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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION  
ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:  
Lawrence Brenner, Chairman  
Dr. James H. Carpenter  
Dr. Peter A. Morris

SERVED MAR 31 1982

In the Matter of  
LONG ISLAND LIGHTING COMPANY  
(Shoreham Nuclear Power Station  
Unit 1)

Docket No. 50-322-01  
March 31, 1982

CONFIRMATORY ORDER REGARDING SECURITY PLAN  
REVIEW AND REVISION OF PROTECTIVE ORDER

Upon consideration of the comments of counsel during a conference call on March 29, 1982 and the confirmation obtained by telephone from the NRC Staff and LILCO in response to Suffolk County's proposed order submitted March 30, 1982, and effectuating rulings made by the Board during that call, it is this 31st day of March, 1982:

ORDERED:

1. The Board's March 15, 1982 Memorandum and Order is amended to delete the requirement that Suffolk County submit security contentions on or before April 2, 1982. Instead, Suffolk County, LILCO and the Staff will jointly submit on or before April 14, 1982, a statement of the security contentions,

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if any, which are submitted for litigation. To the extent feasible, the Staff, LILCO and the County will also jointly submit versions of the contentions with all protected data deleted.

2. Mr. Herbert H. Brown, Counsel for Suffolk County, is authorized to review the LILCO security plan and other data which are provided for review, under the terms of the Board's "Protective Order on Security Plan Information," dated January 15, 1981. A copy of Mr. Brown's Affidavit of Non-Disclosure is attached hereto. Pursuant to the terms of the January 15, 1981 order under the terms of the Affidavit of Non-Disclosure are incorporated into the Board's security plan protective orders.

3. Pursuant to the January 15, 1981 Order as modified by the Order of March 16, 1982 and this order, the County's expert, Mark W. Goldsmith, and Counsel Herbert H. Brown and Lawrence Coe Lanpher, are authorized to review protected information regarding the security plan.

4. The terms of the Affidavits of Non-Disclosure are modified to permit the above named County representatives to review and keep and safeguard protected information at an NRC office location made available by the NRC Staff in the greater Washington, D.C. area in addition to the facility on Long Island made available by LILCO. The terms applicable to use and safeguarding of the protected information at the LILCO Long Island facility are also hereby fully applicable to the facility and services provided by the NRC Staff.

5. In addition to the security plan, the County's expert and counsel are also authorized to review the contingency plan, the security plan implementing procedures, the so-called "EASI" analysis referenced in the security plan (in Chapter 12 among other places), and the Staff's review of the LILCO security plan.

FOR THE ATOMIC SAFETY AND  
LICENSING BOARD

Lawrence Brenner, Chairman  
Lawrence Brenner  
ADMINISTRATIVE JUDGE

Bethesda, Maryland  
March 31, 1982

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of	)	
	)	
LONG ISLAND LIGHTING COMPANY	)	Docket No. 50-322 O.L.
	)	
(Shoreham Nuclear Power Station,	)	
Unit 1)	)	
	)	

AFFIDAVIT OF NON-DISCLOSURE

I, HERBERT H. BROWN, being duly sworn,  
state:

1. As used in this Affidavit of Non-Disclosure, (a) "protected information" is (1) any form of the physical security plan for the Applicant's Shoreham Nuclear Power Station; or (2) any information obtained by virtue of these proceedings which is not otherwise a matter of public record and which deals with or describes details of the security plan. (b) An "authorized person" is (1) an employee of the Nuclear Regulatory Commission entitled to access to protected information; (2) a person who, at the invitation of the Atomic Safety and Licensing Board ("Licensing Board"), has executed a copy of this Affidavit; (3) a person employed by Long Island Lighting Company, the Applicant, and authorized by it in accordance with Commission regulations to have access to protected information,

or (4) counsel for Long Island Lighting Company.

