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RELATED CORRESPONDENCE

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USNRC  
March 1, 1988

UNITED STATES OF AMERICA '88 MAR -3 P2:25  
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

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

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

SUFFOLK COUNTY'S FIRST SET OF INTERROGATORIES AND REQUEST  
FOR PRODUCTION OF DOCUMENTS TO THE NRC STAFF  
REGARDING THE HOSPITAL EVACUATION ISSUE

Pursuant to 10 CFR §§ 2.740b, 2.741, and 2.744, and in accordance with the Definitions and Instructions attached hereto as Attachment 1, Suffolk County hereby requests the NRC Staff to answer separately and fully, under oath, each of the interrogatories set forth below, and to produce for inspection and copying, at the office of Kirkpatrick & Lockhart, the documents specified below that are within the possession, custody or control of the NRC Staff.

INTERROGATORIES AND DOCUMENT REQUESTS

1. Identify each person whom the NRC Staff expects to call as an expert or non-expert witness during the remanded hearings

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on the hospital evacuation issue and state the subject matter and the facts on which each such witness is expected to testify.

2. For each expert witness identified in response to Interrogatory 1, state the substance of the facts and opinions to which such witness is expected to testify, and a summary of the grounds for each such opinion.

3. Provide an up-to-date resume for each witness identified in response to Interrogatory 1.

4. Identify all studies, papers, articles, reports, books, and other such documents, published or unpublished, upon which each witness identified in response to Interrogatory 1 intends to rely in support of his or her testimony. Provide a copy of all items identified in response to this interrogatory, except that those items readily available in the public domain need not be provided.

5. Identify by date, location and proceeding all prior testimony before any judicial, administrative, or legislative body, including deposition testimony, given by each of the witnesses identified in response to Interrogatory 1 concerning any aspect of emergency preparedness.

6. Identify all articles, papers, and other documents authored or co-authored by each NRC Staff witness identified in

response to Interrogatory 1 on the subject of evacuation of special population groups such as hospital patients, nursing home residents, and other such individuals.

7. Identify all communications between LILCO and the NRC Staff or its consultants concerning the development of a proposal for the evacuation of hospitals in and around the EPZ and the development of time estimates for the evacuation of such hospitals. Provide all documents concerning such communications.

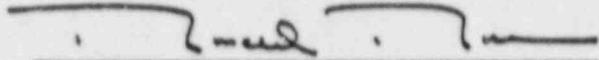
8. To the extent not covered by Interrogatory 7, identify all communications between LILCO and the NRC Staff or its consultants concerning the calculation, analysis or review of LILCO's Revision 9 hospital evacuation time estimates. Provide all documents concerning such communications.

9. Identify all documents concerning LILCO's Revision 9 hospital evacuation time estimates' compliance with NUREG 0654 or with FEMA or NRC guidance memoranda, or other such documents, regarding planning for special populations. Provide copies of all documents identified pursuant to this interrogatory.

10. Provide all documents underlying, supporting or relied upon in paragraphs 3 and 4 of the Affidavit of Thomas Urbanik, II (Jan. 11, 1988) (Attachment 1 to the NRC Staff Response to LILCO's Motion for Summary Disposition of the Hospital Evacuation Issue).

Respectfully submitted,

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March 1, 1988

DEFINITIONS AND INSTRUCTIONS FOR ANSWERING  
INTERROGATORIES AND DOCUMENT PRODUCTION REQUEST

A. Wherever appropriate, the singular form of a word shall be interpreted as plural and vice versa.

B. "And" as well as "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope hereof any information (as defined herein) which might otherwise be construed to be outside the scope of these discovery requests.

C. Wherever appropriate, the masculine form of a word shall be interpreted as feminine and vice versa.

D. The term "person" includes any natural person, firm, partnership, medical institution or association, joint venture, corporation, and any foreign or domestic government organization (including military and civilian), or group of natural persons or such entities.

E. The term "information" shall be expansively construed and shall include, but not be limited to, facts, data, theories, analyses, opinions, images, impressions, concepts and formulae.

F. The term "document" means any tangible thing from or on which information can be stored, recorded, processed, transmitted, inscribed, or memorialized in any way by any means regardless of technology or form and including but not being limited to: papers, books, accounts, newspaper and magazine articles, letters, photographs, objects, tangible things,

correspondence, telegrams, cables, telex messages, memoranda, notes, notations, work papers, drawings, blueprints, plans, specifications, manuals, procedures, transcripts, minutes, reports and recordings of telephone or other conversations, or of interviews, or of conferences, or of other meetings, occurrences, or transactions, affidavits, transcripts of depositions or hearings, statements, summaries, opinions, reports, tests, experiments, analyses, evaluations, contracts, agreements, ledgers, journals, books or records of account, receipts, statistical records, desk calendars, appointment books, diaries, lists, tabulations, sound recordings, computer printouts, data processing input and output, microfilms, all other records kept by electronic, photographic or mechanical means, and things similar to any of the foregoing. Each copy of a document which contains any separate notations or writings thereon, and each draft of a document which differs in any way from the final version of the document, shall be deemed to be a separate document for purposes of these discovery requests. (Versions of a document which differ in clearly non-substantive and unimportant ways from other versions of the document do not need to be considered a separate document.)

