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RELATED CORRESPONDENCE

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

DOCKETED
USNRC

'84 AGO 13 AIO:24

In the Matter of)

LONG ISLAND LIGHTING COMPANY)

(Shoreham Nuclear Power Station,)
Unit 1))

Docket No. 50-322-OL-4
(Low Power)

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

NOTICE OF EXECUTION
OF AFFIDAVIT OF NON-DISCLOSURE

The State of New York hereby advises the Board that
Fabian G. Palomino has executed an Affidavit of Non-Disclosure
concerning access to safeguards information relating to the
Shoreham security plan. A copy of the executed Affidavit of Non-
Disclosure is attached hereto.

Respectfully submitted,

Fabian G. Palomino

Fabian G. Palomino
Special Counsel to the Governor
of New York State
Executive Chamber, Room 229
Capitol Building
Albany, New York 12224

Dated: August 9, 1984

Attorney for Mario M. Cuomo
Governor of the State of New York

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PDR ADOCK 05000322
G PDR

add:
J. G. Gann
OCA

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

RELATED CORRESPONDENCE

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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

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'84 AGO 13 AIO:24
Docket No. 50-322 O.L.

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

AFFIDAVIT OF NON-DISCLOSURE

I, FABIAN G. PALOMINO, being duly sworn,
state:

1. As used in this Affidavit of Non-Disclosure, (a) "protected information" is (1) any form of the physical security plan for the Applicant's Shoreham Nuclear Power Station; or (2) any information obtained by virtue of these proceedings which is not otherwise a matter of public record and which deals with or describes details of the security plan; (b) an "authorized person" is (1) an employee of the Nuclear Regulatory Commission entitled to access to protected information; (2) a person who, at the invitation of the Atomic Safety and Licensing Board ("Licensing Board"), has executed a copy of this Affidavit; (3) a person employed by Long Island Lighting Company, the Applicant, and authorized by it in accordance with Commission regulations to have access to protected information, or (4) counsel for Long Island Lighting Company.

2. I shall not disclose protected information to anyone except an authorized person, unless that information has previously been disclosed in the public record of this proceeding. I will

safeguard protected information in written form (including any portions of transcripts of in camera hearings, filed testimony or any other documents that contain such information), so that it remains at all times under the control of an authorized person and is not disclosed to anyone else. It is understood that any secretaries having access to protected information shall have such access solely for the purpose of necessary typing and other support services. Further, Mr. Frank Jones, Deputy Suffolk County Executive, shall have access to protected information only in the manner authorized in the Board's June 9, 1982 Order entitled "Revised Protective Order Governing Access to Security Plan Information."

3. I will not reproduce any protected information by any means without the Licensing Board's express approval or direction. It is understood, however, that pleadings which are necessary to be prepared in this proceeding can be reproduced, provided that each copy thereof is maintained in confidence as required by the Board's protective order described hereafter. So long as I possess protected information, I shall continue to take these precautions until further order of the Licensing Board.

4. I shall similarly safeguard and hold in confidence any data, notes, or copies of protected information by means of the following:

(a) Except as otherwise permitted in the Board's June 9, 1982 Order entitled "Revised Protective Order Governing Access to Security Plan Information," my use of the protected information will be made at a facility on Long Island to be made available by Long Island Lighting Company or at a facility in

Silver Spring, Maryland, made available by the NRC Staff.

(b) Except as otherwise permitted in the Board's June 9, 1982 Order entitled "Revised Protective Order Governing Access to Security Plan Information," I will keep and safeguard all such material in a safe to be provided by Long Island Lighting Company or the NRC Staff, after consultation with Long Island Lighting Company or the Staff, and to be located at all times at the above-designated locations.

(c) Except as otherwise permitted in the Board's June 9, 1982 Order entitled "Revised Protective Order Governing Access to Security Plan Information," any secretarial work performed at my request or under my supervision will be performed at the above locations either (1) by a secretary provided by the Long Island Lighting Company or the NRC Staff authorized in accordance with paragraph 1(b) above, or (2) by a secretary of my designation who has been authorized by the Board to perform such work.

(d) Necessary typing and reproduction equipment will be furnished by Long Island Lighting Company and the NRC Staff when secretarial work is performed at the LILCO or Staff offices.

5. I shall use protected information only for the purposes of participation in matters directly pertaining to Suffolk County's and/or the State of New York's /security contentions and any hearings that may be held or any further proceedings in this case dealing with security plan issues, and for no other purpose.

6. At the conclusion of this proceeding, I shall account to the Licensing Board or to a Commission employee designated by that Board for all the papers or other materials (including notes and papers prepared by me) containing protected information in my possession. I may either destroy the papers which do not need to be saved (such as unimportant notes) and certify that action in writing, or for papers which need to be saved (such as transcripts) may deliver them as provided herein. When I have finished using the protected information they contain, but in no event later than the conclusion of this proceeding (including any necessary appeals), I shall deliver those papers and materials that were not destroyed to the Licensing Board (or to a Commission employee designated by the Board), for safekeeping during the lifetime of the plant.

7. I make this agreement with the understanding that I will not corroborate the accuracy or inaccuracy of information obtained outside this proceeding by using protected information gained through participation in matters directly pertaining to Suffolk County's security contentions and any hearing that may be held or any further proceedings in this case dealing with security plan issues.

Pat. G. Palmer

Subscribed and sworn to before me this

6th day of August 1984

Anthony M. Marmoreale

ANTHONY M. MARMORALE
NOTARY PUBLIC, State of New York
No. 38-4793906
Qualified in Nassau County
Commission Expires March 30, 1985

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NUCLEAR REGULATORY COMMISSION

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LONG ISLAND LIGHTING COMPANY

(Shoreham Nuclear Power Station,
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Docket No. 50-322-OL-4
(Low Power)

CERTIFICATE OF SERVICE

I hereby certify that copies of the attached Notice of Execution of Affidavit of Non-Disclosure have been served on the following by U.S. mail, first class, except where noted, this 9th day of August 1984.

Judge Marshall E. Miller, Chairman
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Judge Glenn O. Bright
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Judge Elizabeth B. Johnson
Oak Ridge National Laboratory
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Washington, D.C. 20555


Karla J. Letsche
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DATE: August 9, 1984