

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

Before the Commission

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OFFICE OF SECRETARY  
DOCKETING & SERVICE  
BRANCH

\_\_\_\_\_  
In the Matter of )  
 )  
LONG ISLAND LIGHTING COMPANY )  
 )  
(Shoreham Nuclear Power Station, )  
Unit 1 )  
\_\_\_\_\_ )

Docket No. 50-322-OL-4  
(Low Power)

SUFFOLK COUNTY AND STATE OF NEW YORK  
MOTION FOR THE COMMISSION TO OPEN  
MEETINGS ON LILCO'S PENDING REQUEST  
FOR A SECTION 50.12 EXEMPTION

Suffolk County and the State of New York hereby move the Commission to open for public attendance and observation any and all meetings of the Commission that are held to discuss or deliberate the Long Island Lighting Company's pending Section 50.12(a) request for an exemption from GDC 17. A similar motion was made orally by counsel for Suffolk County last Friday, at the oral argument before the Commission.

There are good reasons why the instant motion should be granted. First, Section 50.12(a) of the Commission's regulations -- the regulation which controls disposition of LILCO's pending exemption request -- provides that the exemption may be granted only if it is in the public interest. Having thus made the

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public interest a central concern, the public itself should not be precluded from observing the processes by which the Commission deals with this concern.

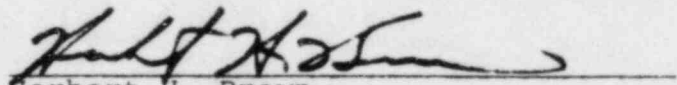
Second, the Commission's May 16 Order reiterates the Commission's settled practice that an exemption is an "extraordinary" action that should be granted only where there are compelling exigent circumstances. Given that LILCO's request raises a unique issue, the public would clearly benefit from gaining insight into the Commission's analysis of this unprecedented issue.

Finally, the County and State understand that the Commission has decided to open to the public its meetings in the Three Mile Island proceeding. The public involvement in the Shoreham proceeding is at least as great here, particularly since the elected governments of both New York State and Suffolk County are principal participants. Indeed, to our knowledge, this is the only NRC case in which the President of the United States has publicly announced a policy position: namely, "[T]his Administration does not favor the imposition of Federal Government authority over the objections of state and local governments in matters regarding the adequacy of an emergency evacuation plan for a nuclear power plant such as Shoreham."

(For convenience, a copy of the President's letter of October 11, 1984 is enclosed herewith.)

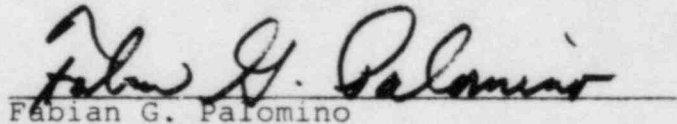
Respectfully submitted,

Martin Bradley Ashare  
Suffolk County Department of Law  
Veterans Memorial Highway  
Hauppauge, New York 11788



Herbert H. Brown  
Lawrence Coe Lanpher  
Karla J. Letsche  
KIRKPATRICK & LOCKHART  
1900 M Street, N.W., Suite 800  
Washington, D.C. 20036

Attorneys for Suffolk County



Fabian G. Palomino  
Special Counsel to the Governor  
of the State of New York  
Executive Chamber, Room 229  
Capitol Building  
Albany, New York 12224

Attorney for Mario M. Cuomo,  
Governor of the State of New York

February 11, 1985

THE WHITE HOUSE  
WASHINGTON

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October 11, 1984

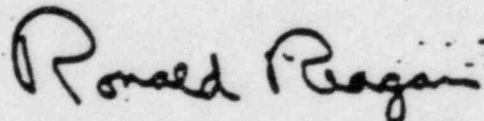
Dear bill:

I want you to know of my appreciation for your continuing contributions to and support for my Administration. Your leadership and courage have been determining factors in the progress we have made in the last few years.

