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March 19, 1985

WRITER'S DIRECT DIAL NUMBER  
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FREEDOM OF INFORMATION  
ACT REQUEST

FOIA-85-190  
rec'd 3/21/85

## HAND DELIVER

Director, Office of Administration  
U.S. Nuclear Regulatory Commission  
1717 H Street, N.W.  
Washington, D.C. 20555

Re: Freedom of Information Act Request

Dear Sir:

On behalf of our client, Suffolk County, we request, pursuant to the Freedom of Information Act, as amended, 5 U.S.C. § 552, ("FOIA") and the rules of the Nuclear Regulatory Commission ("Commission") issued thereunder, 10 C.F.R. Part 9, copies of all written materials which are dated January 2, 1984 or later, or, if undated, which were created after January 1, 1984 in the possession or control of the Commission relating to radiological emergency planning and preparedness concerning the Shoreham Nuclear Power Plant in Suffolk County, New York, except for those materials which have been served on all the parties in the Shoreham proceeding (Docket No. 50-322-OL).

Without limiting the scope of this request, but merely to assist the Commission in its search, the written materials that we are requesting may include the following:

1. All materials since January 1984 concerning the implementation by the Long Island Lighting Company of radiological emergency plans for the Shoreham Nuclear Power Plant.
2. All materials since January 1984 re: implementation by the Federal Government, or any Federal departments, agencies, instrumentalities, or contractors, of radiological plans for the Shoreham Nuclear Power Plant.

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3. All materials since January 1984 concerning an exercise of radiological emergency plans for the Shoreham Nuclear Power Plant, including materials related to participation by or observation of such an exercise by any Federal department, agency, instrumentality, or contractor.

In addition, we request copies of all correspondence, memoranda and any other written materials between the Commission and the Long Island Lighting Company and/or its employees, agents or representatives, occurring after January 1, 1984.

In the event that access is denied to any part of the requested materials, please supply the following information:

- a. Identify the withheld or deleted material and specify your reasons for believing that an exemption applies, as required by 10 C.F.R. § 9.10(b).
- b. Segregate the nonexempt from the allegedly exempt portions of all materials and release the former, as required by 10 C.F.R. § 9.10(a).
- c. Supply a detailed statement of the content of the withheld or deleted material, along with the date on which the material was written; its section heading or title; its author; the author's title, and an identification of any persons or entities who have received copies of such material, as required by applicable case law. Vaughn v. Rosen, 484 F.2d 820, 826-827 (D.C. Cir. 1973).
- d. Separately state your reason(s) for not invoking your discretionary power to release the allegedly exempt materials.

The undersigned is willing to inspect the requested material prior to its reproduction in order to identify specific material for reproduction.

The undersigned will pay charges for search time and copying fees, as provided by Commission regulations, 10 C.F.R. § 9.14. If search and copying fees to be incurred by the undersigned will exceed \$100.00, please notify the undersigned before this sum is exceeded.

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We expect to receive your response to this FOIA request within ten (10) working days of your receipt of this request, as required under the FOIA and as set out at 10 C.F.R. § 9.8(c).

Sincerely,

*Robert R. Belair (LZ)*

Robert R. Belair