



Federal Emergency Management Agency

Washington, D.C. 20472

DUCKETED
USING

'84 FEB 14 AM FEB 1 8 1984

Herbert H. Brown, Esq.
Kirkpatrick, Lockhart, Hill,
Christopher & Phillips
1900 M Street, N.W.
Washington, D.C. 20036

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

Dear Mr. Brown:

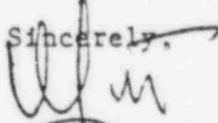
DOCKET NUMBER
REF ID: A50-322-04-3

You are correct in your understanding that the Federal Emergency Management Agency (FEMA) is reviewing the utility prepared off-site plan for Shoreham under a request from the Nuclear Regulatory Commission (NRC) under the terms of the Memorandum of Understanding which exists between the two agencies with regard to radiological emergency preparedness matters. This agreement is supplemental to the 44 CFR 350 review process and was published at 45 CFR 82713 December 16, 1980.

The procedure for findings under the 44 CFR 350 process involves review of State and local governments' plans and preparedness. The MOU provides for findings outside of the 44 CFR 350 process as far as review is concerned in that a FEMA interim finding may be based on either a plan review or a review of plans and exercise results if exercise results are available.

In the context of this discussion I would remind you that while FEMA makes recommendations to the NRC on off-site planning and preparedness, the ultimate judgment of whether there is a sufficient level of planning and preparedness to give reasonable assurance of the public health and safety is a matter for NRC determination and is specifically reserved to that agency by statute and regulation.

At this stage of the FEMA review I would suggest the county forward any views it has as to plan elements or application to relevant Nureg 0654 Standards to FEMA's Region II office in New York. You may wish to send copies of this material to FEMA's national office as well, attention Mr. Richard Krimm, Assistant Associate Director, Office of Natural and Technological Hazards. It is my understanding that you have already established contact on behalf of your client with Mr. Frank Petrone, FEMA's Regional Director for Region II.

Sincerely,

George W. Jett
General Counsel

8402150119 840210
PDR ADOCK 05000322
G PDR

Add: J. Garn
OCA

D503

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DUCKETED
U.S.N.R.C.

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

'84 FEB 14 A11:13

In the Matter of)

LONG ISLAND LIGHTING COMPANY)

(Shoreham Nuclear Power Station, Unit 1)

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

CERTIFICATE OF SERVICE

I hereby certify that copies of the February 8, 1984 Letter from George Jett General Counsel the Federal Emergency Management Agency to Herbert Brown have been served on the following by deposit in the United States mail, first class, this 10th day of February 1984:

James A. Laurenson, Esq.
Administrative Judge, Chairman
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
East-West Tower, Rm. 402A
4350 East-West Hwy.
Bethesda, MD 20814

Dr. Jerry R. Kline
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
East-West Tower, Rm. 427
4350 East-West Hwy.
Bethesda, MD 20814

Mr. Frederick J. Shon
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
East-West Tower, Rm. 430
4350 East-west Hwy.
Bethesda, MD 20814

Jonathan D. Feinberg, Esq.
Staff Counsel
New York State Department of
Public Service
3 Empire State Plaza
Albany, New York 12223

Ralph Shapiro, Esq.
Canner and Shapiro
9 East 40th Street
New York, NY 10016

Howard L. Blau, Esq.
217 Newbridge Road
Hicksville, NY 11801

W. Taylor Reveley III, Esq.
Hunton & Williams
P.O. Box 1535
Richmond, VA 23212

Cherif Sedkey, Esq.
Kirkpatrick, Lockhart, Johnson
& Hutchison
1500 Oliver Building
Pittsburgh, PA 15222

Stephen B. Lathan, Esq.
John F. Shea, III, Esq.
Twomey, Latham & Shea
Attorneys at Law
P.O. Box 398
33 West Second Street
Riverhead, NY 11901

Atomic Safety and Licensing
Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Atomic Safety and Licensing
Appeal Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Docketing and Service Section
Office of the Secretary
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Spence Perry, Esq.
Associate General Counsel
Federal Emergency Management Agency
Room 840
500 C. Street, S.W.
Washington, D.C. 20472

Herbert H. Brown, Esq.
Lawrence Coe Lanpher, Esq.
Karla J. Letsche, Esq.
Kirkpatrick, Lockhart, Hill
Christopher & Phillips
1900 M Street, N.W.
8th Floor
Washington, D.C. 20036

Eleanor L. Frucci, Esq.
Attorney
Atomic Safety and Licensing Board
Panel
U.S. Nuclear Regulatory Commission
Bethesda, MD 20814

Gerald C. Crotty, Esq.
Counsel to the Governor
Executive Chamber
State Capitol
Albany, New York 12224

James B. Dougherty, Esq.
3045 Porter Street, N.W.
Washington, D.C. 20008

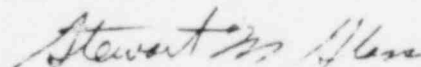
Stewart M. Glass, Esq.
Regional Counsel
Federal Emergency Management Agency
26 Federal Plaza, Rm. 1349
New York, New York 10278

Secretary of the Commission
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Bernard M. Bordenick, Esq.
David A. Repka, Esq.
Edwin J. Reis, Esq.
U.S. Nuclear Regulatory
Commission
7730 Old Georgetown Road
(to mailroom)
Bethesda, MD 20814

Fabian G. Palomino, Esq.
Richard J. Zahnleute, Esq.
Special Counsel to the Governor
Executive Chamber
State Capitol
Albany, New York 12224

Ben Wiles, Esq.
Assistant Counsel to the Governor
Executive Chamber
State Capitol
Albany, New York 12224



Stewart M. Glass
Regional Counsel for
Federal Emergency Management Agency

COURTESY COPY LIST

Edward M. Barrett, Esq.
General Counsel
Long Island Lighting Company
250 Old County Road
Mineola, NY 11501

Mr. Brian McCaffrey
Long Island Lighting Company
175 East Old County Road
Hicksville, NY 11801

Marc W. Goldsmith
Energy Research Group, Inc.
400-1 Totten Pond Road
Waltham, MA 02154

David H. Gilmartin, Esq.
Suffolk County Attorney
County Executive/Legislative Bldg.
Veteran's Memorial Highway
Hauppauge, NY 11788

Ken Robinson, Esq.
N.Y. State Dept. of Law
2 World Trade Center
Room 4615
New York, NY 10047

Mr. Jeff Smith
Shoreham Nuclear Power Station
P.O. Box 618
North Country Road
Wading River, NY 11792

MHB Technical Associates
1723 Hamilton Avenue
Suite K
San Jose, CA 95125

Hon. Peter Cohalan
Suffolk County Executive
County Executive/Legislative Bldg.
Veteran's Memorial Highway
Hauppauge, NY 11788

Mr. Jay Dunkleberger
New York State Energy Office
Agency Building 2
Empire State Plaza
Albany, NY 12223

Ms. Nora Bredes
Shoreham Opponents Coalition
195 East Main Street
Smithtown, NY 11787

Leon Friedman, Esq.
Costigan, Hyman & Hyman
1301 Franklin Avenue
Garden City, New York 11530