



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D. C. 20555

PDR-016  
LPDR

Docket No. 50-322

MAY 06 1985

Robert R. Belair, Esquire  
Kirkpatrick & Lockhart  
1900 M Street, NW  
Washington, DC 20036

IN RESPONSE REFER  
TO FOIA-85-190

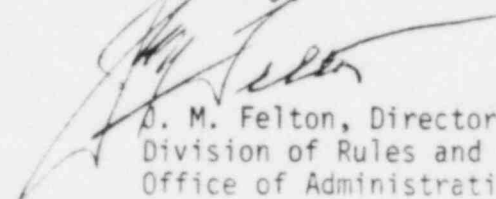
Dear Mr. Belair:

This is in further response to your letter dated March 19, 1985, in which you requested, pursuant to the Freedom of Information Act (FOIA), copies of documents related to radiological emergency plans for the Shoreham Nuclear Power Plant since January 1984, and copies of correspondence between NRC and the Long Island Lighting Company since January, 1984.

The documents identified on enclosed Appendix B are being placed in the NRC Public Document Room (PDR) located at 1717 H Street, NW, Washington, DC 20555, in file folder FOIA-85-190 in your name. The documents identified on enclosed Appendix C are already available in the PDR. I have indicated the file location beside each document description.

The search for and review of additional documents that are subject to your request are continuing. We will notify you upon completion of the search and review.

Sincerely,

  
D. M. Felton, Director  
Division of Rules and Records  
Office of Administration

Enclosures: As stated

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APPENDIX B

Documents Being Placed in the PDR

1. 03/29/85 Memo to Richard Krimm from Edward Jordan Re: LILCO Shoreham Prompt Notification System Design Report w/enclosure Ltr. from J. Leonard to H. Denton dtd. 4/21/85 (4 pages)
2. 03/27/85 News Article Re: Reports Show U.S. Role in Dispute at Shoreham (1 page)
3. 03/15/85 Memo to Richard Krimm from Edward Jordan Re: Shoreham Exercise w/enclosures Ltr. from J. Leonard to H. Denton dtd. 2/8/85, Ltr. from J. Leonard to H. Denton dtd. 2/22/85 and LILCO Shoreham/LERO Plan (40 pages)
4. 02/28/85 Insert for the Record Subcommittee on Energy and the Environment (1 page)
5. 02/26/85 Letter to Alan Simpson from Nunzio Palladino Re: Authority to Implement Emergency Plans for Nuclear Power Plants (4 pages)
6. 02/08/85 Memo to Richard Krimm from Edward Jordan Re: LILCO Response to FEMA Findings on Shoreham Transition Plan w/enclosures Ltr. dtd. 1/16/85 from J. Leonard to H. Denton and Summary of Responses to Consolidated RAC Review of LILCO Transition Plan Rev. 4 for Shoreham Items Graded Inadequate (24 pages)
7. 02/04/85 Letter to John Gallagher from William Dircks Re: Source Term Data w/enclosure Ltr. dtd. 1/4/85 to William Dircks (3 pages)
8. 01/30/85 Memo to Albert Schwencer from David Matthers Re: LILCO Request for Shoreham Exercise w/enclosures Memo to R. Krimm from E. Jordan dtd. 12/19/84, Ltr. to Governor Cuomo from W. Dircks dtd. 1/11/85 and Ltr. to J. Gallagher from W. Dircks dtd. 1/11/85 (16 pages)
9. 01/24/85 Memo to Chairman Palladino from William Dircks Re: Scheduling of Emergency Plan Exercise for Shoreham w/enclosures Memo to R. Krimm from E. Jordan dtd. 12/19/84, Ltr. to Governor Cuomo from W. Dircks dtd. 1/11/85 and Ltr. to J. Gallaher from W. Dircks dtd. 1/11/85 (12 pages)
10. 01/23/85 Memo to Richard Krimm from Edward Jordan Re: Shoreham Exercise w/enclosures Ltr. to Governor Cuomo from W. Dircks dtd. 1/11/85 and Ltr. to J. Gallagher from W. Dircks dtd. 1/11/85 (5 pages)

