



STATE OF NEW YORK
EXECUTIVE CHAMBER
ALBANY 12224

FABIAN PALOMINO
Special Counsel to the Governor

March 21, 1984

Mr. Harold R. Denton, Director
Office of Nuclear Reactor Regulation
U.S. Nuclear Regulatory Commission
7920 Norfolk Avenue, Room P-404A
Bethesda, Maryland 20814

Dear Mr. Denton:

As Special Counsel to Governor Mario Cuomo, who is representing the State of New York as intervenor in the Shoreham licensing proceeding, I wish to underscore the concerns raised by Suffolk County's counsel, Herbert H. Brown, Esq., in his letter to you dated March 1, 1984. The Design Review/Quality Revalidation (DRQR) which is now proceeding under the de facto control and direction of the Long Island Lighting Company (LILCO) is not acceptable to the State of New York.

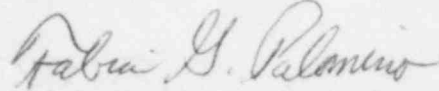
LILCO and the Owners' Group utilities have far too great a stake in the outcome of the DRQR to be permitted to control and direct this important project. Indeed, since the date of Mr. Brown's letter, even more evidence of LILCO's conflict of interest has surfaced: i.e., Mr. William Museler, who is both Director of LILCO's Office of Nuclear and Technical Director of the Owners' Group DRQR, filed on March 20 an affidavit in support of LILCO's "Supplemental Motion For Low Power Operating License." The State therefore agrees with Suffolk County that the DRQR should be immediately stopped, that the NRC Staff should take the initiative to institute a genuinely independent DRQR; and that steps should be taken to ensure that the interests of the State and County are accommodated by the new DRQR.

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The State of New York is available to join with the NRC Staff and other parties in establishing the framework for an independent DRQR and the selection of an independent organization to direct the project. I look forward to your early reply.

Very truly yours,

A handwritten signature in cursive script, reading "Fabian G. Palomino".

Fabian G. Palomino, Esq.
Special Counsel to the Governor
of the State of New York

cc: Herbert H. Brown, Esq.
Richard J. Goddard, Esq.
T. S. Ellis, Esq.