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May 3, 1985

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Judge James L. Kelley,
Chairman
Atomic Safety and Licensing
Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

OFFICE OF SECRETARY
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Atomic Safety and Licensing
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Washington, D.C. 20555

Judge Elizabeth B. Johnson
Oak Ridge National Laboratory
P.O. Box X, Building 3500
Oak Ridge, Tennessee 37830

DOCKET NUMBER
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58-32204

Dear Administrative Judges:

At the request of Fabian G. Palomino, Esq., counsel for the State of New York in the Shoreham low power remand proceeding, we are today filing the attached Affidavits of Non-Disclosure of Thomas A. Constantine and John Whittel. Colonel Constantine and Senior Investigator Whittel are both veteran members of the New York State Police who have thorough knowledge of and actual experience with the activities and operations of terrorists in the New York/Long Island area. See the Affidavit of Thomas Constantine and John Whittel attached to the Response of Suffolk County and the State of New York to LILCO's Petition for Review of ALAB-800, dated March 18, 1985. It is our understanding that Mr. Palomino, on behalf of the State of New York, seeks to have Colonel Constantine and Investigator Whittel designated as "authorized persons" according to Paragraph 1(b) of the Miller Board's August 17, 1984 Protective Order.

For the Board's information, the following information regarding Colonel Constantine and Senior Investigator Whittel and their access to safeguards information is provided. It is our understanding that such information was required by the Miller Board's August 17 Protective Order.

Thomas A. Constantine
New York State Police
State Campus
Albany, New York 12226

8505070250 850503
PDR ADOCK 05000322
G PDR

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KIRKPATRICK & LOCKHART

Judge James L. Kelley, Chairman
Judge Glenn O. Bright
Judge Elizabeth B. Johnson
Page Two
May 3, 1985

Was not an "authorized person" under
the Brenner Board's Revised Protective
Order Governing Access to Security Plan
Information, dated June 9, 1982

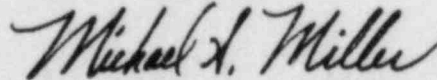
Has signed Affidavit of Non-Disclosure in
form provided by Miller Board on August 16,
1984.

John Whittel
New York State Police
State Campus
Albany, New York 12226

Was not an "authorized person" under
the Brenner Board's Revised Protective
Order Governing Access to Security Plan
Information, dated June 9, 1982

Has signed Affidavit of Non-Disclosure in
form provided by Miller Board on August 16,
1984.

Sincerely,



Michael S. Miller

Enclosures

cc: Fabian G. Palomino, Esq.
Donald P. Irwin, Esq.
Robert Perlis, Esq.
Docketing and Service