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LILCO, June 1, 1988

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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Before the Atomic Safety and Licensing Board

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))	(Realism/Best Efforts)
)	

LILCO'S RESPONSE TO "SUFFOLK COUNTY
RESPONSE TO LICENSING BOARD DISCOVERY INQUIRIES"

I. INTRODUCTION

This is Long Island Lighting Company's ("LILCO's") response to "Suffolk County Response to Licensing Board Discovery Inquiries," dated June 1, 1988 (hereinafter: "SC Response"). In LILCO's view, the County's pleading misrepresents and omits salient facts about the nature of the plan and the history of discovery. The "County of Suffolk Emergency Operations Plan" is responsive to a number of LILCO's discovery requests over the years and should have been produced long before now and is relevant to the issues before the Board.

II. THE "COUNTY OF SUFFOLK EMERGENCY OPERATIONS PLAN"

On May 25, 1988, pursuant to the Board's May 10 Order, Suffolk County produced the "County of Suffolk Emergency Operations Plan." That plan has all the hallmarks of an integrated plan for emergency response. The integrated plan begins with a general, basic plan and 16 annexes of which LILCO received 15.^{1/} The general plan and its

^{1/} Annex P was not produced. The "Basic Plan" section describes Annex P as directed to the integration of volunteer agencies with governmental response and recovery activities.

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annexes provide a structure for the coordination of Federal, State, County, local, and volunteer response organizations to natural or man-made disasters and nuclear attack. The annexes describe the responsibility of government at all levels, but particularly at the County level, to supervise and coordinate an emergency response, to provide information to the public, and to coordinate special services for the populace. Some of the services that are the focus of Annexes are fire and police protection, health services, social services, and schools. Each annex includes implementing procedures, staffing lists, and resource inventories to insure response capability.^{2/}

Contrary to the assertion in the Suffolk County Response, the integrated plan seems clearly intended to cover radiological incidents. The "Basic Plan" states that the disasters covered by the plan include "nuclear facility accidents." See "Basic Plan" at page 3 (Att. B). And, the "Office of the County Executive Standard Operating Procedure," approved by former Suffolk County Executive Peter F. Cohalan on June 27, 1980, provides instruction to the County Government in the event of natural disasters, "man-made disasters including, but not limited, to nuclear facility accidents," and nuclear attack. See Annex A, App. 4 (Att. C). Moreover, it appears that the plan specifically includes the Shoreham Nuclear Power Station in its coverage. The Shoreham station is included in the plan's communication and warning system. See Annex D -- Communications Warning System, App. 4 (Att. D).

The one quotation on which the Suffolk County Response relies for the proposition that the integrated plan does not cover radiological emergencies is taken out of context. The Operations Plan referenced is but a portion of the integrated plan. That portion may be found at Annex A, Appendix 8 (Att. E). Even assuming that this portion of the integrated plan excluded radiological emergencies, a point LILCO does not concede, it could not change the overall focus of the integrated plan.

^{2/} A brief summary of the plan's contents and draft dates, to the extent dates are given, is Attachment A to this Response.

Moreover, the passage cited by the County does not even demonstrate that the Appendix 8 Plan excludes radiological incidents from its scope. First, another portion of the same Appendix 8 to the Plan specifically includes radiation accidents within the scope of the Plan and places the responsibility with the:

Division of Emergency Preparedness as the lead agency, to coordinate other County support agencies to protect life and property in the event of natural and man-made disasters . . . or other catastrophes arising from causes other than enemy attack, such as radiation accidents.

Annex A, Appendix 8 at page I-1 (Att. E). Second, the County admits that the Appendix 8 Plan does apply to "incidents such as those involving transportation of radiological materials, calibration of sources, and the handling of radiological isotopes." SC Response at 2. It strains credulity to read the language "with the one exception of a radiological incident" to exclude the one radiological incident for which the County denies there is or can be a plan.

Third, and perhaps most telling, when the passage cited by the County is read in context, it appears to be referring to the limited scope of the County's responsibility in the recovery phase of a radiological incident. It is well known that in New York State, the New York State Health Department is responsible for recovery and reentry functions in the event of a radiological incident. The passage takes nothing away from the County's potential role in others phases of accident planning or response.

LILCO does not know how long the integrated plan has existed, but it is evident from dated portions of the version produced, that parts of the plan existed as early as December 1975 and that parts have been updated as recently as 1985. See Attachment A hereto.^{3/} The Introduction and "Basic Plan" portions of the integrated plan clearly

^{3/} In Exhibit A, LILCO has summarized the contents by structure, title and date (where stated) of the Plan. A request has been made to the County for confirmation that the version of each section provided is the most current one, or for provision of the latest version if the one provided has been superseded.

indicate that the scope and overall structure of the plan was known at least as early as 1979. The "Basic Plan" describes the scope of the plan as providing "for actions to mitigate hazards, the early notification of responsible agencies, the initiation of protective action to safeguard life, health and property, the subsequent evaluation of the severity of the accident, and coordination of assistance furnished by all levels of government and private agencies." See "Basic Plan" at page 1 (Att. B). The "Basic Plan" also describes the structure of the integrated plan as including the general section and Annexes A through P (Att. B). Given that structure LILCO believes that, at least since 1979, Suffolk County (and New York State, which apparently wrote the "Basic Plan") knew that County-specific Annexes were to be drafted and that planning material was drafted to fill in the Annexes.

III. HISTORY OF "PLAN" DISCOVERY

Suffolk County's Response ignores history when it responds to the Board's inquiry about why the Plan was not previously produced during the six years of this proceeding. Since the emergency planning proceedings began in 1982, LILCO has repeatedly sought to discover New York State's and Suffolk County's plans for responding to all sorts of emergencies, radiological and otherwise. It is important to Intervenor's case, as they perceive it, that no plan exist which could describe their intentions, resources and capabilities for response to large-scale emergencies, radiological and non-radiological, at Shoreham and elsewhere. Thus, Intervenor's have taken pains throughout this proceeding to assert that "there is no plan" for Shoreham emergencies. They have also resisted discovery of any plans for other emergencies, even in the face of licensing board rulings that such plans were relevant and discoverable.

A. Phase I -- Emergency Planning Proceeding

Phase I of the LILCO emergency planning proceedings, dealing with "onsite" aspects of the issue, took place in 1982. LILCO began there its quest for discovery of Suffolk County's plans for coping with emergencies.^{4/} LILCO propounded two sets of requests for production of such planning documents to Suffolk County in Phase I. The first set was served on June 2, and the second on June 22, 1982. Requests 13, 14, and 18-31 of the first set exemplify LILCO's efforts to discover the County's plans for both nuclear and non-nuclear emergencies. For example:

Request No. 13:

All documents pertaining to the County's organization for coping with emergencies that do not involve nuclear power.

Request No. 14:

^{4/} LILCO's inquiries focused on radiological emergency plans other than ones designed and intended specifically for Shoreham. The reason for this lies in the early history of emergency planning for Shoreham, in which the Suffolk County Department of Planning had, in 1981-82, prepared a draft offsite emergency plan for the plant pursuant to contract with LILCO. The plan was specifically intended to comply with NRC/FEMA requirements and the guidance of NUREG-0654, and existed in virtually final draft in the spring of 1982. However, pursuant to advice of newly retained counsel (who are still representing the County in this proceeding) that effort was abruptly abandoned in the spring of 1982 and a new, "independent" effort undertaken. This second sally, directed entirely by County officials different from the ones involved in the initial planning effort and effected through various contractors, proceeded from different analytical assumptions than those specified in NRC and FEMA regulations and guidance (for instance, this "study" assumed a 20-mile inhalation dose EPZ rather than 10 miles as used in NRC regulations, and did not use standard EPA Protective Action Guidelines). It predictably concluded, on the basis of its idiosyncratic assumptions, that emergency preparedness was not feasible for Shoreham. The Suffolk County Legislature thereafter decreed with alacrity, in early 1983, that no further emergency planning for Shoreham would be undertaken by the County, and there the matter died as to efforts dedicated explicitly to Shoreham and reflective of NRC and FEMA requirements. LILCO had received copies of both the 1981-82 draft and of the County's second, aborted 1982 effort, and had no reason to believe that further Shoreham-specific efforts intended to comply with NRC and FEMA regulations have been undertaken by the County following the County Legislature's edict in early 1983. See Long Island Lighting Co. (Shoreham Nuclear Power Station, Unit 1), LBP-83-22, 17 NRC 608, 647-48 (1983), aff'd, CLI-83-13, 17 NRC 741 (1983).

All documents pertaining to the County's procedures for coping with emergencies that do not involve nuclear power.

Request No. 19:

All other documents pertaining to the County's plan or plans for dealing with emergencies that do not involve nuclear power.

Request No. 25:

All other documents pertaining to emergency planning for emergencies involving the Brookhaven National Laboratory.

Request No. 31:

All other documents pertaining to emergency planning for emergencies involving the Millstone Point Nuclear Power Station.

See LILCO's First Request for Production of Emergency Planning Documents, June 2, 1982 (Att. G).

Suffolk County refused these requests, stating that it was not required to respond to questions about County plans:

Response [to Requests 13-19]:

Objected to as outside the scope of emergency planning issues now under consideration by the Board (see Introduction). Suffolk County's plans and procedures for coping with non-nuclear accidents are not pertinent to LILCO's plan or its actions taken in the event of a radiological emergency. Furthermore, the Requests seek documents pertaining to Suffolk County policy making which are privileged. LILCO's requests are thus irrelevant and are not reasonably calculated to lead to discovery of admissible evidence pertaining to the emergency planning issues now before the Board.

Response [to Requests 20-31]:

Objected to as outside the scope of the emergency planning issues now under consideration by the Board (see Introduction). Suffolk County's plans or procedures for emergencies at Brookhaven National Laboratory or the Millstone Nuclear Power Station are not pertinent to LILCO's plan or the actions it will take in the event of an emergency at Shoreham. LILCO's requests are thus irrelevant and are not reasonably calculated to lead to discovery of admissible

evidence pertaining to the emergency planning issues now before the Board.

