

February 8, 2005

Administrative Judge Paul B. Abramson, Chair      Administrative Judge David L. Hetrick  
Atomic Safety and Licensing Board Panel      8740 East Dexter Drive  
U.S. Nuclear Regulatory Commission      Tucson, AZ 85715  
Mail Stop: T-3F23  
Washington, D.C. 20555-0001

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

February 1, 2005

HEARING FILE - ATTACHMENT A

<b>Accession Number</b>	<b>Document Date</b>	<b>Title/Description</b>
ML050280252	1/24/2004	Response to Request for Additional Information Letter No. 12 re Application for Clinton ESP Site.
ML050250305	1/24/2005	01/24/05 E-mail EP ETE RAI Responses to Letter No. 12.

February 1, 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).

<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>
ML050320428	Lemoncelli M T, NRC	01/25/05-E-mail-Re: Exelon Land Ownership Issue	1/25/2005	E-Mail	Gilles N V, NRC		2
ML050320434	Gilles N V, NRC	01/26/05-E-Mail -Re: Exelon Land Ownership Issue	1/26/2005	E-Mail	Lemoncelli M T, NRC		2
ML050320422	Gilles N V, NRC	02/01/05-E-mail- Fwd: 2.390 request for withholding	2/1/2005	E-Mail	Moody R E, NRC		1

February 1, 2005

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>
ML050260623	McMurtray A C, NRC/NSIR/DPR/EPD	Ltr to V. Quinn (FEMA) - Subject - Exelon/Clinton Early Site Permit (ESP) Application - Applicant Responses to Questions Related to Evacuation Time Estimates.	1/28/2005	Letter	Quinn V E, US Federal Emergency Mgmt Agency (FEMA)		2

February 1, 2005

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
ML050280218	No Known Affiliation	Staff PAVAN computer runs supporting staff review of Clinton ESP Application SSAR Chapter 2.3.4 and DEIS Chapter 5.10.1.	1/27/2005	Calculation		C-RBH	62
ML050270189	Beckner W D, NRC/NRR/DRIP	Memo to NRR Division Directors from W. Beckner re: Draft Safety Evaluation Report (DSER) for the Exelon Early Site Permit Application.	1/28/2005	Memoranda	Barrett R J, Black S C, Boger B A, Leeds E J, Tracy G M, NRC/NRR/DE, NRC/NRR/DIPM, NRC/NRR/DSSA, NRC/NSIR/DNS, NRC/NSIR/DPR	CHERI NAGEL	3
ML050280361	NRC/NRR	Clinton, Early Site Permit Draft Safety Evaluation Report, Chapter 1 with Table of Contents and Abbreviations.	1/28/2005	Safety Evaluation Report, Draft		CHERI NAGEL	28

<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>
ML050280326	No Known Affiliation	Clinton, Early Site Permit Draft Safety Evaluation Report, Chapter 2, Site Characteristics.	1/28/2005	Draft Safety Evaluation Report (DSER)		CHERI NAGEL	143
ML050280244	No Known Affiliation	Clinton, Early Site Permit Draft Safety Evaluation Report, Chapter 3, Site Safety Assessment.	1/28/2005	Safety Evaluation Report, Draft		CHERI NAGEL	28
ML050270151	No Known Affiliation	Clinton, Early Site Permit Draft Safety Evaluation Report, Chapter 13, Conduct of Operations.	1/28/2005	Safety Evaluation Report, Draft		CHERI NAGEL	70
ML050260424	No Known Affiliation	Clinton, Early Site Permit Draft Safety Evaluation Report, Chapter 17, Quality Assurance Measures.	1/28/2005	Safety Evaluation Report, Draft		CHERI NAGEL	42

<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>
ML050280269	No Known Affiliation	Clinton, Early Site Permit Draft Safety Evaluation Report, Chapter 18, Review by the Advisory Committee on Reactor Safeguards.	1/28/2005	Draft Safety Evaluation Report (DSER)		CHERI NAGEL	1
ML050280276	No Known Affiliation	Clinton, Early Site Permit Draft Safety Evaluation Report, Chapter 19, Conclusions.	1/28/2005	Draft Safety Evaluation Report (DSER)		CHERI NAGEL	1
ML050280280	No Known Affiliation	Clinton, Early Site Permit Draft Safety Evaluation Report, Appendix A, Chronology of Early Site Permit application for the EGC ESP Site.	1/28/2005	Draft Safety Evaluation Report (DSER)		CHERI NAGEL	35
ML050270249	No Known Affiliation	Clinton, Early Site Permit Draft Safety Evaluation Report, Appendix B, References.	1/28/2005	Safety Evaluation Report, Draft		CHERI NAGEL	9

<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>
ML050210204	Kenyon T, NRC/NRR/DRIP/R LEP	06/22/2004 - 12/29/2004 Contractor's Personal Notes Regarding the Radiological Review of the EGC ESP Project.	6/22/2004	Note		NNA BARNETT, THOMAS KEYON, JENNIFER DAVIS	3



February 2, 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 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 February 8, 2005, 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 8<sup>th</sup> day of February, 2005:

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**/RA/**

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