

April 5, 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 enclosed. Also enclosed is the Affidavit of John P. Segala. 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 is continuing to preserve and maintain all privileged documents during the pendency of this proceeding. Finally, please find enclosed the Notice of Withdrawal of Shana Zipkin.

Respectfully submitted,

*/RA/*

Mauri T. Lemoncelli  
Counsel for NRC Staff

Enclosures: Hearing File Index  
Affidavit of John P. Segala  
Privilege log  
Notice of Withdrawal

March 29, 2005

HEARING FILE - ATTACHMENT A

Accession Number:	Document Date	Title
ML050830288	03/17/2005	Comment (2) Of Susan O'Rourke Opposing The Clinton 2 Nuclear Reactor.

March 29, 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).

<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>
ML050870422	Vail L W, Battelle Memorial Institute, Pacific Northwest National Lab	03/28/05 E-mail regarding Clinton ESP Site Tour.	03/28/2005	E-Mail	Bagchi G, NRC/NRR	C-GXB1	2
ML050830169	Brown L, NRC/NRR	E-mail from Leta Brown re: Heads Up. Concurs With Proposal to Add Paragraph to End of Section 2.3.1.3 (Regional Climatology - Technical Evaluation), After Table of Staff's Proposed Regional Climatic Site Characteristics.	03/23/2005	E-Mail	Harvey R B, NRC/NRR	C-RBH	2

March 30, 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

April 5, 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

NOTICE OF WITHDRAWAL

Notice is hereby given that effective April 5, 2005, the undersigned counsel withdraws her appearance in the above-captioned proceeding. All mail and service lists should be amended to delete my name after that date.

Respectfully submitted,

**/RA/**

Shana Zipkin  
Counsel for NRC Staff

Dated at Rockville, Maryland  
this 5th day of April, 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

CERTIFICATE OF SERVICE

I hereby certify that copies of the NRC Staff letter dated April 5, 2005, providing notice of the availability of an update to the hearing file, with attachments, together with the affidavit of John P. Segala and the Notice of Withdrawal of Shana Zipkin, 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 5<sup>th</sup> day of April, 2005:

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)

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

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

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

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

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)

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 16<sup>th</sup> Street, N.W. #404  
Washington, D.C. 20036  
(E-mail: nirsnet@nirs.org)

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

*/RA/*

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Mauri T. Lemoncelli  
Counsel for NRC Staff