G. The term "communication" includes every exchange of information by any means.

H. The term "LILCO" or "LILCO personnel" means Long Island Lighting Company (including LERO), and any affiliate, agent, employee, consultant, contractor, technical advisor, representative (including, without limitation, attorneys and

accountants and their respective agents and employees), 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.

I. The term "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.

J. The words "concerning," "concerns" or any other derivative thereof, include referring to, responding to, relating to, pertaining to, connected with, comprising, memorializing, commenting on, regarding, discussing, showing, describing, reflecting, analyzing, supporting, contradicting and constituting.

K. Whenever in the interrogatories there is a request to identify a person that is a natural person, set forth:

- (1) his name;
- (2) his last known residential address;
- (3) his last known business address;
- (4) his last known employer;
- (5) his title or position;
- (6) his areas of responsibility;
- (7) his business, professional, or other relationship to the NRC Staff; and
- (8) 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.

L. Whenever in the interrogatories there is a request to identify a person that is not a natural person, state:

- (1) the full name of such person;
- (2) the nature or form of such 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 the NRC Staff has or has 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.

M. Whenever in the interrogatories there is a request to identify or describe a document:

- (1) set forth:
  - (a) the date of the document;
  - (b) the type or nature of the document;
  - (c) the length of the document;
  - (d) the location of the document;
  - (e) a brief description of the contents of the document; and

(2) identify:

- (a) the author, signatories and any other person who originated, prepared or participated in the preparation of the document;
- (b) all persons to whom the document was addressed and all persons to whom copies of the document were to be or have been sent; and
- (c) all persons whom the NRC Staff knows or believes to have possession, custody or control of the document and of any copies thereof.

N. Whenever in the interrogatories there is a request to identify a communication:

(1) state:

- (a) the date of the communication;
- (b) the place of the making and place of receipt of the communication;
- (c) the type and means of communication;
- (d) the substance of the communication; and

(2) identify:

- (a) each person making the communication, and his location at the time the communication was made;
- (b) each person to whom the communication was made, and his location at the time the communication was made;

- (c) all other persons present during, participating in, or receiving the communication and the location of each such person at the time;
- (d) each document concerning such communication; and
- (e) each document upon which the communication is based or which is referred to in the communication.

O. With respect to each interrogatory answer, identify each document which forms a basis for the answer given, is relied upon or which was reviewed, in whole or in part, in preparing the answer, or which in any way corroborates or concerns the answer given. A document to be so identified may be produced in lieu of the elements of such identification. In such case, however, please identify the document in the answer to the interrogatory in sufficient detail so that Suffolk County can readily locate the document among all documents produced by the NRC Staff.

P. Where exact information cannot be furnished, estimated information should be supplied to the extent possible. Where estimated information is used, the answer should so state and should indicate the basis upon which the estimate was made. If possible, the upper and lower boundaries of the estimate should be given.

Q. If the NRC Staff objects to or claims a privilege (attorney-client, work product, or other) with respect to any interrogatory or document request, in whole or in part, or seeks to withhold documents or information because of the alleged

proprietary nature of the data, 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 the NRC Staff should include with respect to any document: the author, addressor, addressee, recipients of indicated and "blind" copies, date of preparation, subject matter, purpose for which it was prepared, number of pages, attachments or appendices, all persons to whom distributed, shown or explained, present custodian, all persons believed to have a copy of the document, and the nature of the privilege or objection asserted.

R. If any document called for herein has been destroyed, that document is to be identified as in Instruction "Q" above. The NRC Staff also is requested to state the date of destruction, place and manner of destruction, persons authorizing destruction and person destroying the document.

S. Information furnished in answer to an interrogatory may be furnished by reference to the answer provided for another interrogatory, provided the other referenced answer fully responds to each request for information contained in the interrogatory. Separate answers should be provided for each interrogatory and each subpart thereof, unless a complete answer to each interrogatory may best be presented through combining answers. The County is interested in this regard in receiving the relevant data requested and any means of providing such data which is less time-consuming for the responder but which is

nevertheless complete will satisfy the intent of this discovery request.

T. Each interrogatory and document request shall be construed to impose upon the NRC Staff the continuing obligation to supplement answers and document production whenever required by the NRC's Rules of Practice.

U. As used herein:

- (1) "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.
- (2) "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 (including but not limited to attorneys and accountants and their employees and agents) of the NRC.
- (3) "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 (including but not limited to attorneys and accountants and their employees and agents) of FEMA.

(4) References to LILCO's "hospital evacuation proposal" are to the proposal first put forth by LILCO on December 18, 1987<sup>1/</sup> as further detailed by Revision 9 to the LILCO Plan.

V. If the NRC Staff is unable to answer any interrogatory or portion thereof, identify the person whom the NRC Staff believes has the knowledge or information which the interrogatory addresses.

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<sup>1/</sup> See LILCO's Motion for Summary Disposition of the Hospital Evacuation Issue (Dec. 18, 1987).