See Suffolk County's Response to LILCO's First Request to Suffolk County for Production of Emergency Planning Documents (July 1, 1982) (Att. H).

LILCO successfully moved to compel production of these documents. Prehearing Conference Order (Phase I -- Emergency Planning) (July 27, 1982) (reciting actions taken at July 20, 1982 prehearing conference). The Board held that all existing emergency documents were discoverable, including Suffolk County's non-nuclear emergency planning materials. Id. at 24.

Suffolk County apparently understood that the Board's Order required it to produce all the County's plans for dealing with nuclear and non-nuclear emergencies. On July 23, 1982, the Deputy County Executive, Frank Jones, wrote to all department heads in the Suffolk County government and stated:

On July 20, 1982, the Board ruled that the County is obligated to produce for LILCO's inspection a wide range of documents regarding the County's plans for dealing with emergencies, both nuclear and non-nuclear. The documents which the County must produce are as specified in two separate requests for documents (attached) which LILCO had previously submitted to the County. In light of the Board's ruling, I request that your department immediately commence a search of its files in order to determine whether it is in possession of any of the items listed in the attached document requests. To the extent that your department does possess such emergency planning documents, they must be copied and submitted to my office promptly. As I understand the request, any emergency procedure you may possess of any nature, should be provided to LILCO.

See Memorandum to All Department Heads from Frank R. Jones, Deputy County Executive (July 23, 1982) (emphasis in original) (Att. I).

In August 1982, as a result of the July 27 Order, Suffolk County produced County planning documents, including three County-specific pieces of the integrated "County of Suffolk Emergency Operations Plan" just received by LILCO.^{5/} However, none of

^{5/} Specifically, the County did produce: (1) a "County of Suffolk Disaster Preparedness Plan," dated January 1, 1981, now identifiable as Annex A, Appendix 8; (2) a July

these segments of the Plan was labeled as an "Annex" or "Appendix" or by any other means which would reveal its identity as a portion of a greater whole. With the production now of the entire plan, it is evident the entire plan has existed in concept since before 1982, that it has not previously been produced, and, that portions of the plan available when Phase I discovery documents were produced in August 1982 were not produced. See Att. A.

B. Phase II -- Emergency Planning Proceeding

Phase II of the emergency planning proceeding, which concentrated on offsite emergency planning, began in 1983. Initially, discovery was conducted on an informal basis. LILCO's discovery requests seeking production of both radiological and non-radiological plans were served on June 29, 1983, June 21, 1983, and August 8, 1983.

On July 21, 1983, LILCO requested the County's plans for emergencies that did not involve nuclear power. LILCO asked for:

Request 21:

All documents pertaining to the County's organization for coping with emergencies that do not involve nuclear power.

Request 22:

All documents pertaining to the County's procedures for coping with emergencies that do not involve nuclear power.

Request 24:

All documents relied upon in preparing the County's

(footnote continued)

1982 version of the Emergency Directory in Annex A, Appendix 7; and (3) a four page portion of Annex A, Appendix entitled "Standard Operating Procedure -- Procedures for Use in the Event of Natural Disasters, Man-Made Disasters and Nuclear Attack." The remainder of Appendix 4 was not produced nor was any other portion of the integrated plan.

plan or plans for dealing with emergencies that do not involve nuclear power.

See Informal Discovery Requests of July 21, 1983 (July 21, 1983) (Att. J).

A similar series of questions again sought documents related to plans for emergencies involving Brookhaven National Laboratory and the Millstone Point Nuclear Power Plant. See Informal Discovery Requests at Requests 25-32 (July 21, 1983) (Att. J.)

On August 22, 1983, Suffolk County refused the July 21, 1983 requests, including LILCO Requests 21-32, described above. The County stated:

LILCO Requests 21-32:

Objection. In Requests 21-32, LILCO seeks all documents pertaining to the County's organization, procedures, plans and supporting documents for emergencies that do not involve nuclear power, for emergencies involving the Brookhaven National Laboratory, and for emergencies involving the Millstone Point Nuclear Power Station. Such matters are not relevant to this proceeding, and the information sought is not reasonably calculated to lead to the discovery of admissible evidence. See also, County's Response to Request 102 of LILCO's June 29, 1983 informal discovery requests. In addition, however, and without waiving its objection, the County notes that information responsive to these requests was provided to LILCO during Phase I discovery, and one additional document, which may be responsive to these requests, is provided.

See Suffolk County's Response to LILCO's Informal Discovery Requests of July 21, 1983 (Aug. 22, 1983) (Att. K).^{6/}

Again on August 8, 1983, LILCO sought discovery of County planning documents. This time the discovery was focused on the County's plans for protecting the public health and safety from contaminated food products and the Suffolk County Police Department's emergency response capabilities -- matters relevant to planning for the ingestion pathway:

^{6/} The one document provided was not germane to the current matter.

Request 11:

Does Suffolk County, alone or in conjunction with Nassau County or New York State, have plans, procedures or other documents in place or under development, to be used in restricting the transportation of agricultural products in or out of Suffolk County? If such plans, procedures or other documents exist, please provide copies of the documents and other supporting documents and materials.

Request 12:

Does Suffolk County, alone or in conjunction with New York State, have plans, procedures, or other documents, in place or under development, to protect the public health and safety from contaminated seafood? If such plans, procedures or other documents exist, please produce copies of such documents and supporting documents and materials.

Request 47:

Describe the ability of the Suffolk County Police Department to respond to an emergency. Please provide copies of all documents which pertain to the ability of the Suffolk County Police Department to respond to an emergency.

See Informal Discovery Requests of August 8, 1983 (Aug. 8, 1983) (Att. L).

Suffolk County refused these requests on August 31, 1983, asserting that they were overbroad and that the information sought was not relevant and was not calculated to lead to the discovery of admissible evidence. See Responses to LILCO Requests of August 8, 1988 (Aug. 31, 1988) (Att. M).

LILCO notified the Board that it intended to move to compel Suffolk County to provide more complete responses. See Letter to James A. Laurensen, Chairman, Dr. Jerry R. Kline, and Mr. Frederick J. Shon from Kathy E. B. McCleskey (Sept. 23, 1983) (Att. N). However, before that motion was filed, Suffolk County produced various planning documents. In producing these planning documents, the County's attorneys acknowledged that some were responsive to "specific Requests from Phase I which were upheld by the Brenner Board" and "possibly to some of . . . [LILCO's] Phase II Requests." See Letter to Donald P. Irwin from Karla J. Letsche (Sept. 27, 1983) (Att. O).

Suffolk County's attorneys claimed that they had "just learned of their existence" when the documents were discovered in their "most recent re-search of the County's files". The documents were produced on September 29, 1983, fourteen months after the Brenner Board, on July 27, 1982, had ordered that those plans be provided. Subsequently, on October 6, 1983, Suffolk County's attorneys produced "a few more documents which are responsive to some of LILCO's Phase I discovery requests and possibly to some of your Phase II requests." See Letter to Donald P. Irwin from Karla J. Letsche (Oct. 6, 1983) (Att. P).

None of the documents produced were the integrated plan or portions of it. Significantly, portions of the integrated plan show draft dates in the same time frame as the discovery responses. See Att. A.

C. Realism/Best Efforts Proceeding

LILCO's legitimate discovery inquiries also met with a stone wall in the realism/best efforts proceeding. The Intervenor's disregarded this Board's orders that they must come forward with positive evidence of "projected behavior of the governments," including specification of response capabilities, plans and resources available to the State and County for emergency response at Shoreham.

On March 24, 1988, LILCO filed "LILCO's Second Set of Interrogatories and Requests for Production of Documents Regarding Contentions 1-2, 4-8, and 10 to Suffolk County, New York State, and the Town of Southampton." In response to 61 of LILCO's 116 inquiries, the Intervenor's stated as a blanket matter:

General Objection 1:

The Governments object to LILCO's Interrogatories to the extent that they seek information about emergency planning for nuclear plants other than Shoreham, the actions of governments other than the Governments, emergency plans other than the LILCO Plan, and emergencies other than a radiological emergency at Shoreham. The requested information is not relevant to the issue before the Board, which

concerns only the nature of a "best efforts" response by the Governments to a Shoreham emergency.

See Governments' Objections to LILCO's Second Set of Interrogatories Regarding Contentions 1-2, 4-8, and 10, at 2-3 (Apr. 20, 1988). On that basis, Intervenors refused to respond to Interrogatory 120 which asked:

Interrogatory 120:

Please provide a copy of any and all existing plans and procedures for responding to emergencies, whether radiological or nonradiological, affecting Suffolk County, including but not limited to, chemical spills, fires, hurricanes, explosions, and earthquakes. Please include any and all plans for dealing with accidents involving shipments of radiological material to Brookhaven National Lab, the Shoreham Nuclear Power Station, hospitals and other medical facilities, and industrial facilities.

April 20 Objections at 28. Interrogatories that sought plans and procedures that the State and County would use in performing the functions outlined in the realism contentions were answered with the statement that "[n]one has been identified or exist." See Governments' Answers and Additional Objections to LILCO's Second Set of Interrogatories Regarding Contentions 1-2, 4-8, and 10, at Interrogatories 18, 27, 34, 39, and 44 (Apr. 22, 1988).

LILCO moved to compel discovery of these plans. On May 10, 1988, this Board ordered the County to produce emergency plans of other nuclear facilities and other emergency plans. Prehearing Conference (May 10, 1988) at 19382.

III. THE PLAN IS CLEARLY RELEVANT TO ISSUES IN PENDING PROCEEDING

At issue in the realism/best efforts proceeding is the nature of the State's and County's "best efforts" response in the event of radiological emergency at Shoreham. The Board has made clear that:

Acceptable rebuttals to the [LILCO] Plan must include positive statements of the projected behavior of the Governments. A determination to respond ad hoc would be acceptable only if accompanied by specification of the resources

available for such a response, and the actions such a response could entail, including the time factors involved.

