

RELATED CORRESPONDENCE

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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Before the Atomic Safety and Licensing Board

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

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

**LILCO'S FIRST SET OF INTERROGATORIES AND REQUESTS
FOR PRODUCTION OF DOCUMENTS REGARDING LILCO'S EMERGENCY
BROADCAST SYSTEM TO SUFFOLK COUNTY AND NEW YORK STATE**

Long Island Lighting Company, by its counsel, propounds the following interrogatories to Suffolk County and New York State ("Intervenor" or "the Intervenors"), pursuant to §§ 2.740, 2.740b, and 2.741 of the Nuclear Regulatory Commission's Rules of Practice. By propounding these interrogatories LILCO makes no admission or representation about the proper scope of the issues to be decided or the evidence that may be presented on the EBS issues.

INSTRUCTIONS

A. Each interrogatory shall be answered separately and fully in writing under oath in accordance with § 2.740b of the NRC's Rules of Practice. To the extent that Intervenors do not have specific, complete, and accurate information with which to answer any interrogatory, Intervenors should so state, and the interrogatory should be answered to the extent information is available, identifying each person who is believed to have accurate information with respect thereto. Where exact information is not available, estimated information should be supplied; the answer should state that the information is an estimate and the basis on which the estimate was made. Where appropriate, the upper and lower boundaries of the estimate should be given.

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B. Each interrogatory shall be deemed to be continuing, and Intervenors are requested seasonably to supplement answers with additional facts, documents, information, and names of witnesses which become known, in accordance with § 2.740(e)(1) and (2) of the NRC's Rules of Practice.

C. The words "and" and "or" shall be construed either conjunctively or disjunctively so as to bring within the scope of these discovery requests any information that might otherwise be construed to be outside their scope.

D. Wherever appropriate, the singular form of a word shall be interpreted in the plural, and vice versa, so as to bring within the scope of these discovery requests any information that might otherwise be construed to be outside their scope.

E. Wherever appropriate, the masculine form of a word shall be interpreted as feminine, and vice versa, so as to bring within the scope of these discovery requests any information that might otherwise be construed to be outside their scope.

F. Please produce each document in the form and condition in which it exists on the date of service of this request, including all comments, notes, remarks, and other material that may have been added to the document after its initial preparation.

G. If Intervenors object to or claim a privilege (attorney-client, work product, or other) with respect to any interrogatory or document request, in whole or in part, or seek to withhold documents or information because of the alleged proprietary nature of the data, please set forth all reasons and the underlying factual basis for the objection or claim of privilege in sufficient detail to permit the Licensing Board to determine the validity of the objection or claim of privilege. This description by Intervenors should include with respect to any document: (1) author, addressor, addressee, recipients of indicated and "blind" copies together with their job titles; (2) date of preparation; (3) subject matter; (4) purpose for which the document was prepared; (5) all persons to whom

distributed, shown, or explained; (6) present custodian; (7) all persons believed to have a copy of the document; and (8) the nature of the privilege or objection asserted.

H. For any document or part of a document that was at one time, but is no longer, in Intervenor's possession, custody, or control, or which is no longer in existence, or which cannot be located or produced, identify the document, state where and how it passed out of existence or why it can no longer be located and the reasons therefor, and identify each person having knowledge concerning such disposition or loss and the contents of the document, and identify each document evidencing its prior existence and/or any fact concerning its nonexistence or loss.

I. When, in order to answer a question fully or accurately, it is necessary to distinguish between the responses of individual Intervenor's or to identify individual Intervenor's, such distinctions or identifications should be made in the answer.

DEFINITIONS

A. "Person" means any individual, corporation, partnership, unincorporated association, joint venture, government or agency thereof, or other legal entity or form of organization or association.

B. "Document" means the original and each copy, regardless of origin or location, of any written, typed, printed, recorded or graphic material, however produced or reproduced, or any tangible thing that in whole or in part illustrates or conveys information, including but not limited to papers, letters, notes, books, correspondence, memoranda, interoffice or intraoffice communications, corporate records, memoranda or minutes of meetings, or conversations whether personal or telephonic, cablegrams, mailgrams, telegrams, reports, summaries, surveys, analyses, studies, calculations, projections, ledgers, journals and other formal or informal books of record or account, bulletins, notices, announcements, advertisements, catalogs, manuals, instructions,

agreements, contracts and other legal documents, notebooks, clippings, vouchers, checks and drafts, bills, receipts, invoices, calendars, appointment books, diaries, preliminary drafts and working papers, drawings, sketches, graphs, charts, plans, specifications, blueprints, photographs, films, videotapes, tapes, recordings, computer-stored and computer-retrievable information, annotations or markings appearing on any document or thing, and all other writings and recordings of every description, however denominated, translated or described.