2. I shall not disclose protected information to anyone except an authorized person, unless that information has previously been disclosed in the public record of this proceeding. I will safeguard protected information in written form (including any portions of transcripts of in camera hearings, filed testimony or any other documents that contain such information), so that it remains at all times under the control of an authorized person and is not disclosed to anyone else.

3. I will not reproduce any protected information by any means without the Licensing Board's express approval or direction. So long as I possess protected information, I shall continue to take these precautions until further order of the Licensing Board.

4. I shall similarly safeguard and hold in confidence any data, notes, or copies of protected information by means of the following:

(a) My use of the protected information will be made at a facility on Long Island to be made available by Long Island Lighting Company.

(b) I will keep and safeguard all such material in a safe to be provided by Long Island Lighting Company, after consultation with Long Island Lighting Company and to be located at all times at the above designated location.

(c) Any secretarial work performed at my request or under my supervision will be performed at the above location either (1) by a secretary provided by the Long Island Lighting Company authorized in accordance with paragraph 1(b)(3) above, or (2) by one secretary of my designation. I shall furnish Long Island Lighting Company, the Board and Staff an appropriate resume of the designated secretary's background and experience, and that secretary shall comply with paragraph 5 below.

(d) Necessary typing and reproduction equipment will be furnished by Long Island Lighting Company.

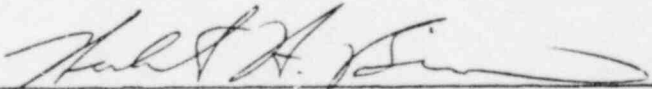
5. If I prepare papers containing protected information in order to participate in further proceedings in this matter, I will assure that any secretary or other individual who must receive protected information in order to help me prepare those papers has executed an affidavit like this one and has agreed to abide by its terms. Copies of any such affidavit must be filed with and approved by the Licensing Board before I reveal any protected information to any such person.

6. I shall use protected information only for the purpose of preparation for this proceeding or any further proceedings in this case dealing with security plan issues, and for no other purpose.

7. I shall sign the receipt provided by the Applicant with any document I receive that contains protected information. At the conclusion of this proceeding, I shall account to the Licensing

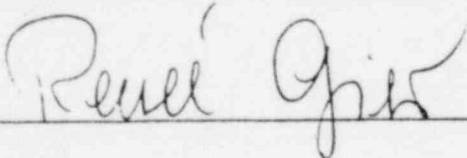
Board or to a Commission employee designated by that Board for all the papers or other materials (including notes and papers prepared by me) containing protected information in my possession and deliver them as provided herein. When I have finished using the protected information they contain, but in no event later than the conclusion of this proceeding, I shall deliver those papers and materials to the Licensing Board (or to a Commission employee designated by the Board), together with all notes and data which contain protected information for safekeeping during the lifetime of the plant.

8. I make this agreement with the understanding that I will not corroborate the accuracy or inaccuracy of information obtained outside this proceeding by using protected information gained through the hearing process.

  
Herbert H. Brown

DISTRICT OF COLUMBIA:

Subscribed and sworn to before me this  
29<sup>th</sup> day of March, 1982.

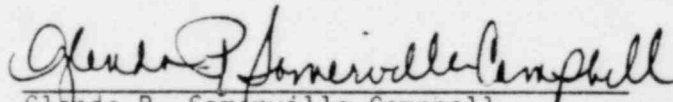
  
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Docket No. 50-322 OL

COURTESY NOTIFICATION

As circumstances warrant from time to time, the Board will mail one copy of its orders and memoranda directly to each party, petitioner or other interested participant. This is intended solely as a courtesy and convenience to those served to provide extra time. Official service will be separate from the courtesy notification and will continue to be made by the Office of the Secretary of the Commission. Unless otherwise stated, time periods will be computed from the official service.

I hereby certify that I have today mailed the Board's memorandum of this date to the persons designated on the attached Courtesy Notification List.



Glenda P. Somerville-Campbell  
Secretary, Atomic Safety and Licensing  
Board

March 31, 1982



COURTESY NOTIFICATION LIST

W. Taylor Reveley, III, Esq.  
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