

March 29, 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 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.

Respectfully submitted,

*/RA/*

Mauri T. Lemoncelli  
Counsel for NRC Staff

Enclosures: Hearing File Index  
Affidavit of John P. Segala  
Privilege logs

HEARING FILE - ATTACHMENT A

Accession Number:	Document Date	Title
ML050800214	03/18/2005	03/18/05-E-mail-March 16 Exelon Submittal re: Seismic Risk (Performance Goal) Based Approach Calculation
ML043570375	02/01/2005	Clinton, Withholding From Public Disclosure, Exelon ESP Application - State and Local Emergency Plans.
ML042820082	10/28/2004	Clinton, Withholding From Public Disclosure, Exelon ESP Project Quality Assurance Plan.
ML050800063	03/10/2005	Comment (1) of Harry Borrenpohl regarding the continuation of the permit process for Clinton Power Station.
ML050810517	03/16/2005	Seismic Risk (Performance Goal) Based Approach Calculation re: Early Site Permit Application for Clinton Site.

March 22, 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>
ML050750374	Quinn V E, US Dept of Homeland Security, US Federal Emergency Mgmt Agency (FEMA)	Letter from FEMA regarding FEMA's comments on the Exelon/Clinton Draft Safety Evaluation Report.	02/25/2005	Letter	McMurtray A, NRC/NSIR/DP R/EPD	C-REM2	4

March 22, 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
ML041690597	Morris S A, NRC/NSIR/DNS	06/24/04 - Memo to L. Dudes from J. Shea Subject: Draft Input to Safety Evaluation of Exelon early site permit application (section 3.4.1.6, security).	06/24/2004	Memoranda	Dudes L A, NRC/NRR		2
ML050750088	Harvey R B, NRC	08/30/2004 E-Mail from R.B. Harvey to J. Ramsdell Jr. Re: Clinton Met Data.	08/30/2004	E-Mail, Graphics incl Charts and Tables	Ramsdell J V, Battelle Memorial Institute, Pacific Northwest National Lab	NXH2	342
ML041690621	Morris S A, NRC/NSIR/DNS	Draft Input to Safety Evaluation of Exelon Early Site Permit Application (section 3.4.1.6, security) - Enclosure 1.	06/24/2004	Safety Evaluation Report, Draft	Dudes L A, NRC/NRR		3

Accession Number	Author Name/Affiliation:	Title/Description:	Document Date	Document Type	Addressee / Addressee Affiliation	Comment	Page Count
ML041690631	Morris S A, NRC/NSIR/DNS	Draft Input to Safety Evaluation of Exelon Early Site Permit Application (section 3.4.1.6, security) - Enclosure 2.	06/24/2004	Request for Additional Information (RAI)	Dudes L A, NRC/NRR		2

March 23, 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/*

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John P. Segala

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of )  
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EXELON GENERATION COMPANY, LLC. ) Docket No. 52-007-ESP  
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(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 29, 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 29nd day of March, 2005:

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*/RA/*

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Mauri T. Lemoncelli  
Counsel for NRC Staff

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of	)	
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