

## HUNTON &amp; WILLIAMS

707 EAST MAIN STREET

P.O. BOX 1535

RICHMOND, VIRGINIA 23212

TELEPHONE 804-788-8200

TWX 710-956-0061

2000 PENNSYLVANIA AVENUE, N.W.  
P.O. BOX 18230  
WASHINGTON, D.C. 20036  
TELEPHONE 202-955-1500

333 SOUTH GRAND AVENUE  
LOS ANGELES, CALIFORNIA 90071  
TELEPHONE 213-617-3052  
TELEX 754708

FIRST VIRGINIA BANK TOWER  
P.O. BOX 3888  
NORFOLK, VIRGINIA 23514  
TELEPHONE 804-625-5501  
TELEX 755628

299 PARK AVENUE  
NEW YORK, NEW YORK 10171  
TELEPHONE 212-980-8200  
TELEX 754708

884 T BUILDING P.O. BOX 109  
RALEIGH, NORTH CAROLINA 27602  
TELEPHONE 919-826-9371

FIRST TENNESSEE BANK BUILDING  
P.O. BOX 951  
KNOXVILLE, TENNESSEE 37901  
TELEPHONE 615-637-4311

FILE NO

DIRECT DIAL NO 804-788

June 18, 1984

Bernard M. Bordenick, Esq.  
Office of the Executive Legal Director  
United States Nuclear Regulatory  
Commission  
Maryland National Bank Building  
7735 Old Georgetown Road  
Bethesda, MD 20814

BY TELECOPIER

Dear Bernie:

As you know, Suffolk County is currently contending that the Final Security Settlement Agreement in the Shoreham case does not govern security issues relevant to the low power proceeding because the backup power design at the time the Agreement was concluded in November 1982 involved Transamerica Delaval diesels rather than the current arrangements. With respect to the accuracy of these claims, it would be useful to adduce material from the following documents:

1. Final Security Settlement Agreement, pages 1 through 5 (through, but not beyond, paragraph F); and pages 31 (beginning on line 3) through 33;
2. Letter, Michael S. Miller to Donald P. Irwin, March 23, 1983;
3. Letter, Michael S. Miller to Donald P. Irwin, March 30, 1983;
4. Letter, Michael S. Miller to Donald P. Irwin, April 11, 1983.

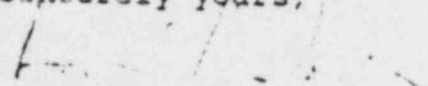
Each of these documents either has been in the Staff's possession from its creation or was forwarded to the Staff under cover of my April 18, 1984 letter to Ralph Caruso.

8407190235 840716  
PDR ADOCK 05000322  
Q PDR

## HUNTON & WILLIAMS

LILCO has examined each of the complete or partial documents listed in items 1 through 4 above and has not found in any of them material required to be protected as Safeguards Information pursuant to 10 CFR § 73.21(b)(1). I would appreciate your requesting ONMSS to review the material and to advise me if their judgment is different from mine.

Sincerely yours,

  
Donald P. Irwin  
Counsel for Long Island  
Lighting Company

cc: Mary Jo Campagnone  
Michael S. Miller, Esq.

ATTACHMENT R



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D. C. 20555

Attachment R

JUN 22 1984

MEMORANDUM FOR: Bernard Bordenick  
Office of the Executive Legal Director

THRU: Cecil O. Thomas, Chief  
Standardization and Special Projects Branch  
Division of Licensing

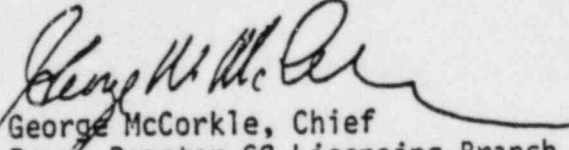
FROM: George McCorkle, Chief  
Power Reactor SG Licensing Branch  
Division of Safeguards, NMSS

SUBJECT: LONG ISLAND LIGHTING COMPANY SHOREHAM NUCLEAR PLANT  
REQUEST TO EXAMINE SAFEGUARDS INFORMATION

This is in response to a request dated June 18, 1984, by Mr. Donald P. Irwin, Counsel for the Long Island Lighting Company, to confirm that certain documents contain no Safeguards Information required to be protected under the provision of 10 CFR 73.21.

We have reviewed the document referenced in the June 18 letter and have determined that the only information that might be Safeguards Information are those statements identifying the offsite response forces. However, Mr. Irwin advised by telephone on June 22, 1984, that the identity of the police forces committed to respond to safeguards emergencies at Shoreham has been disclosed in several newspaper articles, and also is mentioned in a March 15, 1983 letter from Commissioner Dilworth to LILCO, which has already been placed in the public document room.

Since information in the public domain does not fall under the provisions of Section 73.21, we concur with Mr. Irwin's judgement on this matter.

  
George McCorkle, Chief  
Power Reactor SG Licensing Branch  
Division of Safeguards, NMSS

ATTACHMENT S