

June 23, 2003

Ms. Marilyn C. Kray
Vice President, Project Development
Exelon Generation Company, LLC
200 Exelon Way
KSA3-E
Kennett Square, PA 19348

SUBJECT: U.S. NUCLEAR REGULATORY COMMISSION RESPONSES TO
EXELON GENERATION COMPANY, LLC COMMENTS ON
DRAFT RS-002, "PROCESSING APPLICATIONS FOR
EARLY SITE PERMITS"

Dear Ms. Kray:

This letter provides the responses of the U.S. Nuclear Regulatory Commission (NRC) staff to the comments on the subject document provided in your letter to James E. Lyons dated March 31, 2003. Because your letter endorsed the comments of the Nuclear Energy Institute (NEI) on draft RS-002, we are providing, as an enclosure, the item-by-item NRC staff responses to NEI's comments. The responses reflect the staff's positions on NEI's comments, and they will be addressed as appropriate in the development of the final RS-002 scheduled for completion by the end of 2003.

Your letter also expressed concern about the fact that the final RS-002 will not be released until well after the first three early site permit (ESP) applications are submitted. The staff believes that the combination of the following will constitute sufficient guidance to the staff to allow rigorous, consistent, and efficient NRC staff reviews of any ESP applications received prior to release of the final RS-002:

- Staff guidance on ESP reviews in draft RS-002
- The staff's positions on ESP-related issues raised by NEI as documented in various letters from the staff to NEI in 2002 and 2003
- The staff's responses to public comments on draft RS-002
- Additional guidance to be made available to the NRC staff reviewers of potential ESP applications as needed

We also believe that draft RS-002, the staff's responses to public comments on draft RS-002, and the letters that the staff has provided to NEI collectively provide sufficient information to enable ESP applicants to understand the staff's expectations for content of an ESP application.

M. Kray

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If you have any questions regarding this letter or the staff's responses to your comments, please contact Mr. Michael L. Scott at (301) 415-1421.

Sincerely,

/RA/

James E. Lyons, Director
New Reactor Licensing Project Office
Office of Nuclear Reactor Regulation

Project No. 718

Enclosure: As stated

cc w/encl: See next page

M. Kray

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If you have any questions regarding this letter or the staff's responses to your comments, please contact Mr. Michael L. Scott at (301) 415-1421.

Sincerely,

/RA/

James E. Lyons, Director
New Reactor Licensing Project Office
Office of Nuclear Reactor Regulation

Project No. 718

Enclosure: As stated

cc w/encl: See next page

ACCESSION NO.: ML031320006-ML031710698-Pkg. *See previous concurrence

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