Confirmatory Memorandum and Order (Ruling on LILCO's Motions for Summary Disposition of Contentions 1, 2, 4, 5, 6, 7, 8 and 10, and Board Guidance on Issues for Litigation) at 4 (Feb. 29, 1988). The Board has also stated that:

The Intervenor is required to come forward with positive statements of their plans and must specify the resources that are available for a projected response and the time factors that are involved in any emergency activities proposed.

Memorandum (Extension of Board's Ruling and Opinion on LILCO's Summary Disposition Motions of Legal Authority (Realism) Contentions and Guidance to Parties on New Rule 10 C.F.R. § 50.47(c)(1)), LBP-88-9, 27 NRC ___, slip op. at 24-25 (Apr. 8, 1988). The issue so clearly framed by this Board is whether the State and County have the ability and resources to respond to a Shoreham emergency. Other plans used or relied on by those Governments necessarily will reveal the plans and resources available to cope with other threats -- some or all of which may be relevant for a response to a Shoreham emergency. The provisions of this integrated Plan are relevant to Shoreham and to Intervenor's "best efforts". They show that:

- (1) The Plan contemplates a response to "nuclear facility accidents";
- (2) The Plan provides for an integrated response to emergencies of all types;
- (3) The Plan provides County-wide inventories of resources available for emergency response; and
- (4) The Plan contemplates coordination among public, private and volunteer organizations for an emergency response.

In addition, many of the plan's provisions for notifying and assisting the public in the event of an emergency are similar to those provided in the LILCO Plan. This would aid in a coordinated response under either plan.

The Plan flatly states, notwithstanding disclaimers by the County's counsel, that it applies to "nuclear facility accidents." See "Basic Plan at 3; Annex A, App. 4 (Atts. B and C). In addition, the "Basic Plan" describes the health care responsibility as coordination of health and medical services for the emergency care and treatment of casualties resulting from enemy attack or other disasters, including the effects of radiological agents. The plan even refers to Shoreham. See Annex D -- Communications and Warning System, Appendix 4 (Att. D).

Second, this integrated Plan provides the structure necessary for a coordinated response to a radiological emergency. The State-prepared "Basic Plan" states as its purpose "to provide a coordinated response by Federal, State and local agencies and private organizations to protect life, health and property and restore essential services within the State of New York in the event of a disaster." See "Basic Plan" at page 1 (Att. B). The County-specific Annexes to the basic plan provide a structure and focus outlining government and private party responsibilities in an emergency response.

Third, inventories of resources and equipment are either provided or referenced in Appendix 3 to virtually each Annex of the Plan. These are pivotal to understanding of Suffolk County's capabilities under the realism doctrine of 10 CFR § 50.47(c)(1).

Fourth, the integrated Plan recognizes that cooperation between government, industry, and volunteers from the general public will occur in an emergency and should be contemplated as part of a coordinated response. Indeed, Annex P (which was not provided to LILCO with the rest of the plan) is described in the "Basic Plan" as establishing a framework to "integrate Red Cross, Salvation Army, Civil Air Patrol,^{7/} and

^{7/} Suffolk County's assertion in essence that the Civil Air Patrol is not part of the plan makes no sense. There are multiple references to the Civil Air Patrol in the integrated plan. Even the Appendix 8 plan quoted in the SC Response references the Civil Air Patrol as a potential response organization. See Annex A, App. 8 at page III-6, III-15 (Att. E).

other volunteer organizations' services with governmental disaster prevention, response and recovery activities." See "Basic Plan" at page 20 (Att. B). In Annex A, Appendix 8, the Plan states that minimizing the health risk emergencies will be accomplished "by developing mechanisms to coordinate Federal, State, Local and private sectors resources, during and after such a disaster." See Annex A, App. 8 at page I-1 (Att. E). Indeed, the integrated Plan specifically recognizes that companies such as Long Island Lighting Company "have important missions during emergency or disaster conditions" and that "active cooperation between government and the private sector is essential in mitigating the effects of a disaster on the lives and property of the people of Suffolk County." See Annex D, App. 6 at page 1 (Att. F).

Finally, the integrated Plan is highly relevant to the issues in this proceeding because it demonstrates that the County's plan is similar to LILCO's in ways that might facilitate coordination. For example, the "Basic Plan" contemplates that police will "control ingress and egress of disaster areas and . . . expedite and render aid to movement of military and civil defense forces and evacuees." See "Basic Plan" at page 18 (Att. B) (emphasis added). The integrated Plan states that "a capability will be established to provide a prompt notification signal to the public, followed by provisions for disseminating instructions to the public on the appropriate protective actions to be taken." See Annex A, App. 8 at page III-6 (Att. E). The Division of Emergency Preparedness is to "ensure that public notification systems are activated, including the coordinated use of the Emergency Broadcast System." See Annex A, App. 8 at page III-7 (Att. E). The Plan provides that public health, medical and sanitation services must continue during and after a disaster and that "the Department of Health will provide laboratory testing of samples to assure safe food and water supplies and order any protective actions." See Annex A, App. 8 at page III-13 (Att. E).

IV. CONCLUSIONS

Passages from the integrated Plan demonstrate that it applies to radiological as well as large-scale nonradiological incidents. At a minimum, it is a plan that provides for an integrated response to an emergency that is relevant to Intervenor's "best efforts" response. Suffolk County's response does not attempt to deny that the Plan is of continuing effect in Suffolk County. Thus, it can be taken to give an authoritative indication -- subject only to specific correction by the County -- of County capabilities and intentions.

LILCO has not had time to review the numerous depositions and hearing transcripts of this proceeding, though it is clear that questions sufficient to elicit information about it have been asked repeatedly. In any event, the written discovery requests make clear that the integrated plan was within the ambit of discovery requests as early as 1982. Dates on the plan show that it was available. It should have been produced. Yet it was not only not produced, its existence was repeatedly denied.

Five salient matters thus appear evident. First, a comprehensive plan, authored by Suffolk County (and in part by the State of New York) which contains a wealth of material adaptable for use in planning for and response to a radiological emergency at Shoreham exists. Second, it is apparently in effect in Suffolk County now. Third, documents whose descriptions include it have been repeatedly asked for by LILCO from Suffolk County for six years, and have been repeatedly ordered to be produced by this and previous Licensing Boards. Fourth, not only has this plan not been produced, its existence has never been disclosed or claimed as privileged by Suffolk County. Fifth, the "Response" filed by Suffolk County counsel today does nothing to belay these facts. Instead, its failure to do so only raises questions.

Other matters are still to be clarified. First, who in the Suffolk County or New York State governments, or their representatives, knew of this plan?^{8/} Second, what standards of knowledge should be imputed to those governments as to documents whose existence is obvious and whose effect has not been denied? Under what rationale was its existence repeatedly not disclosed? How did the integrated Plan come to light now and only now?

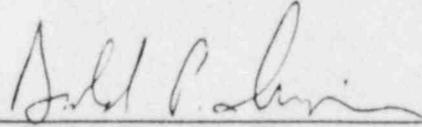
LILCO has been gravely, if not mortally, prejudiced by the unavailability of this information for years. Further, the integrity of this Commission's process may well have been impugned.

On the facts already known, LILCO is entitled, at the least, to prompt discovery sufficient to establish the current contents and status of the integrated Plan and its applicability to a "best-efforts" response. What further actions, if any, should be taken depends largely on the answers to questions about why this document has not previously been revealed. And these answers can probably be gained, absent Board intervention, only by the discovery requested by LILCO to date (perhaps with supplementation) and further illumination by officials and perhaps counsel for the governments sponsoring the integrated Plan. LILCO believes that further initiative on this aspect of the issue must come from the Board, but that unless the facts establish legitimate basis for the plan's repeated nondisclosure, dismissal of the "realism" contentions may prove to be a minimum appropriate remedy.

LILCO believes that the Board may wish to convene a prompt hearing on this matter in order to resolve the questions that are, unfortunately, not resolved by the County's "Response" of today's date.

^{8/} New York State apparently authored the basic introductory part of the Plan, and the Plan as a whole is apparently a response to state requirement under Article 2-B of the New York Executive Law.

Respectfully submitted,



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DATED: June 1, 1988

CERTIFICATE OF SERVICE

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

I hereby certify that copies of LILCO'S RESPONSE TO "SUFFOLK COUNTY RESPONSE TO LICENSING BOARD DISCOVERY INQUIRIES" were served this date upon the following by Federal Express as indicated by one asterisk, or by first-class mail, postage prepaid.

