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RELATED CORRESPONDENCE

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USNRC  
April 22, 1988

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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

OFFICE OF SECRETARY  
DOCKETING & SERVICE  
BRANCH

Before the Atomic Safety and Licensing Board

In the Matter of	)	
	)	
LONG ISLAND LIGHTING COMPANY	)	Docket No. 50-322-OL-3
	)	(Emergency Planning)
(Shoreham Nuclear Power Station,	)	
Unit 1)	)	

GOVERNMENTS' ANSWERS TO THE NRC STAFF'S  
INTERROGATORIES REGARDING CONTENTIONS 1-2, 4-8, and 10

Pursuant to 10 CFR § 2.740b(b), and in accordance with this Board's oral ruling of April 11 and Confirmatory Memorandum and Order of April 12, Suffolk County, the State of New York and the Town of Southampton (the "Governments") hereby respond to the NRC Staff's First Set of Interrogatories to Suffolk County, New York State and the Town of Southampton Regarding Contentions 1-2, 4-8, and 10 (March 31, 1988)(the "Interrogatories").

ANSWERS

NRC Interrogatory No. 1

1. (a) Do you intend to call any witnesses on any of the Contentions 1, 2, 4, 5, 6, 7, 8, or 10?
- (b) If the answer to (a) is yes, which contentions?
- (c) What is the substance of the testimony which will be presented on these contentions?

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- (d) Do you know the identity of such witness?
- (e) If the answer to (d) is yes, identify each witness by name and address and provide their professional credentials and resume.
- (f) What is the substance of the testimony of each witness?
- (g) What is each witness' qualification to testify?

Answer to NRC Interrogatory No. 1

The witnesses whom the Governments intend to present on the referenced contentions and the general substance of their testimony have previously been identified in: (1) the Governments' Objection to Portions of February 29 and April 8 Orders in the Realism Remand and Offer of Proof (April 13, 1988) ("April 13 Objection and Offer of Proof"); (2) a letter dated April 6, 1988 from Christopher M. McMurray, counsel for the County, to James N. Christman, counsel for LILCO, identifying certain "immateriality" witnesses; and (3) a letter dated April 7, 1988 from Richard J. Zahnleuter, counsel for the State of New York, to James N. Christman, counsel for LILCO, identifying a witness on the "immateriality" issue. Copies of the above-referenced letters were provided to NRC counsel.

The Governments' "immateriality" witnesses are well known to the parties in this proceeding and their resumes have previously been provided in connection with hearings on other issues. The Governments will provide resumes of the remaining witnesses to the extent such resumes exist, but note that the depositions of such witnesses are taking place on April 19 and 22.

NRC Interrogatory No. 2

2. (a) Do you intend to subpoena any witnesses?
- (b) What persons do you intend to subpoena?
- (c) What subjects do you intend to ask them about?
- (d) What information do you intend to elicit by such examination?

Answer to NRC Interrogatory No. 2

At this time, the Governments do not intend to subpoena any witnesses. The parties will be informed in a timely manner of any Government decision to do so.

NRC Interrogatory No. 3

3. (a) What documents do you intend to subpoena for the "realism" hearings?
- (b) Through which witness will you introduce such documents?

Answer to NRC Interrogatory No. 3

At this time, the Governments do not intend to subpoena any documents. The parties will be informed in a timely manner of any Government decision to do so.

NRC Interrogatory No. 4

4. (a) Do you contend that LILCO's emergency plan supplemented by a best effort response by the affected governments will not meet the adequacy standards with respect to each matter at issue? See Memorandum and Order, February 29, 1988, at 3-4.
- (b) Specify each and every manner in which you maintain that LILCO's emergency plan supplemented by a "best effort" response by affected governments does not meet the adequacy standards with respect to each matter at issue.
- (c) Specify each and every way in which the matter(s) identified in (b), above, prevents a reasonable assurance finding from being made.

Answer to Interrogatory No. 4

The Governments' position has been fully set forth in the Legal Authority Contentions 1-10, the Governments' Opposition to LILCO's December 18 summary disposition motions, and in the Governments' April 13 Objection and Offer of Proof.

NRC Interrogatory No. 5

5. Do you intend to present "a positive case" at hearing in response to a prima facie case presentation by LILCO on the contentions? See Memorandum and Order, February 19, 1988, at 3-4.

Answer to NRC Interrogatory No. 5

The nature of the case to be presented by the Governments on the so-called "realism" issue is set forth in the Governments' April 13 Objection and Offer of Proof, and in the Governments' Opposition to LILCO's summary deposition motion on the immateriality issue.

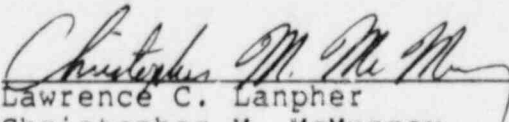
NRC Interrogatory No. 6

6. Identify all persons who participated in, or substantially contributed to, the preparation of the responses to these Interrogatories.

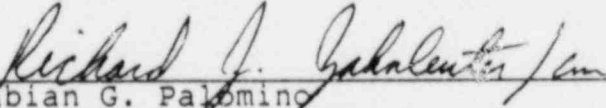
Answer to Interrogatory No. 6

All answers are stated by counsel.

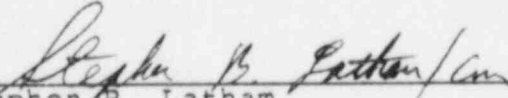
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LONG ISLAND LIGHTING COMPANY )

(Shoreham Nuclear Power Station, )  
Unit 1) )

) Docket No. 50-322-OL-3  
) (Emergency Planning)

CERTIFICATE OF SERVICE

I hereby certify that copies of GOVERNMENTS' ANSWERS TO THE NRC STAFF'S INTERROGATORIES REGARDING CONTENTIONS 1-2, 4-8, AND 10 have been served on the following this 22nd day of April, 1988 by U.S. mail, first class, except as otherwise indicated.

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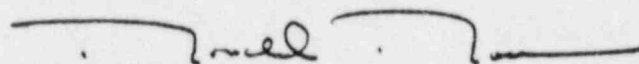
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Adjudicatory File  
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