

HUNTON & WILLIAMS

707 EAST MAIN STREET P. O. BOX 1535

RICHMOND, VIRGINIA 23212

TELEPHONE 804-788-8200

TWX-710-956-0061

2000 PENNSYLVANIA AVENUE, N.W.
P. O. BOX 18230
WASHINGTON, D. C. 20036
TELEPHONE 202-955-1800333 SOUTH GRAND AVENUE
LOS ANGELES, CALIFORNIA 90071
TELEPHONE 213-617-3052
TELEX 754708FIRST VIRGINIA BANK TOWER
P. O. BOX 3888
NORFOLK, VIRGINIA 23514
TELEPHONE 804-625-5501
TELEX 755628299 PARK AVENUE
NEW YORK, NEW YORK 10171
TELEPHONE 212-980-8200
TELEX 754708S & T BUILDING P. O. BOX 109
RALEIGH, NORTH CAROLINA 27602
TELEPHONE 919-826-9371FIRST TENNESSEE BANK BUILDING
P. O. BOX 951
KNOXVILLE, TENNESSEE 37901
TELEPHONE 615-637-4311

FILE NO

DIRECT DIAL NO 804-788-

June 18, 1984

Bernard M. Bordenick, Esq.
Office of the Executive Legal Director
United States Nuclear Regulatory
Commission
Maryland National Bank Building
7735 Old Georgetown Road
Bethesda, MD 20814

BY TELECOPIER

Dear Bernie:

As you know, Suffolk County is currently contending that the Final Security Settlement Agreement in the Shoreham case does not govern security issues relevant to the low power proceeding because the backup power design at the time the Agreement was concluded in November 1982 involved Transamerica Delaval diesels rather than the current arrangements. With respect to the accuracy of these claims, it would be useful to adduce material from the following documents:

1. Final Security Settlement Agreement, pages 1 through 5 (through, but not beyond, paragraph F); and pages 31 (beginning on line 3) through 33;
2. Letter, Michael S. Miller to Donald P. Irwin, March 23, 1983;
3. Letter, Michael S. Miller to Donald P. Irwin, March 30, 1983;
4. Letter, Michael S. Miller to Donald P. Irwin, April 11, 1983.

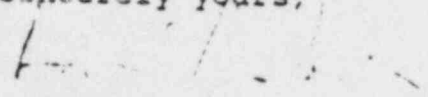
Each of these documents either has been in the Staff's possession from its creation or was forwarded to the Staff under cover of my April 18, 1984 letter to Ralph Caruso.

8407190235 840716
PDR ADOCK 05000322
PDR

HUNTON & WILLIAMS

LILCO has examined each of the complete or partial documents listed in items 1 through 4 above and has not found in any of them material required to be protected as Safeguards Information pursuant to 10 CFR § 73.21(b)(1). I would appreciate your requesting ONMSS to review the material and to advise me if their judgment is different from mine.

Sincerely yours,


Donald P. Irwin
Counsel for Long Island
Lighting Company

cc: Mary Jo Campagnone
Michael S. Miller, Esq.

ATTACHMENT R



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

Attachment R

JUN 22 1984

MEMORANDUM FOR: Bernard Bordenick
Office of the Executive Legal Director

THRU: Cecil O. Thomas, Chief
Standardization and Special Projects Branch
Division of Licensing

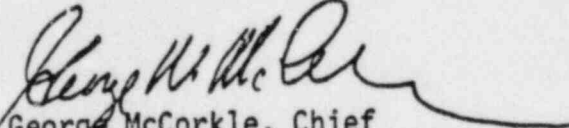
FROM: George McCorkle, Chief
Power Reactor SG Licensing Branch
Division of Safeguards, NMSS

SUBJECT: LONG ISLAND LIGHTING COMPANY SHOREHAM NUCLEAR PLANT
REQUEST TO EXAMINE SAFEGUARDS INFORMATION

This is in response to a request dated June 18, 1984, by Mr. Donald P. Irwin, Counsel for the Long Island Lighting Company, to confirm that certain documents contain no Safeguards Information required to be protected under the provision of 10 CFR 73.21.

We have reviewed the document referenced in the June 18 letter and have determined that the only information that might be Safeguards Information are those statements identifying the offsite response forces. However, Mr. Irwin advised by telephone on June 22, 1984, that the identity of the police forces committed to respond to safeguards emergencies at Shoreham has been disclosed in several newspaper articles, and also is mentioned in a March 15, 1983 letter from Commissioner Dilworth to LILCO, which has already been placed in the public document room.

Since information in the public domain does not fall under the provisions of Section 73.21, we concur with Mr. Irwin's judgement on this matter.


George McCorkle, Chief
Power Reactor SG Licensing Branch
Division of Safeguards, NMSS

ATTACHMENT S