

COUNTY OF SUFFOLK



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OFFICE OF THE COUNTY EXECUTIVE

PETER F. COHALAN
SUFFOLK COUNTY EXECUTIVE

February 23, 1983

SERVICE
JOHN C. GALLAGHER
CHIEF DEPUTY

Chairman Palladino
Commissioner Gilinsky
Commissioner Ahearne
Commissioner Roberts
Commissioner Asselstine
Nuclear Regulatory Commission
Washington, D.C. 20555

DOCKET NUMBER
PROD. & UTIL. FAC. 50-322

Dear Chairman and Commissioners:

This letter is to advise you of recent action by Suffolk County that requires termination of the Shoreham licensing proceeding. Our counsel has today filed a request for immediate certification of this question to the Commission. It is essential to bring the matter to a head quickly so that the public, the Long Island Lighting Company ("LILCO"), agencies of the State of New York, and the financial markets are not confronted with continuing uncertainty. Any delay in this matter by the Commission will not serve the public interest.

Last week, Suffolk County determined that it is impossible to prepare a local radiological emergency plan that would protect the public if a serious nuclear accident were to occur at the Shoreham plant. This determination follows nine months of extensive analyses, studies, and surveys by a team of nationally recognized experts retained at a cost to the County of nearly \$600,000, and weeks of public hearings and careful consideration by both the Legislative and Executive branches of the County's government.

Accordingly, Suffolk County has resolved not to adopt or implement a radiological emergency plan. In short, there can be no radiological emergency preparedness in Suffolk County. The County's action means to us that Shoreham will not operate. We have already accepted this as fact and are seeking to put the issue of Shoreham's operation behind us, so that just and equitable decisions can be reached before the State Public Service Commission on the cost and rate consequences of Shoreham not going on line.

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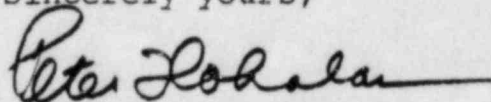
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We would consider any further NRC licensing action to be an excess of promotionalism, at odds with both the Commission's mandate to be a neutral regulator and the exclusive right of our local government to plan and prepare for emergencies. It is a propitious coincidence that LILCO's construction permit for Shoreham expires on March 31, a timeframe we would hope is sufficient to bring the Shoreham proceeding to a conclusion.

The importance of the Commission swiftly taking personal charge of this matter cannot be overemphasized. The affected interests on Long Island and elsewhere require prompt and decisive NRC action. We trust that you will attend to this matter with fitting dispatch.

If you believe that a meeting of the Commissioners with Suffolk County officials to discuss this matter would hasten NRC action, I am prepared to meet in Washington or Long Island.

Sincerely yours,



PETER F. COHALAN
SUFFOLK COUNTY EXECUTIVE

Enclosures: Suffolk County Resolution 111-1983
Suffolk County Motion for Certification
Suffolk County Motion to Terminate Shoreham
Operating License Proceeding

cc: Suffolk County Legislature
Long Island Congressional Delegation
Long Island State Delegation
Licensing Board Members
NRC Service List
Public Service Commission