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DONALD P. IRWIN

File No.: 24566.100000
DIRECT DIAL: (804) 788-8357

July 29, 1991

VIA TELECOPY

Administrative Law Judge Morton B. Margulies, Chairman
Administrative Law Judge Jerry R. Kline
Administrative Law Judge George A. Ferguson
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

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Docket No. 50-322-OLA:
Contention 5(d) (Physical Security Plan)

Gentlemen:

In proposed Contention 5(d) and in argument at the prehearing conference on July 26, Petitioners alleged that LILCO had violated the Shoreham Security Settlement Agreement with Suffolk County in unspecified ways when it revised the number of armed responders in the Shoreham Physical Security Plan.

LILCO opposed this subpart of the contention on a variety of grounds not involving direct documentation on the issue. Since the conference, I have confirmed that such documentation does exist in the form of a letter bearing serial number SNRC-1691, dated March 30, 1990, and an attached affidavit of the same date, both of them signed by William E. Steiger, Jr., Shoreham plant manager at the time. Both were publicly filed with the NRC. I also enclose a contemporaneous internal Shoreham memorandum to file, no. 90-066, which recounts the discussion with the cognizant Suffolk County Police Department official concerning the proposed changes to the Security Plan. In order to complete the record, and to assist in resolving the matter, I enclose these documents for the information of the Board and parties.

HUNTON & WILLIAMS

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Mr. Steiger's Affidavit attached to SNRC-1691 states, in pertinent part:

4. In accordance with paragraph X of the Final Security Settlement Agreement entitled, "Implementation of this Agreement, Including Future Changes or Revisions," representatives of LILCO did consult with and solicit the guidance of the Suffolk County Police Department prior to seeking the above mentioned proposal to revise the Shoreham Physical Security Plan.

internal Shoreham memorandum to file, serial no. 90-066 (March 28, 1990), states, in pertinent part:

On January 4, 1990, the Plant Manager, Jack Notaro, spoke with Deputy Chief Cosgrove, 6th Precinct, Suffolk County Police Department concerning the proposed request to amend the Shoreham Physical Security Plan.

Specifically discussed were the reduction in the number of vital areas, and the reduction in the number of armed responders.

Deputy Chief Cosgrove expressed no concerns with the proposed changes.

LILCO believes that these documents dispose of any issue as to LILCO's compliance with the Settlement Agreement in connection with the change in the size of the Shoreham armed responder force.

Respectfully submitted,



Donald P. Irwin
Attorney for Long Island
Lighting Company

Enclosures

cc w/enclosures: Attached Service List

File



LONG ISLAND LIGHTING COMPANY
SHOREHAM NUCLEAR POWER STATION
P.O. BOX 618, NORTH COUNTRY ROAD • WADING RIVER, N.Y. 11792

WILLIAM E. STEIGER, JR.
ASSISTANT VICE PRESIDENT—NUCLEAR OPERATIONS

SNRC-1691

MAR 30 1990

U. S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, D.C. 20555

Affidavit In Support of LILCO's Request to
Amend the Shoreham Physical Security Plan
Shoreham Nuclear Power Station - Unit 1
Docket No. 50-322

Ref: LILCO (W. E. Steiger, Jr.) letter SNRC-1672 to NRC (Document Control Desk) dated January 5, 1990; subject: LILCO's Request to Amend the Shoreham Physical Security Plan

Gentlemen:

The attached affidavit is provided in support of the request contained in the reference letter. The affidavit contains information which demonstrates that LILCO complied with the terms and conditions of the November 1982 Final Security Settlement Agreement with Suffolk County and the NRC.

Please do not hesitate to call this office if you have any questions or require additional information.

Very truly yours,

William E. Steiger, Jr.
Assistant Vice President
Nuclear Operations

GJG/ap
Enclosure

cc: S. Brown
T. T. Martin
L. Doerflein