C. "Communication" or "contact" includes every exchange of information by any means including but not limited to personal or telephonic.

D. "LILCO" or "LILCO personnel" mean Long Island Lighting Company and any affiliate, agent, employee, consultant, contractor, technical advisor, representative, or other person acting for or on behalf of LILCO, or at LILCO's direction or control, or in concert with LILCO or assisting LILCO.

E. "Shoreham" means the Shoreham Nuclear Power Station, Unit 1, any part thereof, or any structure, system, component, instrumentation, equipment, or materials included in, or intended to be included in, Shoreham.

F. "Intervenors" means Suffolk County, New York State, and the Town of Southampton, or any of them, or any agency thereof and any agent, employee, consultant, contractor, technical advisor, representative or other person acting for or on behalf of them, or at their direction and control, or in concert with or assisting them.

G. "Contractor" means any person, not affiliated with Intervenors, who performed work concerning Shoreham on behalf of Intervenors and/or pursuant to a contract with Intervenors or sub-contractors who performed work on behalf of a contractor with whom the person was not affiliated and pursuant to a contract with such contractor. A person other than a contractor, who contracts with the sub-contractor, shall be deemed a sub-contractor.

H. "Concerns," "concerning," or any other derivative thereof, includes referring to, responding to, relating to, pertaining to, in connection with, compromising, memorializing, commenting on, regarding, discussing, showing, describing, reflecting, analyzing, supporting, contradicting, and constituting.

I. "Identify" when used in reference to a natural person means to set forth the following:

1. his name;
2. his last known residential address;
3. his last known business address;
4. his last employer;
5. his title or position;
6. his area of responsibility;
7. his business, professional, or other relationship with Intervenors; and
8. if any of the above information is changed subsequent to the time period referenced in a particular interrogatory, set forth in the answer, and label appropriately, current information as well as the information applicable to the time period referenced in the interrogatory.

J. "Identify" when used in reference to a corporation or other entity that is not a natural person shall mean to set forth the following:

1. the full name of such person, including its legal name and any assumed or trade names under which it transacts or has transacted business;

2. the nature or form of such a person, if known;
3. the address of its principal place of business or the principal place where such person is to be found;
4. whether Intervenors have or have had any relationship or affiliation with such person, its affiliates or subsidiaries, and, if so, a description of such relationship; and
5. if any of the above information has changed subsequent to the time period referenced in a particular interrogatory, set forth in the answer, and label appropriately, current information as well as the information applicable to the time referenced in the interrogatory.

K. "Identify" when used in reference to a document shall mean to set forth the following:

1. its title;
2. its subject matter;
3. its date;
4. its author;
5. its addressee;
6. its file designation or other identifying designation; and
7. its present location and present custodian.

L. "Identify" with respect to a contact or communication shall mean to set forth the following:

1. the date of the communication;
2. the place of the making and place of receipt of the communication;

3. the type and means of communication;
4. the substance of the communication;
5. each person making a communication, and his location at the time the communication was made;
6. each person to whom the communication was made, and his location at the time the communication was made;
7. all other persons present during, participating in, or receiving the communication and the location of each such person at the time;
8. each document concerning such communication; and
9. each document upon which the communication is based or which is referred to in the communication.

M. "Analysis" means research, investigation, audit, inspection, review, evaluation, testing, monitoring, or any other method or form of examining data and/or forming conclusions or recommendations.

N. "NRC" or "NRC Staff" means the Nuclear Regulatory Commission and its staff, any division or section or region thereof, any staff member thereof, or any agent, consultant, contractor, technical advisor, employee, or representative of the NRC.

O. "FEMA" means the Federal Emergency Management Agency and its staff, any division or section or region thereof, any staff member thereof, or any agent, consultant, contractor, technical advisor, employee, or representative of FEMA.