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DATED: June 1, 1978

LIST OF ATTACHMENTS

- Attachment A Summary of Organizational Structure of Outline of "County of Suffolk Emergency Operations Plan"
- Attachment B Excerpts from "Basic Plan" Portion of "County of Suffolk Emergency Operations Plan"
- Attachment C "Standard Operating Procedure," Annex A, App. 4 of "County of Suffolk Emergency Operations Plan"
- Attachment D "National Warning System (NAWAS)," Annex D, App. 4 of "County of Suffolk Emergency Operations Plan"
- Attachment E Excerpts from Annex A, App. 8 of "County of Suffolk Emergency Operations Plan"
- Attachment F "Primary and Support Functions," Annex D, App. 6 of "County of Suffolk Emergency Operations Plan"
- Attachment G LILCO's First Request to Suffolk County for Production of Emergency Planning Documents (June 2, 1982)
- Attachment H Suffolk County's Response to LILCO's First Request to Suffolk County for Production of Emergency Planning Documents (July 1, 1982)
- Attachment I Memorandum to All Department Heads from Frank R. Jones, Deputy County Executive (July 23, 1982)
- Attachment J LILCO's Informal Discovery Requests of July 21, 1983 (July 21, 1983)
- Attachment K Suffolk County's Responses to LILCO's Informal Discovery Requests of July 21, 1983 (Aug. 22, 1983)
- Attachment L LILCO's Informal Discovery Requests of August 8, 1983 (Aug. 8, 1983)
- Attachment M Suffolk County's Responses to LILCO Requests of August 8, 1983 (Aug. 31, 1983)
- Attachment N Letter to James A. Laursen, Chairman, Dr. Jerry R. Kline, and Mr. Frederick J. Shon from Kathy E. B. McCleskey (Sept. 23, 1983)
- Attachment O Letter to Donald P. Irwin from Karla J. Letsche (Sept. 27, 1983)
- Attachment P Letter to Donald P. Irwin from Karla J. Letsche (Oct. 6, 1983)

Attachment A

SUMMARY OF ORGANIZATIONAL STRUCTURE OF
"COUNTY OF SUFFOLK EMERGENCY OPERATIONS PLAN"

GENERAL (MAY 1979)

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2. Basic Plan
3. Legislative History

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Appendix 3 -- Lines of Authority (1981 and 1985)

Appendix 4 -- Local Executive Orders (undated)

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Appendix 12 -- State of New York Civil Defense Commission Message Forms (undated)

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- Appendix 1 -- List of Suffolk County Department of Fire Safety Staff and Suffolk County Emergency Medical Services Committee (October 1981)
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- Appendix 2 -- Standard Operating Procedures (undated)
- Appendix 3 -- Equipment List (undated)

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Appendix 3 -- Resources and Equipment (1984)

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Appendix 3 -- Resource and Requirements Data (undated)

ANNEX J -- PUBLIC WORKS

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Appendix 3 -- Resource and Requirements Data (undated)

ANNEX K -- RADIOLOGICAL INTELLIGENCE SECTION (UNDATED)

Annex K is stated to be "maintained in a current status in the custody of the Radiological Defense Officer." This section was not produced.

ANNEX L -- RESOURCES

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Appendix 2 -- Standard Operating Procedures (undated)

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Appendix 2 -- Standard Operating Procedures (undated)

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ANNEX N -- SCHOOLS

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Appendix 2 -- Standard Operating Procedures (parts dated 1981)

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Appendix 4 -- Chaplin Service (undated)

ANNEX P -- VOLUNTEER AGENCIES (MISSING)

Attachment B

EMERGENCY OPERATIONS PLAN

STATE OF NEW YORK
COUNTY OF SUFFOLK

A. GENERAL

2. BASIC PLAN - Prepared by State.

Long range recovery efforts are essential.

A. TYPES OF DISASTERS

1. Natural disaster include, but are not limited to, flood, drought, abnormal tide, fire, hurricane, earthquake, tornado, windstorm, or other storm, landslide or other catastrophe. Such dangers can strike at any time, possibly with little or no warning.
2. Man-made disasters include, but are not limited to, nuclear facility accidents, rail, truck, or aircraft accidents, accidents at chemical, fuel or explosive production plants or in the transportation or handling of hazardous material, usually occurring with little or no warning. Additional man-made disasters include nuclear blackmail, space debris re-entry, hazardous waste disposal, pollution and failure of water supplies, resource shortages (including energy supplies), epidemics and air contamination.
3. Nuclear attack on the United States would cause damage and destruction from blast and fires, as well as from immediate and fallout radiation. In addition, chemical and biological agents may be employed.

B. CAPABILITIES

1. Initial Response

The initial response to a disaster takes place in the affected community or communities. The specific actions taken vary with the character and intensity of the dis-

IV. CONCEPTA. STATUTORY AUTHORITY

This plan is fundamentally promulgated under the authority of the New York State Defense Emergency Act as amended, and New York State Executive Law, Article 2-B.

B. ORGANIZATION FOR DISASTER PREPAREDNESS FUNCTIONS

The magnitude of the problems that confront all levels of government in New York State as a consequence of disasters or emergencies can require that government heads and their department heads, or representatives thereof, be grouped in an Emergency Operating Center. At that time, the head of the disaster preparedness organization acts as an aide to, and may be delegated authority to act for, the head of his particular level of government. He coordinates the activities of those public agencies and private organizations which have specific emergency missions. Those emergency services for which there is no counterpart in government or in recognized private organizations will be carried out by personnel designated by the appropriate head of government. Such personnel may be recruited from government, industry, and volunteers from the general public.

Many natural or man-made disasters will require the

which they could approach normal activity and revert to a previously applicable posture of readiness. During this stage the Emergency Operating Centers would probably remain fully staffed but other actions, consistent with the prevailing radiological situation and based on immediate needs, might be instituted.

VII. RESPONSIBILITIES

The responsibilities of government at all levels include but are not limited to:

A. DIRECTION AND CONTROL - ANNEX A

To provide for the staffing and functioning during emergency operations; to analyze the disaster and take effective action by directing government services to preserve lives and property; conserve and distribute available resources; and conduct restoration and recovery activities.

B. ADMINISTRATION - ANNEX B

To provide the Emergency Operating Center staff and other necessary personnel with living and operating necessities during a disaster period; to provide accountability for State and federal disaster assistance.

C. VACANT

D. COMMUNICATIONS AND WARNING - ANNEX D

To determine, obtain and provide required communications in preparation for, during, and after disasters; to provide timely warning of impending disaster and to ensure immediate dissemination to all levels of government and the public.

E. FIRE - ANNEX E

To direct and coordinate fire prevention and control activities, search and rescue of persons trapped by, or exposed to fire and to provide the capability, including the necessary equipment and training, of responding to hazardous materials emergencies.

F. HEALTH - ANNEX F

To coordinate health and medical services for the emergency care and treatment of casualties resulting from enemy attack or other disasters, including preventative and remedial measures to cope with the effects of radiological, biological or chemical agents; to insure the safety of food and water supplies and to provide for the disposition of the dead.

G. MANPOWER - ANNEX G

To mobilize and manage civilian manpower in support of essential activities and to administer Federal

programs as directed.

H. POLICE - ANNEX H

To direct, coordinate and control police action to maintain law and order; to protect life and property, guard vital and strategic facilities, control ingress and egress of disaster areas and to expedite and render aid to movement of military and civil defense forces and evacuees.

I. PUBLIC INFORMATION - ANNEX I

To increase public awareness of disaster preparedness activities, to provide a flow of accurate and official information and detailed instructions to the general public and to control rumors through all media and other means available, immediately before, during and after a disaster.

J. PUBLIC WORKS - ANNEX J

To restore to usable condition, or provide emergency replacement for, essential facilities and public services such as streets, highways, bridges, canals, water and sanitation systems, gas, electricity and public buildings; to regulate the use of highway and other transportation systems; to mobilize publicly owned construction and sanitation equipment and personnel into public works teams.

K. RADIOLOGICAL INTELLIGENCE - ANNEX K

To measure and report fallout and other weapon effects and advise on hazards and protective measures in the event of nuclear attack; to coordinate Civil Air Patrol (CAP) support in aerial radiological surveys; and to provide for the utilization of civil defense radiological resources in support of peacetime disaster requirements.

L. RESOURCES - ANNEX L

To direct resources mobilization and management operations and economic stabilization measures in preparation for, during and after a disaster.

M. SCHOOLS - ANNEX M

To direct and coordinate action for the safety and welfare of pupils and personnel of public, private and parochial schools and for the maximum utilization of available school facilities in preparation for, during and after a disaster.

N. RESCUE - ANNEX N

To direct and coordinate actions to locate and save lost or trapped persons and to assist in the recovery of critical supplies and material from affected areas.

O. SOCIAL SERVICES - ANNEX O

To provide lodging, food, clothing, financial assistance, registration, locator and other human needs services to disaster victims, and to provide Chaplain services as required.

P. VOLUNTEER AGENCIES - ANNEX P

To integrate Red Cross, Salvation Army, Civil Air Patrol, and other volunteer organizations' services with governmental disaster prevention, response and recovery activities.

Attachment C

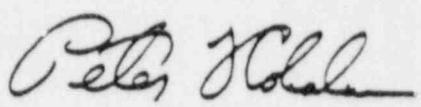


**STANDARD
OPERATING
PROCEDURE**

OFFICE OF THE COUNTY EXECUTIVE

Date
JUN 27 1980

Number
H-03-A

Approved by:

PETER F. COHALAN
Suffolk County Executive

PROCEDURES FOR USE IN THE EVENT OF NATURAL DISASTERS,
MAN-MADE DISASTERS AND NUCLEAR ATTACK

THIS SOP, H-03-A, IS A COMPLETE REVISION OF
SOP H-03, WHICH IS SUPERSEDED. HOLDERS OF
THE SOP MANUAL SHOULD REMOVE AND DISCARD SOP
H-03, MARCH 4, 1980, AND REPLACE IT WITH
THIS DOCUMENT.

1. Purpose. This SOP provides instructions for use by the Suffolk County Government in the event of:
 - a. Natural disasters including, but not limited to, flood, drought, abnormal tides, fire, hurricanes, earthquakes, tornados, windstorms, landslides and other catastrophes.
 - b. Man-made disasters including, but not limited to, nuclear facility accidents, rail, truck, or aircraft accidents, accidents at chemical, fuel or explosive production plants, or in the transportation or handling of hazardous material. Additional man-made disasters include hostage and/or hi-jack emergencies, space debris re-entry accidents, hazardous waste disposal accidents, disaster resulting from pollution, failure of water supplies, disaster relating to resource shortages (including energy supplies), and disaster resulting from an epidemic or air contamination.
 - c. Nuclear attack on the United States causing damage from blast, fire and radiation, or the use of chemical and biological agents.
2. Scope. This procedure applies to all elements of the Suffolk County government.
3. Nature of Changes. This SOP differs from instructions previously issued primarily in that it:
 - a. Makes reference to recently-passed pertinent New York State legislation.
 - b. Removes the requirement to use New York State Form CD-ND-1, Report of Natural Disaster Expenditures, Obligations to Spend and Resources Utilized (Above Normal).
 - c. Modifies the functional statement relating to the Chief Purchasing Agent.

