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RELATED CORRESPONDENCE

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

'88 MAR -7 P4:33

Before the Atomic Safety and Licensing Board

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

In the Matter of)

LONG ISLAND LIGHTING COMPANY)

(Shoreham Nuclear Power)
Station, Unit 1))

Docket No. 50-322-OL-3
(Emergency Planning)

SUFFOLK COUNTY'S FIRST SET OF INTERROGATORIES AND
REQUEST FOR PRODUCTION OF DOCUMENTS TO FEMA
REGARDING EMERGENCY BROADCAST SYSTEM

Pursuant to 10 CFR §§ 2.740b and 2.741, and in accordance with the Definitions and Instructions attached hereto as Attachment 1, Suffolk County hereby requests FEMA to answer separately and fully, under oath, each of the interrogatories set forth below, and to produce for inspection and copying, at the office of Kirkpatrick & Lockhart, the documents specified below that are within the possession, custody or control of FEMA.

INTERROGATORIES AND DOCUMENT REQUESTS

1. Identify each person whom FEMA expects to call as an expert or non-expert witness during the remanded hearing on LILCO's Emergency Broadcast System (hereafter "EBS") and state

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the subject matter and the facts on which each such witness is expected to testify.

2. For each expert witness identified in response to Interrogatory 1, state the substance of the facts and opinions to which such witness is expected to testify, and a summary of the grounds for each such opinion.

3. Provide an up-to-date resume for each witness identified in response to Interrogatory 1.

Identify all studies, papers, articles, reports, books, and other such documents, published or unpublished, upon which each witness identified in response to Interrogatory 1 intends to rely in support of his or her testimony. Provide a copy of all items identified in response to this interrogatory, except that those items readily available in the public domain need not be provided.

5. Identify by date, location and proceeding all prior testimony before any judicial, administrative, or legislative body, including deposition testimony, given by each of the witnesses identified in response to Interrogatory 1 concerning any aspect of emergency preparedness, and in particular emergency broadcast systems.

6. Identify all articles, papers, and other documents authored or co-authored by each FEMA witness identified in response to Interrogatory 1 on the subject of emergency broadcast systems, including the adequacy and coverage capabilities of EBS radio stations.

7. Identify all communications between LILCO and FEMA or its consultants concerning LILCO's EBS proposal. Provide all documents concerning such communications.

8. Identify all documents concerning FEMA's analysis or review of LILCO's EBS proposal. Provide copies of all documents identified in response to this interrogatory.

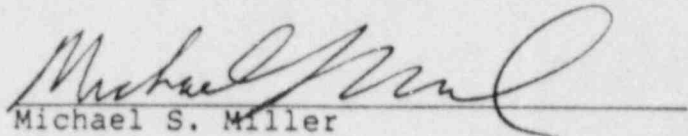
9. Identify all documents concerning the Regional Assistance Committee's (the "RAC's") analysis and/or review of LILCO's EBS proposal, whether such analysis and/or review is conducted in connection with the RAC's review of Revision 9 or otherwise. Provide copies of all documents identified in response to this interrogatory.

10. Identify each RAC member and all other individuals, including all FEMA contractors, who have analyzed and/or reviewed LILCO's EBS proposal and concerning whether that proposal complies with NUREG 0654 or with FEMA or NRC guidance memoranda, or other such documents, concerning EBS plans. To the extent not

covered by previous interrogatories, provide all documents concerning such review and/or analysis.

Respectfully submitted,

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March 3, 1988

DEFINITIONS AND INSTRUCTIONS FOR ANSWERING
INTERROGATORIES AND DOCUMENT PRODUCTION REQUEST

A. Wherever appropriate, the singular form of a word shall be interpreted as plural and vice versa.

B. "And" as well as "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope hereof any information (as defined herein) which might otherwise be construed to be outside the scope of these discovery requests.

C. Wherever appropriate, the masculine form of a word shall be interpreted as feminine and vice versa.

D. The term "person" includes any natural person, firm, partnership, medical institution or association, joint venture, corporation, and any foreign or domestic government organization (including military and civilian), or group of natural persons or such entities.

E. The term "information" shall be expansively construed and shall include, but not be limited to, facts, data, theories, analyses, opinions, images, impressions, concepts and formulae.

