

employed by Vepco and authorized by it in accordance with Commission regulations to have access to protected information and (d) counsel for Vepco. Nothing in this definition shall be deemed to deny or affect access by an officer, employee, or contractor of a party to information maintained in the normal course of business by that party, or to deny or affect access to protected information by members of this Board, the cognizant Atomic Safety and Licensing Appeal Board, the Commission, their respective staffs,¹ and appropriate law enforcement agencies.

(c) A "lead attorney or representative" is an individual designated by a party and approved by this Board to accept service of protected information, insure that it is distributed only to those persons authorized to receive it on behalf of that party, and to assume overall responsibility for the control and protection of sensitive information in the hands of that party.

(d) A "designated facility" is One James River Plaza, Richmond, Virginia and Maryland National Bank Building, Bethesda, Maryland.

(e) A "designated office" is one office approved by each party for the preparation of written pleadings and testimony containing protected information and for the storage of protected information in the hands of that party.

¹ The provisions of this Protective Order do not restrict Nuclear Regulatory Commission employees; they are subject to internal
(Footnote Continued)

2. Authorized persons shall not disclose protected information to anyone except another authorized person, unless that information has previously been disclosed in the public record of this proceeding. Authorized persons shall safeguard protected information in written form (including any portions of transcripts of in camera hearings, filed testimony or any other documents that contain such information) so that it remains at all times under the control of an authorized person and is not disclosed to anyone else.

3. Authorized persons shall not photocopy any protected information by any means without the Board's express approval or direction except to the extent necessary to make required service on another party. So long as an authorized person possesses protected information, he or she shall continue to take these precautions until further order of the Board.

4. Authorized persons shall similarly safeguard and hold in confidence any data, notes, or copies of protected information and all other papers which contain any protected information by means of the following:

(a) reviewing and using the document constituting the Vepco physical protection system (which shall not be photocopied or otherwise reproduced) only at a designated facility, but such persons may make

(Footnote Continued)

requirements (see NRC Manual Appendix 2101, part XVII) concerning treatment of protected safeguards information.

notes with respect to the document and remove such notes to a designated office;

(b) preparing written pleadings and testimony containing protected information only at a designated facility or a designated office;

(c) keeping and safeguarding all such materials in a safe or locked filing cabinet to be located at all times in a designated facility or a designated office; and

(d) performing necessary typing or reproduction services or other secretarial work connected with the preparation of papers containing protected information at a designated facility or a designated office.

5. Authorized persons shall use protected information only for the purpose of preparation for this proceeding or any further proceedings in this case dealing with security plan issues, and for no other purpose.

6. Lead attorneys or representatives shall keep a record of all protected information in the possession of their respective parties, including any copies of that information made by or for them. At the conclusion of this proceeding, they shall account to the Board or to a Commission employee designated by the Board for all the papers or other materials containing protected information in their possession. When they have finished using the protected information, but in no event later than the conclusion of this proceeding, they shall deliver those papers and materials to the Board (or to a Commission employee

designated by the Board), together with all notes and data which contain protected information for safekeeping during the lifetime of the plant.

7. Authorized persons shall not corroborate to any unauthorized person the accuracy or inaccuracy of information obtained outside this proceeding by using protected information gained through the hearing process.

8. In order to keep the service list as limited as possible and thus to reduce the possibility of materials becoming lost or misplaced, copies of documents will be formally served on each Board member and only on the following, who shall be considered "lead counsel" for service purposes:

CCLC:	James B. Dougherty, Esq. 3045 Porter St., NW Washington, D.C. 20008
Vepco:	Michael W. Maupin, Esq. Hunton & Williams P. O. Box 1535 Richmond, Virginia 23212
NRC Staff:	Henry J. McGurren U. S. Nuclear Regulatory Commission Washington, D.C. 20555

In addition, copies of documents shall be served upon Mrs. Inez Bailey, Chief, Records Services Branch, Division of Technical Information and Document Control, Nuclear Regulatory Commission, Washington, D.C. 20555. Service shall be accomplished by the means described in paragraph 13 of this Order.

9. There shall be a limit of two transcripts per party for any proceeding conducted on the record in which safeguards information is

disclosed or discussed. Parties shall not photocopy these transcripts without the express prior approval of the Board.

10. At the conclusion of this proceeding (including any necessary appeals), the person designated to maintain the official NRC file of documents shall ensure that extra copies of documents to be kept during the lifetime of the plant are destroyed.

11. Authorized persons may review at a designated facility Vepco's physical protection system document. In addition, (a) any notes which authorized persons have made from their review of the system, and (b) copies of pleadings and testimony containing protected information, may be maintained by authorized persons at the following designated offices:

Staff: Office of the Executive Legal Director
Maryland National Bank Building
Bethesda, Maryland 20814

Vepco: 707 East Main Street
Richmond, Virginia 23219

CCLC: 3045 Porter St., NW
Washington, D.C. 20008

12. CCLC and its above-named authorized representative, in keeping protected information at the above-designated office, shall take such protective measures and procedures necessary to satisfy fully the specific requirements of 10 C.F.R. § 73.21. Such protective measures and procedures are as follows:

a. The building in which the safeguards information (i.e., notes and pleadings) will be maintained will qualify as a controlled access building in that it is either attended around the clock or locked at night;

b. The protected information, when unattended, will be stored in a locked security storage container, such as a steel filing cabinet or map cabinet equipped with a locked bar and GSA-approved combination padlock. Access to the security storage container will be positively controlled by use of keys or other comparable means; and

c. While in use, the protected information will be under the sole control of an authorized person.

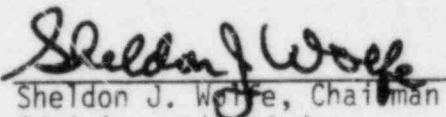
13. With respect to transportation of the protected information in question, procedures will be utilized which ensure compliance with regulatory requirements. Specifically, documents containing protected information, when transmitted outside an authorized place of use or storage, will be enclosed in two sealed envelopes or wrappers, with the inner envelope or wrapper containing the name and address of the intended recipient and marked on both sides, top and bottom, with the words "PROTECTED INFORMATION." The outer envelope or wrapper will contain the intended recipient's name and address, with no indication that the document inside contains protected information. Protected information will be transported by registered or certified mail or by other courier methods or hand delivery which ensure that a receipt is obtained to verify delivery or by an individual authorized access pursuant to 10 C.F.R. § 73.21(c). Any authorized individual transporting the safeguards information in question will be instructed to retain the documents in his personal possession at all times.

14. Anyone who has reason to suspect that documents containing protected information may have been lost or misplaced (for example,

because an expected paper has not been received) or that protected information has otherwise become available to unauthorized persons shall notify this Board promptly of those suspicions and the reasons for them.

It is so ORDERED.

FOR THE ATOMIC SAFETY AND
LICENSING BOARD


Sheldon J. Wolfe, Chairman
Administrative Judge

Dated at Bethesda, Maryland
this 26th day of September, 1984.