DISTRIBUTION
B; C
Dir Emerg Prep (50 cy)

4. Background.

a. New York State Executive Law, Article 2-B, STATE AND LOCAL NATURAL AND MAN-MADE DISASTER PREPAREDNESS, states under Section 25, that:

"Upon the threat or occurrence of a disaster, the Chief Executive of any political subdivision is hereby authorized and empowered to and shall use any and all facilities, equipment, supplies, personnel and other resources of his political subdivision in such manner as may be necessary or appropriate to cope with the disaster or any emergency resulting therefrom."

b. New York State Defense Emergency Act:

(1) Imposes upon the County Executive, in the event of enemy attack, the responsibility for the execution and implementation of the Civil Defense provisions of the Act relating to the County.

(2) Requires the County to utilize the resources of existing County Offices, departments, divisions, bureaus, boards or commissions, hereinafter called agencies, and such agencies to extend such services, equipment, supplies and facilities as required of them.

(3) Requires the County Executive by order to direct County agencies and public officers to perform specific duties to execute and implement the relevant Civil Defense provisions of the Act.

5. Policy. Since responsibility for the management and performance of essential functions during a natural disaster, man-made disaster, or nuclear attack, must be established by the County Executive, by virtue of the powers and authority vested in him by the New York State Executive Law, Article 2B, and the New York State Defense Emergency Act, Sections 22, 23 and 25, the County Executive hereby orders that in the event of a disaster or any emergency resulting therefrom:

a. All County officers will continue regular County governmental operations to the extent permitted by the disaster or attack.

b. All County officers, or their designated alternates or successors, who are so directed by the County Executive, will report to the County Emergency Operating Center (Alternate Seat of Government) in Yaphank, Long Island, New York, or such other site indicated, to direct their operations therefrom.

6. Record Keeping. Accurate records of all disaster-related expenses will be maintained by individual agencies to support requests for State or Federal disaster assistance.

7. Responsibilities of the County Executive. The County Executive is responsible for:

a. Conducting natural and man-made disaster and nuclear attack emergency operations.

JUN 27 1980

b. Utilizing, when necessary, the assistance of County civil defense forces as provided in New York State Executive Law, Article 2-B, Section 29-b.

c. Obtaining, when necessary, assistance from the State of New York and other political subdivisions.

8. Disaster Emergency Functions. The following County officers, under the direction of the County Executive, and with the guidance of the County Director of Emergency Preparedness, will direct and coordinate performance of specific emergency civil defense functions to include but not be limited to the following:

a. Director of Emergency Preparedness:

- (1) Issue appropriate warnings.
- (2) Staff, administer, and oversee the operation of the County Emergency Operating Center (Alternate Seat of Government).
- (3) Coordinate the overall functioning of all officials and agencies with emergency responsibilities.
- (4) Disseminate information to the populace.
- (5) Supervise special defense functions, such as radiological monitoring and reporting, public shelter activities, and provide volunteer services as required.

b. Clerk of the Legislature and Legislative Aides: Act for and on behalf of the Legislature in implementing whatever emergency legislation may be required in accordance with any such authorization that may have been delegated to them by the County Legislature.

c. County Attorney:

- (1) Render advice and opinions to the County Executive with regard to:
 - (a) Continuity of government.
 - (b) Interpretation, application and implementation of the New York State Defense Emergency Act, as amended, related Defense Emergency laws, New York State Executive Law, Article 2-B, other relevant laws and regulations, and orders of the State Office of Disaster Preparedness.
- (2) Draft executive orders and regulations in coordination with the County Executive and the Director of Emergency Preparedness.

d. County Clerk:

- (1) Preserve County records.
- (2) Administer oaths of office to duly appointed County officials and their successors.
- (3) Carry out other essential duties of his office.

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e. Commissioner of Police:

- (1) Utilize regular and auxiliary police for maintenance of law and order, including protection of life, property and essential commodities.
- (2) Regulate and control traffic.
- (3) Direct the populace to shelter or other appropriate installations.
- (4) Direct the injured and sick to medical installations, and the homeless to American National Red Cross and other mass-care installations.

f. Sheriff:

- (1) Regulate and control traffic.
- (2) Direct the populace to shelter or other appropriate installations.
- (3) Direct the injured and sick to medical installations, and the homeless to American National Red Cross and other mass-care installations.
- (4) Operate the County jail and provide for safe custody, treatment, care and control of all prisoners within the County.

g. Commissioner of Public Works:

- (1) Clear debris.
- (2) Perform temporary repair and restoration of roads, bridges and transportation facilities.
- (3) Perform related engineering and construction work.
- (4) Provide for the maintenance, temporary modification and repair of the County Emergency Operating Center.
- (5) Provide necessary maintenance and repairs to other essential County facilities.
- (6) Distribute emergency potable water supplies in coordination with the Commissioner of Health Services.

h. Commissioner of Social Services:

- (1) Provide emergency feeding, clothing, lodging and financial assistance.
- (2) Provide information concerning missing relatives.
- (3) Provide authorized assistance to those in need in accordance with the provisions of the Social Welfare Law.

i. Commissioner of Health Services:

- (1) Coordinate the provision of health and medical services to the population, including safeguarding the health of the people, the care and treatment of the ill and injured, and the identification of the dead.

- (2) Coordinate the emergency operations of all hospitals.
- (3) Perform decontamination duties as required.
- (4) Provide coordination of on-site emergency medical services to include transportation of patients to stationary medical facilities.
- (5) Coordinate the distribution of emergency potable water supplies with the cooperation of the Commissioner of Public Works.

j. COMMISSIONER OF FRES:

- (1) Activate the Civil Defense warning system.
- (2) Coordinate the County-wide deployment of equipment for the containing and extinguishing of fires and the removal of trapped and injured persons from damaged buildings.
- (3) Perform decontamination duties as required.
- (4) Provide coordination of on-site emergency medical services to include transportation of patients to stationary medical care facilities.

k. County Comptroller: Carry out, with the advice of other appropriate governmental officers and representatives of the private sector, measures necessary to:

- (1) Stabilize wages; salaries and rents.
- (2) Support indirect monetary, tax and credit measures adopted by the Federal government.

l. Chief Purchasing Agent: Direct the purchasing of and contracting for all supplies, materials and equipment of every kind and nature for all County agencies.

m. Commissioners of Election: Carry out measures to register the populace for the rationing of essential supplies, commodities and equipment.

9. Natural Disaster Operational Assignments. The following agency heads will have field operational responsibility in the types of disaster hereinafter designated:

a. Commissioner of Public Works: flood, tidal wave, earthquake, hurricane, tornado, windstorm, landslide, drought, snow and ice storm, and blizzard operations; and failure of water supply, in coordination with the Commissioner of Health Services.

b. Commissioner of FRES: fire, including forest fire operations.

c. Commissioner of Health Services: epidemic operations, radiation accidents, and certification of water supplies.

d. Sheriff and Commissioner of Police: actual or threatened disaster conditions including civil disturbances, which are in the scope of law enforcement agencies.

10. Report Requirement. Each agency head will render to the County Executive, with regard to his/her organization, a report of expenditures, obligations to spend and resources utilized (above normal).

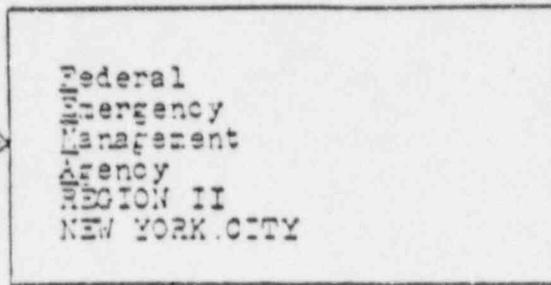
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Attachment D

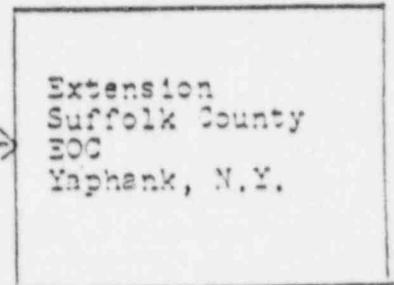
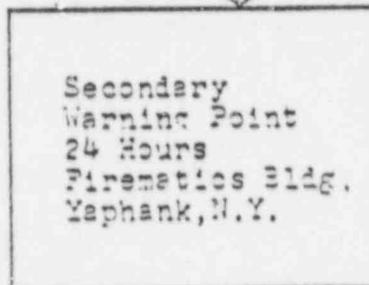
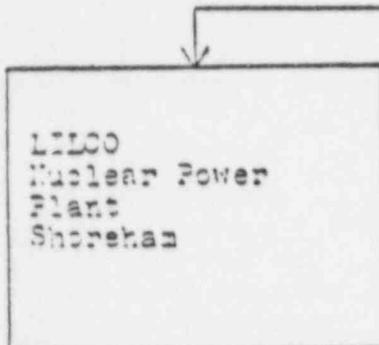
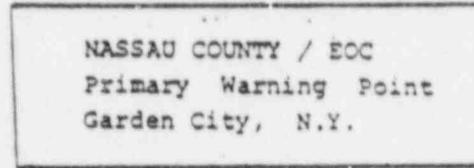
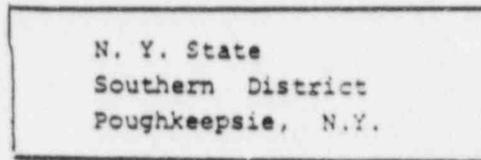
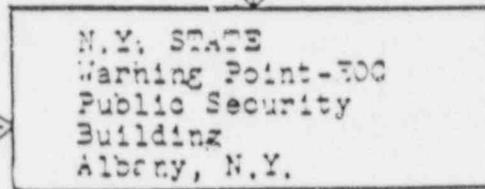
National Warning System (NAWAS)
AT & T Private Line Designation: GP2285-608

From National Warning
Center
Colorado Springs,
Colorado

Land Line
AT & T Private Line
Designation: GP2285-608



From other locations
within the State



Attachment E

COUNTY OF SUFFOLK

DISASTER PREPAREDNESS PLAN

January 1, 1981

William E. Regan, Director
DIVISION OF EMERGENCY PREPAREDNESS
Yaphank Avenue
Yaphank, N. Y.
11980
Tel: 516-924-4400

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EXECUTIVE SUMMARY

INTRODUCTION

The plan developed for Suffolk County to use and be guided by is a direct result of new State legislation (Article 2-B of the New York State Executive Law) and the growing realization of a need to improve the County's handling of disaster situations. Traditionally, this concern has focused on the immediate time when a disaster strikes a portion of the County, but, when studying ways to improve County response, the need for a much wider view becomes evident. This plan attempts to take such a wider view.

