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FILE NO  
DIRECT DIAL NO 804 788

MEMORANDUM

TO: Chairman Nunzio J. Palladino  
Commissioner Thomas M. Roberts  
Commissioner James K. Asselstine  
Commissioner Frederick M. Bernthal  
Commissioner Lando W. Zech, Jr.  
Judge James L. Kelley, Chairman  
Judge Glenn O. Bright  
Judge Elizabeth B. Johnson  
Michael S. Miller, Esq.  
Fabian G. Palomino, Esq.  
Robert G. Perlis, Esq.

FILE: 24566.000003

FROM: Donald P. Irwin

DATE: March 20, 1985

Long Island Lighting Company  
(Shoreham Nuclear Power Station, Unit 1)  
(Docket No. 50-322-0L-4): Security/Safeguards Documents

This will confirm an agreement between counsel for LILCO and Suffolk County covering the following documents filed on March 15 and 18 on behalf of Suffolk County and New York State in the remanded Shoreham low power security proceeding:

Before the Atomic Safety and Licensing Board (March 15, 1985)

Suffolk County and State of New York Reply Memorandum to NRC Staff and LILCO Responses dated March 12, 1985

Affidavit of Assistant Chief Inspector Joseph L. Monteith, Deputy Chief Inspector Richard C. Roberts, Inspector Philip McGuire, Deputy Inspector Michael J. Turano, Jr., and Lieutenant Thomas P. Compitello

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Before the Nuclear Regulatory Commission (March 18, 1985)

Response of Suffolk County and the State of New York  
to LILCO's Petition for Review of ALAB-800

Affidavit of Assistant Chief Inspector Joseph  
L. Monteith, Deputy Chief Inspector Richard  
C. Roberts, Inspector Philip McGuire, Deputy Inspec-  
tor Michael J. Turano, Jr., and Lieutenant Thomas  
P. Compitello

Affidavit of Gregory C. Minor Concerning Security  
Aspects of the Temporary Emergency Power Sources at  
Shoreham

Affidavit of Thomas Constantine and John Whittel

LILCO, upon initial review of these documents on Tuesday,  
March 19, concluded that they contain Safeguards Information as  
applied to the Shoreham Nuclear Power Station, and immediately so  
informed counsel for Suffolk County by telephone. LILCO requested  
counsel for the County to attempt to retrieve these documents,  
unopened, from all but parties authorized to receive Safeguards  
Information in this proceeding, and to ask the authorized recipi-  
ents to treat the material as Safeguards Information. Counsel for  
the County, while not agreeing that the material it had filed  
contained Safeguards Information, nevertheless agreed to LILCO's  
request.

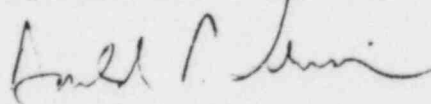
LILCO understands from Suffolk County counsel that as of  
today, each addressee not authorized to receive Safeguards Infor-  
mation has agreed to return the documents unopened (except Jay  
Dunkleberger, Esq., who had not yet been reached by telephone),  
and thus that no release of Safeguards Information will occur.  
LILCO also understands that each addressee authorized to receive  
Safeguards Information in this proceeding was requested, and  
agreed, to mark the documents with the legend "Safeguards Informa-  
tion" and to treat the documents accordingly.

HUNTON & WILLIAMS

By this memorandum LILCO confirms to recipients who received these documents its agreement with Suffolk County and urges their cooperation with it. The security of the Shoreham Nuclear Power Station is a matter of serious attention on LILCO's part and LILCO wishes to avoid its compromise.

LILCO requests that all parties authorized to retain copies of the above-listed documents (NRC Commissioners, Atomic Safety and Licensing Board members, and counsel for the NRC Staff, Suffolk County and New York State) mark each page of these documents, top and bottom, with the legend "Safeguards Information", and retain them in accordance with the provisions of 10 CFR § 73.21.

Respectfully submitted,



Donald P. Irwin  
One of Counsel for  
Long Island Lighting Company

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cc: Martin Bradley Ashare, Esq.  
Docketing and Service Branch  
Bernard M. Bordenick, Esq.  
Edward M. Barrett, Esq.  
Honorable Peter F. Cohalan  
Mr. Martin Suubert  
James B. Dougherty, Esq.  
Mr. Brian McCaffrey  
Jay Dunkelberger, Esq.  
Stephen B. Latham, Esq.