

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED
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'84 MAY 24 A10:36

Before the Atomic Safety and Licensing Appeal Board

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

In the Matter of)

LONG ISLAND LIGHTING COMPANY)

(Shoreham Nuclear Power Station,
Unit 1))

) Docket No. 50-322-OL-3
) (Emergency Planning)
)
)
)

PRELIMINARY SUFFOLK COUNTY RESPONSE
TO FEMA'S NOTICE OF APPEAL AND REQUEST
FOR A STAY OF AN ORDER OF THE
ATOMIC SAFETY AND LICENSING BOARD

On May 18, 1984, during a conference call among the parties, the Atomic Safety and Licensing Board granted in large part Suffolk County's Motion to Compel Production of Documents Identified by FEMA on May 14 and 15. See Memorandum and Order Ruling On Suffolk County Motion To Compel Production of Documents by FEMA, dated May 18, 1984, 3:00 p.m., E.D.T. Following the Board's ruling, counsel for FEMA made an oral application for a stay of that ruling pending appeal, pursuant to 10 CFR Section 2.788(g). The Board found that FEMA had failed to satisfy three of the four factors set forth in 10 CFR Section 2.788(e), but granted a temporary stay of its order until 5:00 p.m., May 21, 1984. At approximately 11:00 a.m. this morning, Suffolk County received FEMA's two-sentence Notice of Appeal and Request for a Stay of an Order of the Atomic Safety and Licensing Board. The County understands that FEMA intends to file sometime today addi-

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tional material in support of its Notice and Request; however, as of the time this request was prepared, the County had not yet received any such materials.

Suffolk County hereby states its intention to respond to whatever additional pleadings may be filed by FEMA in support of its Appeal and Request for a Stay should this Board be inclined to consider at all FEMA's interlocutory appeal and request for a stay of the Atomic Safety and Licensing Board's discovery ruling.

Respectfully submitted,

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Dated: May 21, 1984

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NUCLEAR REGULATORY COMMISSION

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CERTIFICATE OF SERVICE

I hereby certify that copies of PRELIMINARY SUFFOLK COUNTY RESPONSE TO FEMA'S NOTICE OF APPEAL AND REQUEST FOR A STAY OF AN ORDER OF THE ATOMIC SAFETY AND LICENSING BOARD dated May 21, 1984, have been served to the following this 21st day of May 1984 by U.S. mail, first class, except as otherwise noted.

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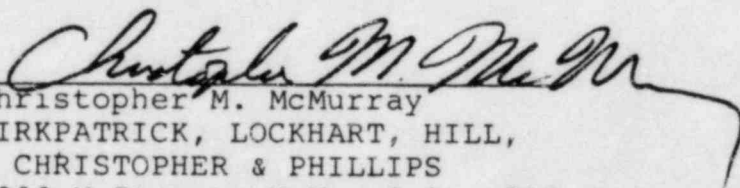
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Dated: May 21, 1984

* By Hand
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