Before a disaster situation occurs, the County should be undertaking preventive or mitigative actions. When a disaster occurs, the County must respond quickly and adequately; and after a disaster, the County must provide for recovery activities. These recovery activities can be preventive or mitigative in nature.

This reasoning and view of disasters is circular and not linear. Dealing with disasters therefore, is an ever on-going operation, and this plan is based on that concept.

Suffolk County's disaster plan labels the parts of this on-going operation as prevention/Mitigation, Response, and Recovery. This "total view" consideration of disasters is labelled Comprehensive Emergency Management to emphasize the interrelationship of activities and functions necessary to successfully deal with disasters.

VULNERABILITY ANALYSIS

Before any management concept can be brought to bear efficiently, however, there is a need to determine priorities and where resources should be expended. A

vulnerability analysis is a systematic investigation of potential disasters in terms of frequency, magnitude, and probability of occurrence, in order to forecast their possible effects on people, systems, facilities, resources and institutions in a specific geographic area. The completion and timely updating of a vulnerability study will make this plan more meaningful and more useful. The County can best prepare for, respond to, and recover from disasters when it has some sound prediction of potential problems.

ORGANIZATIONAL RESPONSIBILITY

Implementation of this plan requires the assignment of responsibility to perform the functions and activities outlined in the plan. General direction and policy development responsibilities are assigned to the Suffolk County Disaster Preparedness Department; all other activities are assigned to existing County agencies. No new organization is created.

Responsibility assigned to local agencies is secondary in nature to the responsibility of the County government to manage all phases of disasters. The local levels of government (village, town) should have committed their resources, or be unable to perform needed activities, before the County will become involved. Within the County government, local resources should be committed before state-wide resources are tapped.

Similarly, County capacity to perform in a disaster must be utilized before State assistance can be requested.

The organization most affected by a disaster is expected to fully involve itself prior to requesting assistance.

The plan is not intended to provide specific details of how an agency will fulfill the responsibilities assigned to it. The detailed methods of completing

assignments given an agency by the Department of Emergency Preparedness are expected to be determined by the agency and are the agency's responsibility.

PREVENTION/MITIGATION

Prevention refers to all activities which eliminate or reduce the number of occurrences of disasters. Mitigation is any activity which reduces the effect of disasters when they do occur.

The County has three main roles in the Prevention/Mitigation phase of disasters:

- (1) activities carried out by organizations other than the County, but which are encouraged and supported by the County.
- (2) activities carried out by organizations other than the County, but which are funded by the County.
- (3) activities carried out by the County directly as program functions of the County.

The plan identifies County agency activities in these three categories and assigns to a designated "focal" agency the central coordination responsibility for Prevention/Mitigation activities for each type of disaster. Also, it requires every County agency to consider the agency rules, programs, projects and activities in light of disaster Prevention/Mitigation possibilities.

RESPONSE

Response refers to the immediate actions to relieve the effects of a disaster upon individuals, organizations, and systems.

County involvement under the immediate direction of the Division of Emergency Preparedness is keyed to the County Executive's declaration of a "County Disaster Emergency." Prior to such a declaration, response activities are the

responsibility of the Division of Emergency Preparedness as part of its normal functions.

The plan outlines an organizational arrangement for marshalling appropriate County agencies, under the control of one individual (County Director of Emergency Preparedness). To assist in the formation of such an organization, the Response section of the plan contains a listing of County agency resources that can be called upon to respond to disaster. These resources are included as a result of a survey of County agencies.

If there is an escalation of the disaster's effects, resulting in State assistance, the organization created by the Division of Emergency Preparedness is unchanged but is linked to the State assistance through the individual managing of the County response organization.

RECOVERY

Recovery from the effects of a disaster is presented in the plan as the opportunity to restructure and redevelop all aspects of a community. It presents the unique planning constraints and influences that will be faced during the rebuilding period, including the avoidance of experiencing similar disasters in the future.

Direct Division of Emergency Preparedness involvement for Recovery activities is through the appointment of a permanent group of staff level personnel from various County agencies to serve as the focus of the Department knowledge and experience in recovery matters.

Prior to a disaster, this group will assist the development of and review of local disaster planning efforts.

After a disaster, the group will serve as the Department's representatives to provide technical assistance to recovery efforts required of local communities by Article 2-B of the Executive Law.

This plan is intended to provide guidance in addressing all identified types of disasters, both natural and man-made, with the one exception of a radiological incident. This particular potential disaster is by law, because of the special knowledge and resources required, the purview of the New York State Health Department. The extraordinary procedures required to monitor and respond to radiological incidents have been developed by the Health Department to respond to an incident, it will still function under the general direction of the Division of Emergency Preparedness and receive support from other County agencies.

The plan is an effort to better organize County involvement in disaster situations. It presents no radical concepts or major departures from existing organizational responsibilities at this time. As it is used and developed, a need for changes will become apparent. The Division of Emergency Preparedness responsibilities are outlined in County Charter regulations. This plan has been developed to meet those responsibilities.

I. INTRODUCTION AND BACKGROUND

A. PURPOSE

The purpose of this plan is to minimize the risk to the health of the inhabitants of Suffolk County, New York, in the event of a peacetime or nuclear attack emergency. Also, to prevent casualties, protect property, preserve the function of the civil government, and maintain and support economic activities essential for survival and for eventual recovery from the disaster. This will be accomplished by identifying measures to prevent and mitigate such a disaster, by developing mechanisms to coordinate Federal, State, Local, and private sectors resources, during and after such a disaster.

B. BACKGROUND

It is the responsibility of the Suffolk County government to take extraordinary action when necessary to prevent or mitigate the loss of life, health and property of its citizens which may be caused or threatened by natural or man-made disasters or by enemy attack, and to take such actions as necessary to minimize the occurrence of such events. The Suffolk County Division of Emergency Preparedness is the County agency having primary responsibilities to implement the necessary disaster plan in accordance with the Suffolk County Charter, Article XI. The Office of the Standard Operating Procedure (SOP-H-03-A) provides for the Division of Emergency Preparedness as the lead agency, to coordinate other county support agencies to protect life and property in the event of natural and man-made disasters (including hurricanes, tidal waves, fire, storm and earthquakes) or other catastrophies arising from causes other than enemy attack, such as radiation accidents.

(b) COMMUNICATION

Communications systems will be needed for initial notification of Federal, State, County, Town and Village emergency organizations, also to the public news media and other essential services.

TOWN AND VILLAGE GOVERNMENT

Town and Village governmental communications network will be activated in coordination with the Division of Emergency Preparedness County-wide network.

COUNTY GOVERNMENT

The Division of Emergency Preparedness has dedicated emergency "HotLines" with State and Federal agencies to provide initial notification and ongoing communication during the emergency.

COUNTY/TOWN, POLICE AND SHERIFF

The County/Town Police and Sheriff has a county-wide police radio system that interconnects with the E.O.C. It is a complete system between fixed substations and mobile units and has a mobile command post bus with radio and telephone. Radio cars are equipped with public address systems and bullhorns and helicopters are equipped with public address systems.

DEPARTMENT OF HEALTH

The Suffolk County Department of Health Emergency Medical Services (EMS) have mobile radio communication equipment which enables State EMS personnel to be in

contact with ambulance, fire and rescue squads.

PARKS DEPARTMENT

The Suffolk County Department of Parks has bullhorn and loudspeaker communication capabilities within County parks and recreational facilities.

DEPARTMENT OF PUBLIC WORKS

The Suffolk County Department of Public Works has a county-wide system which connects with the Department of Emergency Preparedness at the E.O.C.

DEPARTMENT OF FIRE RESCUE AND EMERGENCY SERVICES

The Suffolk County Department of FIRE RESCUE AND EMERGENCY SERVICES has radio equipment which can contact County Fire Coordinating officers. It interconnects with the Division of Emergency Preparedness at the E.O.C.

CIVIL AIR PATROL

The Suffolk County Civil Air Patrol has a radio network for emergency backup to the Division of Emergency Preparedness at the E.O.C.

(c) PUBLIC NOTIFICATION

A capability will be established to provide a prompt notification signal to the public, followed by provisions for disseminating instructions to the public on the appropriate protective actions to be taken.

COUNTY GOVERNMENT (III-7)

The activation and control of this public notification system will be implemented by the *Division* of Emergency Preparedness, in coordination with the State.

The *Division* of Emergency Preparedness will insure that public notification systems are activated, including the coordinated use of the Emergency Broadcast System.

POLICE DEPARTMENT

The Suffolk County Police Department will assist, as directed, in the local program to alert the public.

DEPARTMENT OF PARKS

The Department of Parks will notify population in the parks and recreational facilities about the emergency and will issue instructions for appropriate protective actions to be taken.

(d) DISASTER ASSESSMENT

Disaster and meteorological capabilities will exist to provide information for assessing the health, lives and property impact of the disaster. Disaster assessment includes meteorological data and the use of such data in determining the actual or potential impact on the health, lives and property in order to determine the appropriate protective action.

Division OF EMERGENCY PREPAREDNESS

The *Division* of Emergency Preparedness will assess

(j) PUBLIC HEALTH, MEDICAL AND SANITATION SERVICES

Provision will be made for the continuation of basic public services during the disaster. Primary and emergency care and treatment for the ill and injured will also be provided. The movement or consolidation of patients, equipment, and personnel of hospitals, nursing homes, and other special facilities will be coordinated, as will the allocation of medical resources, and the medical examiners officer for identification and removal of the dead.