P. "EBS issues" means those issues raised by Intervenor's EBS contentions 1.A, 1.B, 1.C, and 2.A, which were admitted by the Board in its February 22, 1988 Order.

INTERROGATORIES AND REQUESTS FOR PRODUCTION OF DOCUMENTS

Identification of Witnesses

1. Please identify each witness Intervenor expect to call to testify on any factors concerning EBS contentions 1.A, 1.B, 1.C, and 2.A, admitted by the Board in its February 22, 1988 Order. For each witness, other than experts, that Intervenor expect to call, state the subject matter on which he is expected to testify and the substance of the facts to which he is expected to testify. For each witness that Intervenor expect to call as an expert witness, state the subject matter on which he is expected to testify, the substance of the facts and opinions to which he is expected to testify, and the summary of the grounds for each such opinion.
2. For each witness, please provide a copy of his most current curriculum vitae, resume, or statement of professional qualifications.
3. Please list any NRC, legislative, or other legal proceeding in which each witness has testified on any matter concerning the adequacy and coverage capabilities of radio stations and, more specifically, the adequacy under NRC regulations of any EBS station or network intended to be used in the event of any nuclear or non-nuclear emergency to communicate emergency information to the public.
4. Please provide a copy of any prefiled testimony listed in response to Interrogatory 3 above.
5. Please identify all articles, papers, and other documents authored or coauthored by each witness on the subject of the adequacy and coverage capabilities of radio stations and, more specifically, the adequacy under NRC regulations of any EBS station or network intended to be used in the event

of any nuclear or non-nuclear emergency to communicate emergency information to the public.

6. Please state whether each witness has prepared, or has had prepared, any written studies, reports, analyses, or other documents with respect to any of the following:
 - (a) The broadcast coverage area of any radio station(s);
 - (b) The effect of geography, transmitter location, and reception antenna location on the broadcast signal and coverage capability of any radio station(s); and
 - (c) The broadcast coverage capabilities required of any EBS radio station or system under NRC or FCC regulations.
7. Unless the answer to Interrogatory 6 above is a simple negative, please identify and provide a copy of each document.

Identification of Information

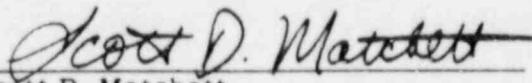
8. Please list each and every factor, basis, or reason that Intervenors claim supports their statement in Contention 1.A that "WPLR's broadcast signal is too weak to convey a strong and clear broadcast message throughout the EPZ." Please identify and produce a copy of every document concerning any such factors, bases, or reasons.
9. Please list each and every factor, basis, or reason that Intervenors claim supports their statement in contention 1.B that "The geography of Long Island, combined with the location of WPLR's transmitters, exacerbates the weakness of WPLR's broadcast signal with respect to the public in . . . the Shoreham EPZ." Please identify and produce a copy of every document concerning any such factors, bases, or reasons.

10. Please state the basis for Intervenor's statement in contention 1.B that "Long Island radio antennas are typically oriented in a nominal east-west direction, in order to facilitate reception of radio signals from the New York City area." Please identify and produce any documents that Intervenor believes support this statement.
11. Please identify and produce a copy of any documents that Intervenor believes support their statement in contention 2.A that "the new EBS network has significant gaps in its AM coverage of the EPZ at night."

Identification of Other Documents

12. Please identify and provide a copy of any document not already identified in response to Interrogatories 1-11 above on which Intervenor intends to rely in support of their position on contentions 1.A, 1.B, 1.C, and 2.A.

Respectfully submitted,



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DATED: February 24, 1988

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CERTIFICATE OF SERVICE

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

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I hereby certify that copies of LILCO's First Set of Interrogatories and Requests for Production of Documents Regarding LILCO's Emergency Broadcast System to Suffolk County and New York State and LILCO's First Set of Requests for Admissions Regarding LILCO's Emergency Broadcast System were served this date upon the following by telecopier as indicated by one asterisk, by Federal Express as indicated by two asterisks, or by first-class mail, postage prepaid.

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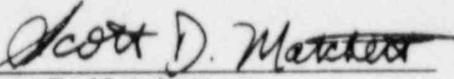
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DATED: February 24, 1988