



Federal Emergency Management Agency

Region II

26 Federal Plaza

New York, New York 10278

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

'85 DEC 24 A11:06

BEFORE THE ATOMIC SAFETY & LICENSING APPEAL BOARD

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

Alan S. Rosenthal, Esq.
Chairman
Atomic Safety & Licensing Appeal Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Gary J. Edeles, Esq.
Atomic Safety & Licensing Appeal Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Howard A. Wilber
Atomic Safety & Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

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In the Matter of)
Long Island Lighting Company)
(Shoreham Nuclear Power Station,)
Unit 1))
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Docket No. 50-322-OL-3
(Emergency Planning)

Dear Sirs:

That portion of the "NRC Staff Brief in Opposition to 'Suffolk County, State of New York and Town of Southampton Brief on Appeal of Licensing Board April 17, 1985 Partial Initial Decision on Emergency Planning' denoted as Section II B, Discovery Against FEMA Was Properly Limited which appears at pages 22 through 26 of the brief was prepared jointly by the Federal Emergency Management Agency's counsel and counsel for the Nuclear Regulatory Commission. The General Counsel of the Federal Emergency Management Agency has specifically expressed his support of the position contained therein. As the Appeal Board is aware the upholding of the Atomic Safety & Licensing Board's ruling in this matter is of utmost importance to FEMA to assure its ability to carry out its assigned tasks.

Respectfully submitted,

Stewart M. Glass

Stewart M. Glass
Regional Counsel

8512260230 851223
PDR ADOCK 05000322
G PDR

Dated: December 23, 1985

cc: Service List