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LILCO, July 30, 1984

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

'84 AGO -6 A11:57

In the Matter of)
)
LONG ISLAND LIGHTING COMPANY) Docket No. 50-322-OL-4
) (Low Power)
(Shoreham Nuclear Power Station,)
Unit 1)

LILCO'S RESPONSE TO SUFFOLK COUNTY "NOTICE
OF EXECUTION OF AFFIDAVITS OF NON-DISCLOSURE"

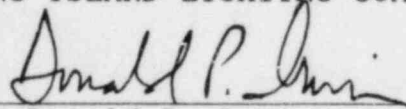
On July 27, Suffolk County filed a "Notice of Execution of Affidavits of Non-Disclosure," indicating that four Suffolk County representatives -- one attorney, a legal secretary and two consultants -- had recently executed Affidavits of Non-Disclosure respecting information pertaining to the Shoreham security plan. The "Notice" also represented that LILCO had "no objection to permitting such individuals access to Safeguards Information relating to" that plan. Suffolk County counsel's representation, at least in context, is premature. The Safeguards Information access list requested by Suffolk County, including these four individuals, is currently 16 names long.^{1/} LILCO has advised Suffolk County that

^{1/} In 1982, in connection with security issues ultimately resolved by the Final Security Settlement Agreement, numerous other Suffolk County representatives had previously executed Board-ratified Affidavits of Non-Disclosure, and various representatives of the Suffolk County Police Department had apparently been allowed access to such information without executing such an Affidavit.

since the previous security proceeding is resolved the previous access list does not automatically govern access to Safeguards Information in this proceeding; that until LILCO has had notice of the issues Suffolk County intends to present in this proceeding it cannot consent definitively to any, much less to a 16-name, list; that the ultimate list should be determined by the issues, need to know, and expertise, in accordance with the Appeal Board's decision in Pacific Gas and Electric Company, ALAB-410, 5 NRC 1398 (1977); and that pending agreement on such a list, LILCO is hopeful of resolving matters relating to access to Safeguards Information at Shoreham with Suffolk County, but cannot report to the Board that it agrees with the County's apparent representations on this subject at this point.^{2/}

Respectfully submitted,

LONG ISLAND LIGHTING COMPANY



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DATED: July 30, 1984

^{2/} LILCO has also advised Suffolk County that, in the interim, it does not oppose access being given to Safeguards Information now in the County's possession to certain Suffolk County attorneys and Suffolk County Police Department representatives who have executed Affidavits of Non-Disclosure and are actually working on the security issues before this Board.

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I hereby certify that copies of LILCO'S RESPONSE TO-6 A11:57
SUFFOLK COUNTY "NOTICE OF EXECUTION OF AFFIDAVITS OF NON-
DISCLOSURE" were served this date upon the following by first-
class mail, postage prepaid, or by hand (one asterisk), or by
Federal Express (two asterisks).

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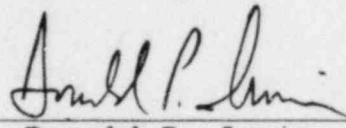
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