COUNTY GOVERNMENT

Most of the activities dealing with health problems and protective actions will be implemented at the County level, with support supplied by the State.

DEPARTMENT OF HEALTH

The Department of Health will provide laboratory testing of samples to assure safe food and water supplies and order any protective actions; monitor potable water supplies; will provide technical assistance and risk assessment; issue orders related to affected public water supply.

ALL OTHER COUNTY AGENCIES

Activities will be implemented consistent with the County Disaster Preparedness Plan.

FEDERAL/STATE AGENCIES (III-14)

Advice and technical assistance will be provided, upon request, to prevent communicable diseases.

(k) PUBLIC SECURITY

Measures necessary to enforce local law and emergency laws will be provided. Public security measures will be implemented by the County.

POLICE DEPARTMENT

The Police Department will provide manpower and equipment to protect life and property; establish ingress and egress control; maintain traffic and crowd control; close highways; suppress riots and disorders; investigate accidents; enforce laws, disaster emergency regulations, and curfews; arrest violators; secure evacuated areas; and coordinate these support activities with the Federal, other State agencies, and the local government efforts.

(l) FIRE AND RESCUE SERVICE

Manpower and equipment for fire protection surveillance, and suppression, will be provided for the affected emergency areas, including on-site assistance. Search and rescue operations including air, land, and water will also be provided. The fire and rescue services will be coordinated by the County Department of FRES with support from the State and other agencies.

POLICE DEPARTMENT (III-15)

The Police Department will provide search and rescue capabilities, using boats, land vehicles, and helicopters, to locate missing persons and rescue stranded people.

CIVIL AIR PATROL

The Civil Air Patrol will provide aircraft and personnel to conduct air search missions, if requested.

(m) PUBLIC WORKS

The repairing of damaged roads, the clearing of obstructions on roadways, and the removal of impediments on designated evacuation routes will be provided for.

COUNTY GOVERNMENT

The engineering efforts, providing personnel, expertise, and equipment in the affected area, will be a primary responsibility of the local jurisdiction(s) for County roads. State and Federal agencies will provide heavy equipment and manpower to operate equipment and will coordinate their activities with the local effort.

The Public Works Department will provide available resources (equipment and manpower) and, upon request, will coordinate assistance from other agencies to secure the use of evacuation routes.

(n) TRANSPORTATION

The transportation of the injured, critical equipment, supplies, food, and emergency personnel will be provided for.

Attachment F

PRIMARY AND SUPPORT FUNCTIONS

1. GOVERNMENT DEPARTMENTS, GROUPS AND AGENCIES provide many and varied functions during an emergency environment either natural or man-made. Some of these functions are really an intensive extension of their everyday activities and most agencies are organized to provide emergency functions for prolonged periods. Other agencies can be staff and equipment augmented to provide sustained operations.
2. Private agencies or companies such as the Long Island Lighting Company or the New York Telephone Company, The American Red Cross and The Salvation Army have important missions during emergency or disaster conditions. Liason personnel from these agencies or corporations are assigned to the County Emergency Operating Center during disaster conditions. Active cooperation between government and the private sector is essential in mitigating the effects of a disaster on the lives and property of the people of Suffolk County.
3. Page 2 Graphically illustrates the functions and agencies during emergency conditions with the E.O.C. as the point of the coordinated effort.

Attachment G

LILCO, June 2, 1982

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

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

LILCO'S FIRST REQUEST TO SUFFOLK COUNTY FOR
PRODUCTION OF EMERGENCY PLANNING DOCUMENTS

The Long Island Lighting Company (LILCO) hereby requests Suffolk County to produce at LILCO's offices in Hicksville or at another mutually agreed-upon location each of the documents set forth below, within thirty (30) days after service of this request, in accordance with 10 C.F.R. § 2.741. These document requests pertain to the emergency planning and preparedness issues under consideration by the Atomic Safety and Licensing Board in the Shoreham operating license proceeding.

DEFINITIONS

A. "County" means the government organization of Suffolk County and any officer, official, employee, representative, consultant, agent, contractor, subcontractor, technical advisor, attorney, or other person acting for or on behalf of the County or at the County's direction, or in concert with the County or assisting the County.

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B. "Person" means any natural person, firm, partnership, educational institution, joint venture, corporation, and any domestic government organization, or group of natural persons or such entities.

C. "Document" means any handwritten, typewritten, printed or recorded graphic matter however produced or reproduced, whether or not in the possession, custody or control of the County and whether or not claimed to be privileged against discovery on any ground, including but not limited to, reports, records, lists, memoranda, correspondence, telegrams, schedules, photographs, sound recordings, ledgers, books of account, catalogues, checks, check stubs, brochures and written statements of any person.

If the County considers any document called for in this request to be privileged from production, the County must include in its response to this request a list of documents withheld from production, identifying each document by date, addressee(s), author, title and subject matter. In addition, the County should identify those persons who have seen the document or who were sent copies, and state the ground(s) upon which each such document is considered privileged.

If any document called for in this request has been destroyed, the County must include in its response to this request a description of the documents destroyed, identifying each document by date, addressee(s), author, title and subject matter. In addition, the County should state the date of destruction, the identity of the person or persons who

destroyed the document, and the reason the document was destroyed.

D. The words "pertaining to" include referring to, responding to, relating to, connected with, concerning, comprising, memorializing, commenting on, regarding, discussing, showing, describing, reflecting, analyzing, supporting, contradicting and constituting.

DOCUMENT REQUESTS

1. All documents pertaining to the "Suffolk County Radiological Emergency Response Plan as of March 10, 1982," as supplemented by the letter of April 19, 1982, from Herbert H. Brown to the Atomic Safety and Licensing Board (the March 10 plan), if such documents are not covered by requests 2-12 below.
2. All maps, drawings or other documents concerning placement of tone-activated radios within the Prompt Notification System network.
3. All documents analyzing, studying or otherwise concerning the basis for placement of the tone-activated radios and the effectiveness of such radios.
4. All documents describing procedures for use of the Prompt Notification System including:
 - (a) how it is activated.
 - (b) who may activate it.
5. All documents analyzing, reviewing or otherwise concerning under what emergency conditions the Prompt

Notification System should be used, including documents concerning use of the system early in an emergency for notification of areas where sheltering may not be a viable option.

6. All documents analyzing, studying, or otherwise concerning the quality, adequacy, completeness, or effectiveness of the March 10 plan.
7. All documents to or from Mr. Frank R. Jones, Mr. Lee E. Koppelman, and/or Mr. Robert C. Meunkle regarding the March 10 plan, including any documents discussing the County's decision to abandon preparation of that plan.
8. All documents regarding preparation of the March 10 plan, including any documents indicating the division of responsibility for preparing the plan, the schedule by which the plan was to be completed, and the persons, if any, who were to review the plan.
9. All documents used in preparing the March 10 plan, including any other local emergency response plans obtained by the County from other local governments.
10. All documents analyzing, studying, or critiquing documents used in preparing the March 10 plan.
11. All documents describing additions or revisions to the March 10 plan since March 10, 1982.
12. All documents pertaining to additions or revisions to the March 10 plan since March 10, 1982, including any documents indicating the division of responsibility for preparing the additions or revisions, the

documents addressing the schedule by which the additions or revisions were to be completed, documents relied upon in preparing the additions or revisions, and documents analyzing, studying or critiquing the additions or revisions.

13. All documents pertaining to the County's organization for coping with emergencies that do not involve nuclear power.
14. All documents pertaining to the County's procedures for coping with emergencies that do not involve nuclear power.
15. All documents analyzing, studying or critiquing the County's plan or plans for dealing with emergencies that do not involve nuclear power.
16. All documents relied upon in preparing the County's plan or plans for dealing with emergencies that do not involve nuclear power.
17. All documents analyzing, studying, or critiquing any documents relied upon in preparing the County's plan or plans for dealing with emergencies that do not involve nuclear power.
18. All documents indicating the division of responsibility for preparing the County's plan or plans for dealing with emergencies that do not involve nuclear power, the schedule by which the plan or plans were to be completed, and the persons, if any, who reviewed the plan or plans.

19. All other documents pertaining to the County's plan or plans for dealing with emergencies that do not involve nuclear power.
20. All documents pertaining to the County's organization for coping with emergencies involving the Brookhaven National Laboratory.
21. All documents pertaining to the County's procedures for coping with emergencies that involve the Brookhaven National Laboratory.
22. All documents analyzing, studying or critiquing the County's plan for dealing with emergencies that involve the Brookhaven National Laboratory.
23. All documents analyzing, studying, or critiquing any documents relied upon in preparing the County's plan for dealing with emergencies that involve the Brookhaven National Laboratory.
24. All documents indicating the division of responsibility for preparing the County's plan for dealing with emergencies that involve the Brookhaven National Laboratory, the schedule by which the plan was to be completed, and the persons, if any, who reviewed the plan.
25. All other documents pertaining to emergency planning for emergencies involving the Brookhaven National Laboratory.
26. All documents pertaining to the County's organization for coping with emergencies involving the Millstone Point Nuclear Power Station.

27. All documents pertaining to the County's procedures for coping with emergencies involving the Millstone Point Nuclear Power Station.
28. All documents analyzing, studying or critiquing the County's plan for dealing with emergencies involving the Millstone Point Nuclear Power Station.
29. All documents analyzing, studying, or critiquing any documents relied upon in preparing the County's plan for dealing with emergencies involving the Millstone Point Nuclear Power Station.
30. All documents indicating the division of responsibility for preparing the County's plan for dealing with emergencies involving the Millstone Point Nuclear Power Station, the schedule by which the plan was to be completed, and the persons, if any, who reviewed the plan.
31. All other documents pertaining to emergency planning for emergencies involving the Millstone Point Nuclear Power Station.
32. All documents regarding preparation of the county-wide Radiological Emergency Response Plan (Response Plan) now being developed under Resolution No. 262-82, including any documents indicating the person or persons preparing the plan, the division of responsibility for preparing the plan, the schedule by which the plan will be completed, and the persons who will review the plan.