On a matter of particular concern to you and the people of Eastern Long Island, I wish to repeat Secretary Hodel's assurance to you that this Administration does not favor the imposition of Federal Government authority over the objections of state and local governments in matters regarding the adequacy of an emergency evacuation plan for a nuclear power plant such as Shoreham. Your concern for the safety of the people of Long Island is paramount and shared by the Secretary and me.

Thank you again for your support. I look forward to working with you in the years ahead.

Sincerely,



The Honorable William Carney  
House of Representatives  
Washington, D.C. 20515

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CERTIFICATE OF SERVICE

I hereby certify that copies of Suffolk County and State of New York Motion for the Commission to Open Meetings on LILCO's Pending Request for a Section 50.12 Exemption have been served on the following this 11th day of February 1985, by U.S. mail, first class, except as otherwise noted.

Judge Marshall E. Miller, Chairman  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Judge Glenn O. Bright  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Judge Elizabeth B. Johnson  
Oak Ridge National Laboratory  
P.O. Box X, Building 3500  
Oak Ridge, Tennessee 37830

\* Bernard M. Bordenick, Esquire  
Edwin J. Reis, Esquire  
Office of the Executive Legal  
Director  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Edward M. Barrett, Esq.  
Long Island Lighting Company  
250 Old Country Road  
Mineola, New York 11501

Honorable Peter F. Cohalan  
Suffolk County Executive  
H. Lee Dennison Building  
Veterans Memorial Highway  
Hauppauge, New York 11788

\* By Hand  
\*\* By Telecopier

Fabian Palomino, Esq.  
Special Counsel to the Governor  
Executive Chamber  
Room 229  
State Capitol  
Albany, New York 12224

\*\* W. Taylor Reveley, III, Esq.  
Anthony F. Earley, Jr., Esq.  
Robert M. Rolfe, Esq.  
Hunton & Williams  
P.O. Box 1535  
707 East Main Street  
Richmond, Virginia 23212

Mr. Martin Suubert  
c/o Congressman William Carney  
1113 Longworth House Office Bldg.  
Washington, D.C. 20515

Martin Bradley Ashare, Esq.  
Suffolk County Attorney  
B. Lee Dennison Building  
Veterans Memorial Highway  
Hauppauge, New York 11788

\* Nunzio J. Palladino, Chairman  
U.S. Nuclear Regulatory  
Commission  
1717 H Street, N.W., Room 1114  
Washington, D.C. 20555

\* Commissioner Thomas M. Roberts  
U.S. Nuclear Regulatory  
Commission  
1717 H Street, N.W., Room 1103  
Washington, D.C. 20555

\* Commissioner Frederick M. Bernthal  
U.S. Nuclear Regulatory  
Commission  
1717 H Street, N.W., Room 1156  
Washington, D.C. 20555

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

Mr. Brian McCaffrey  
Long Island Lighting Company  
Shoreham Nuclear Power Station  
P.O. Box 618  
North Country Road  
Wading River, New York 11792

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

Stephen B. Latham, Esq.  
John F. Shea, Esq.  
Twomey, Latham and Shea  
33 West Second Street  
Riverhead, New York 11901

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

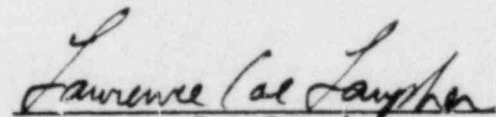
\* Commissioner Lando W. Zebh, Jr.  
U.S. Nuclear Regulatory  
Commission  
1717 H Street, N.W., Room 1113  
Washington, D.C. 20555

\* Commissioner James K. Asselstine  
U.S. Nuclear Regulatory  
Commission  
1717 H Street, N.W., Room 1149  
Washington, D.C. 20555

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

Mr. Howard A. Wilber  
Atomic Safety and Licensing  
Appeal Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Mr. Gary J. Edles  
Atomic Safety and Licensing  
Appeal Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555



Lawrence Coe Lanpher  
KIRKPATRICK & LOCKHART  
1900 M Street, N.W.  
Washington, D.C. 20036

Date: February 11, 1985