F. The term "document" means any tangible thing from or on which information can be stored, recorded, processed, transmitted, inscribed, or memorialized in any way by any means regardless of technology or form and including but not being limited to: papers, books, accounts, newspaper and magazine articles, letters, photographs, objects, tangible things, corres-

pondence, telegrams, cables, telex messages, memoranda, notes, notations, work papers, drawings, blueprints, plans, specifications, manuals, procedures, transcripts, minutes, reports and recordings of telephone or other conversations, or of interviews, or of conferences, or of other meetings, occurrences, or transactions, affidavits, transcripts of depositions or hearings, statements, summaries, opinions, reports, tests, experiments, analyses, evaluations, contracts, agreements, ledgers, journals, books or records of account, receipts, statistical records, desk calendars, appointment books, diaries, lists, tabulations, sound recordings, computer printouts, data processing input and output, microfilms, all other records kept by electronic, photographic or mechanical means, and things similar to any of the foregoing. Each copy of a document which contains any separate notations or writings thereon, and each draft of a document which differs in any way from the final version of the document, shall be deemed to be a separate document for purposes of these discovery requests. (Versions of a document which differ in clearly non-substantive and unimportant ways from other versions of the document do not need to be considered a separate document.)

G. The term "communication" includes every exchange of information by any means.

H. The term "LILCO" or "LILCO personnel" means Long Island Lighting Company (including LERO), and any affiliate, agent, employee, consultant, contractor, technical advisor, representative (including, without limitation, attorneys and accountants

and their respective agents and employees), or other person acting for or on behalf of LILCO, or at LILCO's direction or control, or in concert with LILCO or assisting LILCO.

I. The term "Shoreham" means the Shoreham Nuclear Power Station, Unit 1, any part thereof, or any structure, system, component, instrumentation, equipment, or materials included in, or intended to be included in, Shoreham.

J. The words "concerning," "concerns" or any other derivative thereof, include referring to, responding to, relating to, pertaining to, connected with, comprising, memorializing, commenting on, regarding, discussing, showing, describing, reflecting, analyzing, supporting, contradicting and constituting.

K. Whenever in the interrogatories there is a request to identify a person that is a natural person, set forth:

- (1) his name;
- (2) his last known residential address;
- (3) his last known business address;
- (4) his last known employer;
- (5) his title or position;
- (6) his areas of responsibility;
- (7) his business, professional, or other relationship to FEMA; and
- (8) if any of the above information has changed subsequent to the time period referenced in a particular interrogatory, set forth in the answer, and label appropriately, current information as well

as the information applicable to the time referenced in the interrogatory.

L. Whenever in the interrogatories there is a request to identify a person that is not a natural person, state:

- (1) the full name of such person;
- (2) the nature or form of such person, if known;
- (3) the address of its principal place of business or the principal place where such person is to be found;
- (4) whether FEMA has or has had any relationship or affiliation with such person, its affiliates or subsidiaries, and, if so, a description of such relationship; and
- (5) if any of the above information has changed subsequent to the time period referenced in a particular interrogatory, set forth in the answer, and label appropriately, current information as well as the information applicable to the time referenced in the interrogatory.

M. Whenever in the interrogatories there is a request to identify or describe a document:

- (1) set forth:
 - (a) the date of the document;
 - (b) the type or nature of the document;
 - (c) the length of the document;
 - (d) the location of the document;

- (e) a brief description of the contents of the document; and
- (2) identify:
 - (a) the author, signatories and any other person who originated, prepared or participated in the preparation of the document;
 - (b) all persons to whom the document was addressed and all persons to whom copies of the document were to be or have been sent; and
 - (c) all persons whom FEMA knows or believes to have possession, custody or control of the document and of any copies thereof.

N. Whenever in the interrogatories there is a request to identify a communication:

- (1) state:
 - (a) the date of the communication;
 - (b) the place of the making and place of receipt of the communication;
 - (c) the type and means of communication;
 - (d) the substance of the communication; and
- (2) identify:
 - (a) each person making the communication, and his location at the time the communication was made;

- (b) each person to whom the communication was made, and his location at the time the communication was made;
- (c) all other persons present during, participating in, or receiving the communication and the location of each such person at the time;
- (d) each document concerning such communication; and
- (e) each document upon which the communication is based or which is referred to in the communication.

