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FILE NO.

DIRECT DIAL NO. 804 788

MEMORANDUM

TO: Chairman Nunzio J. Palladino
Commissioner Thomas M. Roberts
Commissioner James K. Asselstine
Commissioner Frederick M. Bernthal
Commissioner Lando W. Zech, Jr.
Judge James L. Kelley, Chairman
Judge Glenn O. Bright
Judge Elizabeth B. Johnson
Michael S. Miller, Esq.
Fabian G. Palomino, Esq.
Robert G. Perlis, Esq.

FILE: 24566.000003

FROM: Donald P. Irwin

DATE: March 20, 1985

Long Island Lighting Company
(Shoreham Nuclear Power Station, Unit 1)
(Docket No. 50-322-OL-4): Security/Safeguards Documents

This will confirm an agreement between counsel for LILCO and Suffolk County covering the following documents filed on March 15 and 18 on behalf of Suffolk County and New York State in the remanded Shoreham low power security proceeding:

Before the Atomic Safety and Licensing Board (March 15, 1985)

Suffolk County and State of New York Reply Memorandum to NRC Staff and LILCO Responses dated March 12, 1985

Affidavit of Assistant Chief Inspector Joseph L. Monteith, Deputy Chief Inspector Richard C. Roberts, Inspector Philip McGuire, Deputy Inspector Michael J. Turano, Jr., and Lieutenant Thomas P. Compitello

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Before the Nuclear Regulatory Commission (March 18, 1985)

Response of Suffolk County and the State of New York
to LILCO's Petition for Review of ALAB-800

Affidavit of Assistant Chief Inspector Joseph
L. Monteith, Deputy Chief Inspector Richard
C. Roberts, Inspector Philip McGuire, Deputy Inspec-
tor Michael J. Turano, Jr., and Lieutenant Thomas
P. Compitello

Affidavit of Gregory C. Minor Concerning Security
Aspects of the Temporary Emergency Power Sources at
Shoreham

Affidavit of Thomas Constantine and John Whittel

LILCO, upon initial review of these documents on Tuesday, March 19, concluded that they contain Safeguards Information as applied to the Shoreham Nuclear Power Station, and immediately so informed counsel for Suffolk County by telephone. LILCO requested counsel for the County to attempt to retrieve these documents, upopened, from all but parties authorized to receive Safeguards Information in this proceeding, and to ask the authorized recipients to treat the material as Safeguards Information. Counsel for the County, while not agreeing that the material it had filed contained Safeguards Information, nevertheless agreed to LILCO's request.

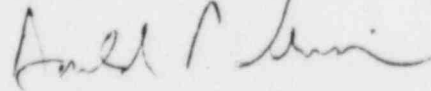
LILCO understands from Suffolk County counsel that as of today, each addressee not authorized to receive Safeguards Information has agreed to return the documents unopened (except Jay Dunkleberger, Esq., who had not yet been reached by telephone), and thus that no release of Safeguards Information will occur. LILCO also understands that each addressee authorized to receive Safeguards Information in this proceeding was requested, and agreed, to mark the documents with the legend "Safeguards Information" and to treat the documents accordingly.

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By this memorandum LILCO confirms to recipients who received these documents its agreement with Suffolk County and urges their cooperation with it. The security of the Shoreham Nuclear Power Station is a matter of serious attention on LILCO's part and LILCO wishes to avoid its compromise.

LILCO requests that all parties authorized to retain copies of the above-listed documents (NRC Commissioners, Atomic Safety and Licensing Board members, and counsel for the NRC Staff, Suffolk County and New York State) mark each page of these documents, top and bottom, with the legend "Safeguards Information", and retain them in accordance with the provisions of 10 CFR § 73.21.

Respectfully submitted,



Donald P. Irwin
One of Counsel for
Long Island Lighting Company

91/730

cc: Martin Bradley Ashare, Esq.
Docketing and Service Branch
Bernard M. Bordenick, Esq.
Edward M. Barrett, Esq.
Honorable Peter F. Cohalan
Mr. Martin Suubert
James B. Dougherty, Esq.
Mr. Brian McCaffrey
Jay Dunkelberger, Esq.
Stephen B. Latham, Esq.