11. 01/16/85 Memo to William Dircks from Nunzio Palladino Re: Scheduling of Emergency Plan Drill for Shoreham w/attachment Newspaper Article Re: Another Snag and Correspondence Control to Dircks from Chairman Palladino (3 pages)
12. 01/11/85 Letter to John Gallagher from William Dircks Re: Emergency Preparedness Exercise Planned by LILCO (2 pages)
13. 01/11/85 Letter to Mario Cuomo from William Dircks Re: Emergency Preparedness Exercise Planned by LILCO (2 pages)
14. 12/19/84 Memo to Richard Krimm from Edward Jordan Re: Shoreham Exercise w/enclosures Ltr. from J. Leonard to H. Denton dtd. 11/14/84, Ltr. from Governor Cuomo to H. Denton, dtd 11/29/84 and Ltr. from John Gallagher to H. Denton dtd. 11/28/84 (10 pages)
15. 12/07/84 Letter to Nunzio Palladino from Norman Lent Re: Procedures for the Licensing of Shoreham Nuclear Power Station (2 pages)
16. 12/03/84 Letter to Nunzio Palladino from William Carney Re: Shoreham Nuclear Power Plant Licensing Process w/enclosures Ltd. to William Carney from Donald Hodel dtd. 10/2/84 and Ltr. to Bill from Ronald Reagan dtd. 10/11/84 (4 pages)
17. 12/03/84 Letter to Nunzio Palladino from Robert Mrazek Re: Shoreham Nuclear Power Station (1 page)
18. 12/01/84 Letter to Nunzio Palladino from Thomas Downey Re: LILCO License (1 page)
19. 11/30/84 Routing Slip to Dave Re: Participation in Shoreham Exercise (1 page)
20. 11/28/84 Letter to Harold Denton from John Gallagher Re: FEMA Materials w/enclosure Ltr. to Bill from Ronald Reagan dtd. 10/11/84 (2 pages)
21. 11/20/84 Letter to Samuel Speck from Stewart Glass Re: Exercise Objectives for Emergency Plan Exercise Shoreham Nuclear Power Station w/enclosures Ltr. dtd. 11/14/84 to Harold Denton and LILCO Shoreham/LERO Plan (13 pages)
22. 11/19/84 Memo to Darrell Eisenhut from Edward Jordan Re: FEMA Review of Revision 4 of the LILCO Transition Plan for Shoreham (1 page)
23. 10/31/84 Letter to Nunzio Palladino from Alan Simpson Re: Emergency Preparedness (2 pages)

24. 10/30/84 Memo to Richard Krimm from Edward Jordan Re: Correspondence Related to Offsite Emergency Planning at Shoreham w/enclosures Ltr. to R. DeYoung from J. Carpenter dtd 10/4/84, Ltr. to N. Palladino from J. Carpenter dtd 8/22/84, Ltr. to N. Palladino from J. Carpenter dtd 4/12/84 and Ltr. to J. Carpenter from R. DeYoung dtd. 10/30/84 (19 pages)
25. 10/09/84 Letter to Mark Hatfield from William Dircks Re: Licensing of Shoreham Nuclear Power Plant (1 page)
26. 09/24/84 Letter to Joseph Carpenter from Richard DeYoung Re: Emergency Preparedness for Shoreham (1 page)
27. 07/23/84 Memo to Darrell Eisenhut from Edward Jordan Re: FEMA Review of Revision 4 of the LILCO Transition Plan for Shoreham (1 page)
28. 07/09/84 Memo to Richard Krimm from Edward Jordan Re: FEMA Review of the LILCO Transition Plan for Shoreham in Support of NRC Licensing w/enclosures Ltr. from LILCO to Denton dtd 6/29/84 and Ltr. from LILCO Counsel to ASLB dtd. 7/2/84 (9 pages)
29. 05/14/84 Routing Slip to Van Neil Re: LILCO (1 page)
30. 05/04/84 Memo to Richard Udell from American Law Division Re: Whether the DOE or FEMA Has Authority Under Existing Law to Conduct Command and Control Activities in the Event of a Civilian Nuclear Powerplant Emergency (6 pages)
31. 05/01/84 Transmittal Request to Dave Matthews from L. Husman w/enclosure Question and Answer Re: Emergency Preparedness (2 pages)
32. 04/18/84 Memo Slip to ELJ from Wilkerson Re: LILCO w/enclosure Draft for Meeting Notice (2 pages)
33. 04/17/84 Memo to Albert Schwencer from David Matthews Re: Supplement to SER for Shoreham w/enclosure EP Input for Shoreham SER (10 pages)
34. 03/29/84 Memo to Albert Schwencer from Frank Pagano Re: FEMA Findings on LILCO Transition Plan for Shoreham w/enclosures FEMA letter dtd. 3/15/84 and Draft Transmittal Letter (6 pages)
35. 03/28/84 Route Slip to Pagano and Matthews Re: Shoreham (1 page)
36. 03/23/84 Handwritten Notes Re: Summary Report on FEMA Evaluation of LILCO Plan (3 pages)
37. 03/24/84 News Article Re: U.S. Standing Back of Shoreham w/enclosures Memo to Morris Udall from Edward Markey Re: Emergency Preparedness and Last Resort Federal Response (11 pages)

- 38. 02/24/84 Memo to E. Christenbury from Sheldon Schwartz Re: FEMA Review of Offsite Emergency Plan for Shoreham w/enclosure Ltr. dtd. 2/1/84 to Christenbury from S. Schwartz (2 pages)
- 39. 01/03/84 Note to James Taylor from Edward Jordan Re: Request for Briefing Paper w/attachment Response to Topic 7 (3 pages)
- 40. Undated Memo to Darrell Eisenhut from Edward Jordan Re: Low-Power License for Shoreham (1 page)



