

November 30, 2004

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. Please note that there were no new documents added to the Hearing File during this period. 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: Affidavit of Nanette V. Gilles  
Privilege logs

November 24, 2004

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

November 23, 2004

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>
ML043270518	Gilles N V, NRC	11/12/04-E-mail- Re: Clinton ESP Application.	11/12/2004	E-Mail	Harvey B, NRC		2
ML043270385	Moody R E, NRC	11/18/04-E-mail- Re: Clinton ESP Application.	11/18/2004	E-Mail	Gilles N V, NRC		2
ML043270600	Harvey R B, NRC	11/22/04 E-mail Regarding ESP DSER Comment Resolution (Correction).	11/22/2004	E-Mail	Anand R K, Beckner W D, Dennig R, Dudes L, Gilles N V, Scott M, Tschiltz M, Wilson J, NRC	C-RBH	8
ML043270593	Harvey R B, NRC	11/22/04 E-mail Regarding ESP DSER Comment Resolution.	11/22/2004	Letter	Anand R K, Beckner W D, Dennig R, Dudes L, Gilles N V, Scott M, Tschiltz M, Wilson J, NRC	C-RBH	8

<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>
ML043270438	Gilles N V, NRC	11/22/04-E-mail- Re: Fwd: ESP DSER Comment Resolution.	11/22/2004	E-Mail	Anand R K, Beckner W D, Dudes L, Scott M L, NRC		2
ML043270589	Harvey R B, NRC	Email: ESP DSER Comment Resolution.	11/19/2004	E-Mail	Denning R L, Tschiltz M D, NRC	C-RBH	5

November 23, 2004

PRIVILEGE LOG  
ATTACHMENT F- PROPRIETARY/SENSITIVE

The following documents are being withheld by the NRC Staff as "PROPRIETARY/SENSITIVE" 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>
ML043270398	Tardiff A, NRC	11/19/04-E-mail-Security Input for Clinton.	11/19/2004	E-Mail	Gilles N V, NRC		4
ML043230297	Morris S A, NRC/NSIR/DNS	11/19/04 - Memo to L. A. Dudes From: S. A. Morris Subject: Draft Input to Safety Evaluation of Exelon Early Site Permit Application (Section 3.4.1.6, Security).	11/19/2004	Memoranda	Dudes L A, NRC/NRR/DRI P/RPRP		2
ML043230321	Morris S A, NRC/NSIR/DNS	Office of Nuclear Security And Incident Response Final Input to Safety Evaluation of Exelon Early Site Permit Application (Section 3.4.1.6, Security).	11/19/2004	- No Document Type Applies	Dudes L A, NRC/NRR/DRI P/RPRP		3

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 November 30, 2004, 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 30<sup>th</sup> day of November, 2004:

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)

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

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

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

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

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)

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

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)

/RA/

---

Shana Zipkin  
 Counsel for NRC Staff