

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of
LONG ISLAND LIGHTING COMPANY
(Shoreham Nuclear Power
Station, Unit 1)

Docket No. 50-322 O.L.



SUFFOLK COUNTY'S FIRST REQUEST FOR
PRODUCTION OF EMERGENCY PLANNING
DOCUMENTS TO THE NUCLEAR REGULATORY COMMISSION STAFF

Pursuant to 10 C.R.F. §§ 2.741 and 2.774, and the Licensing Board's Order, dated April 20, 1982, the Nuclear Regulatory Commission Staff is requested by Suffolk County to produce at the NRC offices in Bethesda, Maryland, or at another mutually agreed-upon location, each of the documents set forth below, within thirty (30) days after service hereof. These document requests pertain to the emergency planning and preparedness issues under consideration by the Licensing Board and to whether emergency planning and preparedness for the Shoreham facility complies with 10 C.F.R. § 50.47 and 10 C.F.R. Part 50, Appendix E.

DEFINITIONS AND INSTRUCTIONS

A. Wherever appropriate, the singular form of a word shall be interpreted as plural and vice versa.

DSO3
3
1/1

B. "And" as well as "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope hereof any information (as defined herein) which might otherwise be construed to be outside the scope of these discovery requests.

C. Wherever appropriate, the masculine form of a word shall be interpreted as feminine and vice versa.

D. The term "person" includes any natural person, firm, partnership, educational institution, joint venture, corporation, and any domestic government organization, or group of natural persons or such entities.

E. The term "information" shall be expansively construed and shall include facts, data, theories, analyses, opinions, images, impressions, concepts and formulae.

F. The term "document" shall be expansively construed and shall mean any tangible thing from or on which information can be stored, recorded, processed, transmitted, inscribed, or memorialized in any way by any means regardless of technology or form. Each copy of a document which contains separate notations or writings thereon, and each draft of a document which differs in any way from the final version of the document, shall be deemed to be a separate document for purposes of these discovery requests. [Versions of a document which differ in clearly nonsubstantive and unimportant ways from other versions of the document do not need to be considered a separate document.]

G. The term "communication" includes every exchange of information by any means.

H. The term "LILCO," or "LILCO personnel" means Long Island Lighting Company, and any affiliate, agent, employee, consultant, contractor, subcontractor, technical advisor, representative, or other person acting for or on behalf of LILCO, or at LILCO's direction or control, or in concert with LILCO or assisting LILCO.

I. The term "Shoreham" means the Shoreham Nuclear Power Station, Unit 1, any part thereof, or any structure, system, component, instrumentation, equipment, or materials included in, or intended to be included in or associated with Shoreham, whether onsite or offsite.

J. The term "contractor" means any person, not affiliated with LILCO, who performed work relating to Shoreham, on behalf of LILCO and/or pursuant to a contract with LILCO. The term "subcontractor" means any person, not affiliated with LILCO, who performed work of any kind relating to Shoreham, on behalf of a contractor with whom the person was not affiliated, and pursuant to a contract with such contractor. A person other than a contractor who contracts with a subcontractor shall be deemed a subcontractor.

K. The words "concerning," "concerns," or any other derivative thereof include referring to, responding to, relating to, pertaining to, connected with, comprising, memorializing,

commenting on, regarding, discussing, showing, describing, reflecting, analyzing, supporting, contradicting and constituting.

L. If the NRC objects to or claims a privilege (attorney-client, work product, or otherwise), with respect to any document request, in whole or in part, or seeks to withhold documents or information because of the alleged proprietary nature of the data, set forth all reasons and the underlying factual basis for the objection or claim of privilege in sufficient detail to permit the Licensing Board to determine the validity of your objection or claim of privilege. This description should include with respect to each document: the author, addressor, addressee, recipients of indicated and "blind" copies, date of preparation, subject matter, purpose for which it was prepared, number of pages, attachments or appendices, all persons to whom distributed, shown or explained, present custodian, all persons believed to have a copy of the document, and the nature of the privilege or objection asserted.

M. If any document called for herein has been destroyed, that document is to be identified as described in the second sentences of "L", above. The NRC also is requested to state the date of destruction, person authorizing destruction, and person destroying the document.

N. Information furnished in answer to a document request may be furnished by reference to the answer provided for another document request, provided the other referenced answer fully responds to each request for information contained in the request. Separate answers should be provided for each request and each subpart thereof. The County is interested in receiving the relevant data asked for and any means of providing such data which are less time-consuming for the responder but which are nevertheless complete and fully understandable will satisfy the intent of these requests.

O. As used herein:

- (1) The term "plan" or emergency response plan shall refer to the Shoreham Emergency Plan as described in SNRC 568, dated May 27, 1981, and SNRC 656, dated January 11, 1982.
- (2) "Analysis" means research, investigation, audit, inspection, review, testing, monitoring, or any other method or form of examining data and/or forming conclusions or recommendations.
- (3) "NRC" means the Nuclear Regulatory Commission and its staff, any division or section thereof, any staff member thereof, or any agent, consultant, contractor, subcontractor, technical advisor, employee, or representative of the NRC.

