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RELATED CORRESPONDENCE

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD
Before Administrative Judges
James A. Laurenson, Chairman
Dr. Jerry R. Kline
Mr. Frederick J. Shon

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OFFICE OF SECRETARY
DOCKETING & SERVICE
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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 Proceeding)

June 29, 1984

NEW YORK STATE MOTION TO COMPEL PRODUCTION OF
TRAINING-RELATED DOCUMENTS BY LILCO

AND

NEW YORK STATE STATEMENT IN SUPPORT OF SUFFOLK
COUNTY'S MOTION TO COMPEL PRODUCTION OF TRAINING-
RELATED DOCUMENTS BY LILCO

New York State hereby requests that the Board order LILCO to provide to New York State one copy of all of the training-related documents pertaining to the critiques and evaluations of LERO trainees' performances, including all completed drill or exercise evaluation forms, from LILCO drills or exercises that have been conducted from February 16, 1984 up to and through the date of the Board's decision in this matter.

In addition, New York State fully supports the "Suffolk County Motion to Compel Production of Training-Related Documents by LILCO," dated June 26, 1984. New York State submits that Suffolk County's motion, as well as this motion, should be granted on the grounds asserted by Suffolk County. Suffolk County has made a convincing showing of good cause.

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However, New York State makes the following additional observations.

The Board has established an undeniable precedent with regard to the production of critiques and evaluations of LERO trainees' performances, and completed drill and exercise evaluation forms. See generally Tr. 9669 - 9674. In its Bench Order of June 1, 1984, the Board stated that the applicable legal standard was 10 C.F.R. Section 2.740: "Thus, the only test is whether these documents are relevant to the subject matter involved in the proceeding." Tr. 9672, lines 19-21. The Board then noted, "We need not look too far to establish relevancy." Tr. 9672, lines 22 and 23. The Board cited three specific passages from LILCO's training testimony as well as Contention 100.G, and concluded, "[W]e find that the completed evaluations and critiques are relevant to the testimony and contentions in controversy and must be produced." (Emphasis added); Tr. 9672, line 23 through 9673, line 18.

Clearly, the documents now sought by Suffolk County and New York State are no less relevant to the LILCO testimony and the contentions. For example, Mr. Daverio testified on June 15, 1984 that LILCO has identified a need to do more drilling in the area of LERO trainees' performance of monitoring and decontamination tasks. Tr. 11,969, line 18. Mr. Daverio also testified that "We ran table tops, which we felt were necessary before we went back into the drills. And that is what is going on this month." Tr. 11,969, lines 22-24. Mr. Daverio subsequently elaborated, stating: "[W]e have run some drills in June that would have tested that. I don't have results though." Tr. 11,970, lines 5-6.

Such "results" are undoubtedly relevant and necessary for the intervenors to make a better determination regarding the adequacy of the LILCO training program.

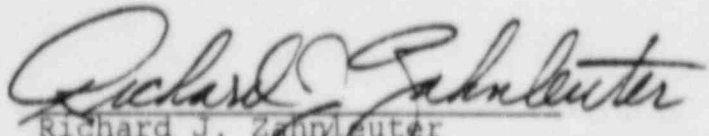
Accordingly, New York State requests that the Board order LILCO to provide to New York State and Suffolk County all of the training-related documents pertaining to the critiques and evaluations of LERO trainees' performances, including all completed drill or exercise evaluation forms, from LILCO drills or exercises that have been conducted from February 16, 1984 up to and through the date of the Board's decision in this matter.

Respectfully submitted.

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD
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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 Proceeding) June 29, 1984
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CERTIFICATE OF SERVICE

I hereby certify that one copy of the NEW YORK STATE MOTION
"TO COMPEL PRODUCTION OF TRAINING-RELATED DOCUMENTS BY LILCO AND
NEW YORK STATE STATEMENT IN SUPPORT OF SUFFOLK COUNTY'S MOTION TO
COMPEL PRODUCTION OF TRAINING-RELATED DOCUMENTS BY LILCO has been
served to each of the following this 29th day of June, 1984 by
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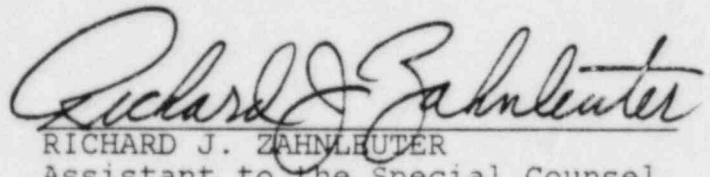
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