APPENDIX C

Documents Already in the PDR

1. 11/28/84 Letter from A. Schwencer to John D. Leonard, Subject: FEMA Findings on LILCO Transition Plan for Shoreham. Acc. No. 8412060533
2. 07/13/84 Letter from Palladino to Markey Re: Response to letters on Shoreham proceeding. Acc. No. 8407170564
3. 06/01/84 Letter from W. Dircks to Samuel Speck re: Response to 4/26/84 letter on offsite emergency preparedness at Shoreham. Acc. No. 8406080287
4. 05/10/84 Letter from Cong. Markey to Palladino re: Responses to letters on the Shoreham licensing proceedings. Acc. No. 8407310213
5. 05/04/84 Letter from Cong. Markey to Palladino re: Contacts with DOE and FEMA. Acc. No. 8407310205
6. 04/30/84 Letter from Cong. Mrazek from Palladino re: Response to 4/27/84 letter on the Shoreham licensing proceedings. Acc. No. 8405040032
7. 04/26/84 Letter from Palladino to Cong. Markey re: Request for meeting transcript of 4/23 meeting on Shoreham. Acc. No. 8405140594
8. 04/24/84 Letter from Cong. Markey to Palladino re: Shoreham licensing proceeding. Acc. No. 8407310196
9. 04/23/84 Letter from Palladino to Cong. Markey re: Response to 4/12/84 letter. Acc. No. 8404240240
10. 04/12/84 Letter from Cong. Markey to Palladino re: Shoreham licensing proceeding. Acc. No. 8404240247
11. 03/28/84 Letter from Cong. Markey to Palladino re: Shoreham licensing proceeding. Acc. No. 8412070460

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March 19, 1985

WRITER'S DIRECT DIAL NUMBER  
(202) 452-7023

FREEDOM OF INFORMATION  
ACT REQUEST

FOIA-85-190  
rec'd 3/21/85

HAND DELIVER

Director, Office of Administration  
U.S. Nuclear Regulatory Commission  
1717 H Street, N.W.  
Washington, D.C. 20555

Re: Freedom of Information Act Request

Dear Sir:

On behalf of our client, Suffolk County, we request, pursuant to the Freedom of Information Act, as amended, 5 U.S.C. § 552, ("FOIA") and the rules of the Nuclear Regulatory Commission ("Commission") issued thereunder, 10 C.F.R. Part 9, copies of all written materials which are dated January 2, 1984 or later, or, if undated, which were created after January 1, 1984 in the possession or control of the Commission relating to radiological emergency planning and preparedness concerning the Shoreham Nuclear Power Plant in Suffolk County, New York, except for those materials which have been served on all the parties in the Shoreham proceeding (Docket No. 50-322-OL).

Without limiting the scope of this request, but merely to assist the Commission in its search, the written materials that we are requesting may include the following:

1. All materials since January 1984 concerning the implementation by the Long Island Lighting Company of radiological emergency plans for the Shoreham Nuclear Power Plant.
2. All materials since January 1984 re: implementation by the Federal Government, or any Federal departments, agencies, instrumentalities, or contractors, of radiological plans for the Shoreham Nuclear Power Plant.

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KIRKPATRICK & LOCKHART

Director, Office of Administration  
March 19, 1985  
Page 2

3. All materials since January 1984 concerning an exercise of radiological emergency plans for the Shoreham Nuclear Power Plant, including materials related to participation by or observation of such an exercise by any Federal department, agency, instrumentality, or contractor.

In addition, we request copies of all correspondence, memoranda and any other written materials between the Commission and the Long Island Lighting Company and/or its employees, agents or representatives, occurring after January 1, 1984.

In the event that access is denied to any part of the requested materials, please supply the following information:

- a. Identify the withheld or deleted material and specify your reasons for believing that an exemption applies, as required by 10 C.F.R. § 9.10(b).
- b. Segregate the nonexempt from the allegedly exempt portions of all materials and release the former, as required by 10 C.F.R. § 9.10(a).
- c. Supply a detailed statement of the content of the withheld or deleted material, along with the date on which the material was written; its section heading or title; its author; the author's title, and an identification of any persons or entities who have received copies of such material, as required by applicable case law. Vaughn v. Rosen, 484 F.2d 820, 826-827 (D.C. Cir. 1973).
- d. Separately state your reason(s) for not invoking your discretionary power to release the allegedly exempt materials.

The undersigned is willing to inspect the requested material prior to its reproduction in order to identify specific material for reproduction.

The undersigned will pay charges for search time and copying fees, as provided by Commission regulations, 10 C.F.R. § 9.14. If search and copying fees to be incurred by the undersigned will exceed \$100.00, please notify the undersigned before this sum is exceeded.



KIRKPATRICK & LOCKHART

Director, Office of Administration

March 19, 1985

Page 3

We expect to receive your response to this FOIA request within ten (10) working days of your receipt of this request, as required under the FOIA and as set out at 10 C.F.R. § 9.8(c).

Sincerely,

*Robert R. Belair (LZ)*

Robert R. Belair