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DOCKET NUMBER 38-322 OL-4
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Judge Marshall E. Miller, Chairman
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
P.O. Box X, Building 3500
Oak Ridge, Tennessee 37830

Dear Administrative Judges:

Enclosed please find an Affidavit of Non-Disclosure, executed by Lawrence Coe Lanpher, who is a member of the law firm Kirkpatrick, Lockhart, Hill, Christopher & Phillips. Mr. Lanpher is the third counsel for the County (along with Mr. Brown and myself) who will be representing the County in the security proceedings before this Board. See Tr. 2954.

On an unrelated matter, we inadvertently neglected to inform the Board during the conference of counsel on July 16, that the prefiled testimony of Suffolk County witnesses Messrs. Madan and Dirmeier was not bound into the hearing transcript of August 3, 1984. We hereby request the Board to have the court reporter include that testimony in the transcript, subject to the Board's rulings on the motions to strike portions of that testimony. If necessary, we will supply additional copies of the testimony to the court reporter for that purpose.

8408280249 840820
PDR ADOCK 05000322
G PDR

Sincerely,

Karla J. Letsche
Karla J. Letsche

Enclosure

cc: Fabian G. Palomino, Esq.
Donald P. Irwin, Esq.
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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD

Before Administrative judges
Marshall E. Miller, Chairman
Glenn O. Bright
Elizabeth B. Johnson

In the Matter of

LONG ISLAND LIGHTING COMPANY

(Shoreham Nuclear Generating Plant,
Unit 1)

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

AFFIDAVIT OF NON-DISCLOSURE

I, Lawrence Coe Lanpher, 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 execute Affidavits of Non-Disclosure and shall have such access solely for the purpose of necessary typing and other support services.

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 Protective Order entered August 16, 1984, 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 Protective Order entered August 16, 1984, 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 Protective Order entered August 16, 1984, 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 the State of New York 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 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

*and the State
of New York's*

security contentions and any hearing that may be held or any further proceedings in this case dealing with security plan issues.

Lawrence Cal Langston

Subscribed and sworn to before me this

20th day of August, 1984.
Reiner Gish