O. With respect to each interrogatory answer, identify each document which forms a basis for the answer given, is relied upon or which was reviewed, in whole or in part, in preparing the answer, or which in any way corroborates or concerns the answer given. A document to be so identified may be produced in lieu of the elements of such identification. In such case, however, please identify the document in the answer to the interrogatory in sufficient detail so that Suffolk County can readily locate the document among all documents produced by FEMA.

P. Where exact information cannot be furnished, estimated information should be supplied to the extent possible. Where estimated information is used, the answer should so state and should indicate the basis upon which the estimate was made. If possible, the upper and lower boundaries of the estimate should be given.

Q. If FEMA objects to or claims a privilege (attorney-client, work product, or other) with respect to any interrogatory or document request, in whole or in part, or seeks to withhold documents or information because of the alleged proprietary nature of the data, set forth all reasons and the underlying factual basis for the objection or claim of privilege in sufficient detail to permit the Licensing Board to determine the validity of the objection or claim of privilege. This description by FEMA should include with respect to any document: the author, addressor, addressee, recipients of indicated and "blind" copies, date of preparation, subject matter, purpose for which it was prepared, number of pages, attachments or appendices, all persons to whom distributed, shown or explained, present custodian, all persons believed to have a copy of the document, and the nature of the privilege or objection asserted.

R. If any document called for herein has been destroyed, that document is to be identified as in Instruction "Q" above. FEMA also is requested to state the date of destruction, place and manner of destruction, persons authorizing destruction and person destroying the document.

S. Information furnished in answer to an interrogatory may be furnished by reference to the answer provided for another interrogatory, provided the other referenced answer fully responds to each request for information contained in the interrogatory. Separate answers should be provided for each interrogatory and each subpart thereof, unless a complete answer to

each interrogatory may best be presented through combining answers. The County is interested in this regard in receiving the relevant data requested and any means of providing such data which is less time-consuming for the responder but which is nevertheless complete will satisfy the intent of this discovery request.

T. Each interrogatory and document request shall be construed to impose upon FEMA the continuing obligation to supplement answers and document production whenever required by the NRC's Rules of Practice.

U. As used herein:

- (1) "Analysis" means research, investigation, audit, inspection, review, evaluation, testing, monitoring, or any other method or form of examining data and/or forming conclusions or recommendations.
- (2) "NRC" or "NRC Staff" means the Nuclear Regulatory Commission and its staff, any division or section or region thereof, any staff member thereof, or any agent, consultant, contractor, technical advisor, employee, or representative (including but not limited to attorneys and accountants and their employees and agents) of the NRC.
- (3) "FEMA" means the Federal Emergency Management Agency and its staff, any division or section or region thereof, any staff member thereof, or any agent, consultant, contractor, technical advisor,

employee, or representative (including but not limited to attorneys and accountants and their employees and agents) of FEMA.

- (4) References to LILCO's "EBS proposal" are to the proposal first put forth by LILCO on November 6, 1987.^{1/}

V. If FEMA is unable to answer any interrogatory or portion thereof, identify the person whom FEMA believes has the knowledge or information which the interrogatory addresses.

^{1/} See LILCO's Motion for Summary Disposition of the WALK Radio Issue (Nov. 6, 1987).

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In the Matter of)

LONG ISLAND LIGHTING COMPANY)

(Shoreham Nuclear Power Station,
Unit 1))

Docket No. 50-322-OL-3
(Emergency Planning)

CERTIFICATE OF SERVICE

I hereby certify that copies of SUFFOLK COUNTY'S FIRST SET OF INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS TO FEMA REGARDING EMERGENCY BROADCAST SYSTEM have been served on the following this 3rd day of March, 1988 by U.S. mail, first class, except as otherwise noted.

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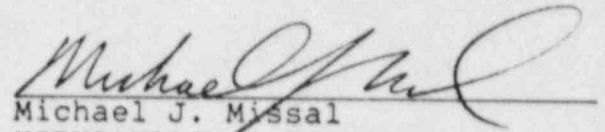
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* Mailed on March 3, 1988
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