E-Mail	E-Mail
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Date	2/18/2005	03/08/2005	02/10/2005
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Title/Description	Dr. Applied Brats Safety Safety E-mail Application EVALUATIVE PROCESS	50.34.	E-Mail - 10 CFR
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Author	NRP Scott M L,	NRP Segala J,	Northwest National Lab Battelle Pacific
Name/Affiliation	R/DR/RI/RRC/NRR/DRIP/R	R/DR/RI/RRC/NRR/DRIP/R	

Number Accession	ML050550049 ML050670342		ML050610539
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The following information are being withheld by the NRC Staff as "PREDECISIONAL/DELIBERATIVE"

Page	9	2	5	4
Count				
Comment	C-TJK2	C-TJK2	C-TJK2	C-TJK2
Address	P/R/LEP NRC/NRR/DRI	Battelle Northwest Northwest Pacific Institute;	NRC Northwest Pacific	NRC Northwest Pacific
Type Document	E-Mail Impact Statement Environmental	E-Mail	E-Mail	E-Mail
Date	02/11/2005	02/07/2005	12/29/2004	02/10/2005
Title/Description	of Federal transmission corridor. Errors. DSEIS. of Federal transmission corridor. Errors. DSEIS.	of Federal transmission corridor. Errors. DSEIS.	E-mail Responses.	E-mail Responses.
Author Name/Affiliation	Becker J Northwest National Lab Pacific	Northwest National Lab Pacific	Emch R, Northwest National Lab Pacific	Northwest National Lab Pacific
Number Accession	ML050610697	ML050610573	ML050610688	ML050610688

Attachment

Page	2	1	2	1	2
Comment	C-TJK2	C-TJK2	C-TJK2	C-TJK2	C-TJK2
Address	Battelle Northwest National Institute;	NRC	NRC	NRC	NRC
Type Document	E-Mail	E-Mail	E-Mail	E-Mail	E-Mail
Date	02/08/2005	01/28/2005	02/14/2005	02/10/2005	02/10/2005
Title/Description	Site Permit section. Corridors. Attachment				
Author Name/Address	Hickey, Northwest National Lab	NRC	Klementowicz, Son T J, NRC	Stapp, Northwest National Lab	Northwest National Lab
Number Accession	ML050610582	ML050610533	ML050610700	ML050610549	ML050610595

Page	134	68
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March 8, 2005

Comment		
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Affiliation	LLC	LLC
Address	Granger Electric Supply Extension Co,	

Type Document	E-Safety Evaluation, Draft	Safety Evaluation, Draft
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Date
Document 2/11/2005 02/28/2005

Attachment

ATTACHMENT F- PROPRIETARY/SENSITIVE

Title/Description	ESP DSER. of Operations. Copy of Client File for Project, Conduct
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Author	NRP
Name/Affiliation	Beckner W.D, NRC/NRC/RR/DRIP/R

Number Accession	ML0504804001_050400399
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The following documents are being withheld by the NRC Staff as "PROPRIETARY/SENSITIVE" pursuant to 10 CFR 171.24.

March 9, 2005

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 JOHN P. SEGALA CONCERNING
MANDATORY DISCLOSURE REQUIREMENT OF 10 C.F.R. § 2.336(d)

I, John P. Segala, 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/

John P. Segala

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 March 16, 2005, providing notice of the availability of an update to the hearing file, with attachments, together with the affidavit of John P. Segala, 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 March, 2005:

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/RA/

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