DOCUMENT REQUESTS

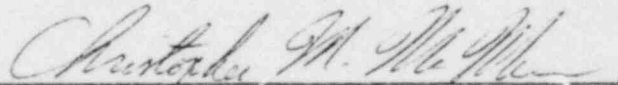
1. All documents (other than the SER) analyzing, studying, or otherwise concerning the adequacy of LILCO's emergency plan in comparison with the requirements of 10 C.F.R. 50.47(b) and 10 C.F.R. Part 50, Appendix E. In particular, documents which form the substantive basis for statements in the SER should be produced. Thus, this request includes all documents supporting, criticizing, underlying, forming the basis for, or otherwise concerning the findings and conclusions of those portions of the Safety Evaluation Report (SER) related to emergency planning at the Shoreham Nuclear Plant (NUREG 0420, Supp. No. 1, Sept. 1, 1981, Item 1².3).
2. All documents concerning the adequacy or inadequacy of LILCO's proposed resolutions to the deficiencies noted in the SER Supp. 1, including:
 - (a) All correspondence between LILCO and the NRC concerning such deficiencies;
 - (b) All documents identifying meetings, telephone calls or other such contacts between the NRC and LILCO, its representatives, contractors, subcontractors, or consultants concerning resolution of such deficiencies; and
 - (c) Any documents describing, outlining, or otherwise concerning the content of any of the meetings,

telephone calls or other contacts described in (b),
above.

3. Any documents describing, assessing or otherwise concerning deficiencies in the LILCO plan or resolutions thereof since the publication of SER Supp. 1.
4. Any documents considering, approving, disapproving or otherwise concerning LILCO's resolutions of the deficiencies described in SER Supp. 1.
5. Any documents concerning any test, exercise or drill conducted or to be conducted for the purpose of evaluating LILCO's Emergency Response Plan, including:
 - (a) The schedule for such test, exercise or drill;
 - (b) The format for such test, exercise or drill; and
 - (c) The results of LILCO's performance and the criteria for evaluating such performance.
6. Any documents describing or otherwise concerning the NRC's schedule and/or methodology for assessing the adequacy of LILCO's Emergency Plan.
7. Any documents concerning FEMA's involvement in emergency preparedness for Shoreham.
8. All documents (not produced in response to Nos. 1-7, above) assessing, considering or otherwise concerning the Long Island Lighting Company's (LILCO) Radiological Emergency Response Plan for the Shoreham Nuclear Plant.

Respectfully submitted,

DAVID J. GILMARTIN
PATRICIA A. DEMPSEY
Suffolk County Department of Law
Veterans Memorial Highway
Hauppauge, New York 11788



Herbert H. Brown
Lawrence Coe Lanpher
Christopher M. McMurray
KIRKPATRICK, LOCKHART, HILL,
CHRISTOPHER & PHILLIPS
1900 M Street, N.W., 8th Floor
Washington, D.C. 20036
(202) 452-7000

May 12, 1982

Attorneys for Suffolk County

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)
)
)

LONG ISLAND LIGHTING COMPANY)

) Docket No. 50-322 (O.L.)
)

(Shoreham Nuclear Power Stations,)
Unit 1))
)

CERTIFICATE OF SERVICE

I hereby certify that copies of "SUFFOLK COUNTY'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS TO THE NUCLEAR REGULATORY COMMISSION STAFF," dated May 12, 1982, have been served to the following on May 12, 1982 by U.S. Mail, first class, except as otherwise noted.

Lawrence Brenner, Esq.
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dr. James L. Carpenter
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dr. Peter A. Morris
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Edward M. Barrett, Esq.
General Counsel
Long Island Lighting Company
250 Old Country Road
Mineola, New York 11501

Mr. Brian McCaffrey
Long Island Lighting Company
175 East Old Country Road
Hicksville, New York 11801

Ralph Shapiro, Esq.
Cammer and Shapiro
9 East 40th Street
New York, New York 10016

Howard L. Blau, Esq.
217 Newbridge Road
Hicksville, New York 11801

W. Taylor Reveley III, Esq.
Hunton & Williams
P.O. Box 1535
Richmond, Virginia 23212

Mr. Jay Dunkleberger
New York State Energy Office
Agency Building 2
Empire State Plaza
Albany, New York 12223

Stephen B. Latham, Esq.
Twomey, Latham & Shea
Attorneys at Law
P.O. Box 398
33 West Second Street
Riverhead, New York 11901

Marc W. Goldsmith
Energy Research Group, Inc.
400-1 Totten Pond Road
Waltham, Massachusetts 02154

Joel Blau, Esq.
New York Public Service Commission
The Governor Nelson A. Rockefeller
Building
Empire State Plaza
Albany, New York 12223

David H. Gilmartin, Esq.
Suffolk County Attorney
County Executive/Legislative Bldg.
Veterans Memorial Highway
Hauppauge, New York 11788

Atomic Safety and Licensing
Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

*Docketing and Service Section
Office of the Secretary
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

*Bernard M. Bordenick, Esq.
David A. Repka, Esq.
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Matthew J. Kelly, Esq.
Staff Counsel, New York State
Public Service Commission
3 Rockefeller Plaza
Albany, New York 12223

*By Hand Delivery

May 11, 1982

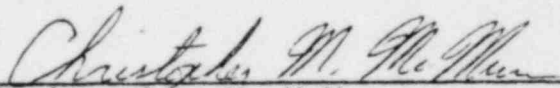
Mr. Jeff Smith
Shoreham Nuclear Power Station
P.O. Box 618
North Country Road
Wading River, New York 11792

MHB Technical Associates
1723 Hamilton Avenue
Suite K
San Jose, California 95125

Hon. Peter Cohalan
Suffolk County Executive
County Executive/Legislative
Building
Veterans Memorial Highway
Hauppauge, New York 11788

Ezra I. Bialik, Esq.
Assistant Attorney General
Environmental Protection Bureau
New York State Department of Law
2 World Trade Center
New York, New York 10047

Atomic Safety and Licensing
Appeal Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555


Christopher M. McMurray
KIRKPATRICK, LOCKHART, HILL,
CHRISTOPHER & PHILLIPS
1900 M Street, N.W., 8th Floor
Washington, D.C. 20036