33. All documents that outline, describe, summarize or contain drafts of the Response Plan or parts of it.
34. All documents analyzing, studying, or critiquing any descriptions, outlines, summaries or drafts of the Response Plan or parts of it.
35. All documents being used to prepare the Response Plan, including but not limited to:
 - (a) consultants' reports.
 - (b) studies or analyses of the topographic area surrounding Shoreham.
 - (c) studies or analyses of the population surrounding Shoreham.
 - (d) other emergency response plans.
36. All documents analyzing, studying, or critiquing documents being used to prepare the Response Plan.
37. All documents to or from the County's Radiological Emergency Response Plan Steering Committee, or individual members of that Committee, including but not limited to:
 - (a) directions or guidelines to be followed by the Committee.
 - (b) schedules for the Committee's work.
 - (c) documents addressing the division of responsibility among Committee members.
38. All documents reflecting any meetings or contacts involving Suffolk County officers, personnel,

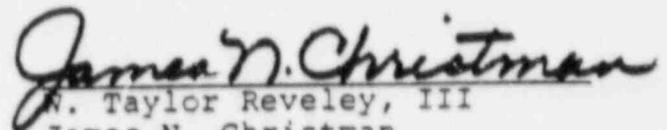
contractors, subcontractors, consultants, or other representatives and pertaining to emergency planning.

39. All other documents pertaining to the preparation of the Response Plan or parts of it.
40. All documents pertaining to emergency planning on which Suffolk County will rely in the NRC operating license proceeding for Shoraham.
41. All testimony on emergency planning given by any of Suffolk County's consultants, officials, employees, consultants, or representatives in any proceeding, be it administrative, legislative, or judicial. Such consultants include, but are not limited to, the following:

PRC-Voorhees
Prof. Philip B. Herr
Dr. Kai T. Erikson
Dr. James H. Johnson
Dr. Donald J. Ziegler
Dr. Walter C. Farrel, Jr.
Dr. David Stevenson
Dr. Fred Finlayson
Dr. Robert J. Budnitz
Dr. Edward P. Radford

Respectfully submitted,

LONG ISLAND LIGHTING COMPANY



W. Taylor Reveley, III
James N. Christman
Kathy E. B. McCleskey

Hunton & Williams
707 East Main Street
P.O. Box 1535
Richmond, Virginia 23212

DATED: June 2, 1982

LILCO, June 2, 1982

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

CERTIFICATE OF SERVICE

I hereby certify that copies of (1) LILCO'S First Request to Suffolk County for Production of Emergency Planning Documents, (2) Notice of Appearance of Kathy E. B. McCleskey, and (3) Notice of Appearance of James N. Christman were served upon the following people by first-class mail, postage prepaid, on June 1, 1982.

Lawrence Brenner, Esq.
Administrative Judge
Atomic Safety and Licensing
Board Panel
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Dr. Peter A. Morris
Administrative Judge
Atomic Safety and Licensing
Board Panel
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Dr. James A. Carpenter
Administrative Judge
Atomic Safety and Licensing
Board Panel
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Secretary of the Commission
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Atomic Safety and Licensing
Appeal Board Panel
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Atomic Safety and Licensing
Board Panel
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Bernard M. Bordenick, Esq.
David A. Repka, Esq.
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

David J. Gilmartin, Esq.
Attn: Patricia A. Dempsey, Esq.
County Attorney
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New York, New York 10016

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Albany, New York 12223

Mr. Jay Dunkleberger
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Albany, New York 12223

Hunton & Williams
707 East Main Street
P.O. Box 1535
Richmond, Virginia 23212

DATED: June 2, 1982


James N. Christman

Attachment H

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)
)

LONG ISLAND LIGHTING COMPANY)

(Shoreham Nuclear Power)
Station, Unit 1))
)
)
)

) Docket No. 50-322 O.L.
) (Emergency Planning
) Proceedings)

SUFFOLK COUNTY'S RESPONSE TO LILCO'S
FIRST REQUEST TO SUFFOLK COUNTY FOR
PRODUCTION OF EMERGENCY
PLANNING DOCUMENTS

Suffolk County hereby responds to LILCO's June 2,
1982 First Request to Suffolk County for Production of
Emergency Planning Documents (the "Request") as follows:

OBJECTIONS

Introduction

On April 20, 1982, the Board held a Prehearing
Conference to determine, among other things, the scope of the
emergency planning issues that would be open to consideration
by the Board. Recognizing that there was no County radiologi-
cal emergency response plan in existence at that time (Tr. 744)
and that "it is going to be a long time before we can litigate

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offsite matters . . . " the Board nevertheless declared that certain emergency planning issues were ripe for litigation (Tr. 744-746). It defined those issues as "the licensee's actions under its emergency plan whether those actions be onsite or offsite" (Tr. 760; emphasis added).

Counsel for Suffolk County, SOC, and the NSC objected strenuously to the Board's effort to separate consideration of the licensee's emergency planning responsibilities from those of the County and State (Tr. 748-750, 770-775, 795-802). They argued that emergency planning was necessarily an integrated effort among the utility and affected governments and that the emergency plan of no particular party could be evaluated in isolation (Tr. 809-810). Therefore, they concluded, no emergency planning issue should be litigated prior to the completion of the County's plan. Despite those objections, the Board directed that the parties go forward with discovery and litigation of LILCO's plan (Tr. 794, 802). Its Order of April 20, 1982, reiterated the narrow scope of emergency planning issues subject to litigation, ordering that contentions "based on LILCO's emergency response plan must be received by June 22, 1982."

In accordance with the Board's guidance, Suffolk County submitted to LILCO on May 11, 1982, a request for documents seeking only those items relevant to the issues defined by the

Board. In contrast, even a cursory review of LILCO's June 2, 1982 Request reveals that LILCO has virtually ignored the Board's explicit directives restricting the emergency planning issues to LILCO's plan. Instead, with few exceptions, LILCO has requested a broad range of documents having no relevance whatsoever to those limited emergency planning issues which are now before the Board.

LILCO's Request may be broken down into four general categories:

- 1) Those documents pertaining to Suffolk County's emergency planning efforts culminating in the compilation of certain emergency planning response materials dated March 10, 1982 (Requests 1, 6-12).
- 2) Those documents pertaining to Suffolk County's plans for emergencies not related to nuclear power (Requests 13-19);
- 3) Those documents pertaining to Suffolk County's plans for emergencies involving Brookhaven Laboratory and the Millstone Point Nuclear Power Station (Requests 20-31); and
- 4) Those documents pertaining to Suffolk County's development of its Radiological Emergency Response Plan (Requests 32-39),

Quite clearly, LILCO's Request, pertaining as it does almost exclusively to Suffolk County's radiological response plan and its responsibilities in the event of various emergencies are not within the scope of the issues defined by the Board at the Prehearing Conference and in its subsequent Order -- that is, LILCO's own plan and its actions pursuant to that plan. It appears instead that LILCO is endeavoring to roam through the County's emergency planning files before offsite planning becomes an issue in these proceedings and before completion of the County's plan. Furthermore, LILCO's irrelevant and over-broad requests are not reasonably calculated to lead to discovery of admissible evidence on the issues at hand. Thus, LILCO is seeking discovery outside the scope permitted by the Board and 10 CFR §2.740(b)(1). In light of LILCO's unwarranted and unpermissible document request, Suffolk County objects to Requests 1 and 6-39.

LILCO is not without previous notice of Suffolk County's objections. For the very purpose of avoiding numerous objections to LILCO's request, Suffolk County noted the foregoing reservations in letters to LILCO's counsel on June 15 and again on June 22, 1982, and suggested that LILCO amend its Request in conformance with the Board's guidance. (See Attachments A and C hereto). LILCO responded by letter of June 17, 1982 stating that Suffolk County's position was "unfounded" and, in essence,

declined to limit the scope of LILCO's Request. (See Attachment B).

Complying with LILCO's Request at this time, insofar as the Request calls for materials not remotely germane to LILCO's plan, would impose undue burden and expense on Suffolk County -- particularly in view of the likelihood that the parties will engage in further discovery on Suffolk County's plan at a future stage of this proceeding. Moreover, given the breadth of the Request, a search of the County's records for responsive documents would require a considerable amount of time which would necessarily entail cascading delays in the orderly development of a record in this proceeding. The County is compelled, therefore, to make the following objections which, to avoid unnecessary repetition, will be addressed to the four general categories outlined above, except as otherwise noted.

March 10, 1982, Materials

1. All documents pertaining to the "Suffolk County Radiological Emergency Response Plan as of March 10, 1982," as supplemented by the letter of April 19, 1982, from Herbert H. Brown to the Atomic Safety and Licensing Board (the March 10 plan), if such documents are not covered by requests 2-12 below.

6. All documents analyzing, studying, or otherwise concerning the quality, adequacy, completeness, of effectiveness of the March 10 plan.
7. All documents to or from Mr. Frank R. Jones, Mr. Lee E. Koppelman, and/or Mr. Robert C. Meunkle regarding the March 10 plan, including any documents discussing the County's decision to abandon preparation of that plan.
8. All documents regarding preparation of the March 10 plan, including any documents indicating the division of responsibility for preparing the plan, the schedule by which the plan was to be completed, and the persons, if any, who were to review the plan.
9. All documents used in preparing the March 10 plan, including any other local emergency response plans obtained by the County from other local governments.
10. All documents analyzing, studying, or critiquing documents used in preparing the March 10 plan.
11. All documents describing additions or revisions to the March 10 plan since March 10, 1982.
12. All documents pertaining to additions or revisions to the March 10 plan since March 10, 1982,

including any documents indicating the division of responsibility for preparing the additions or revisions, the documents addressing the schedule by which the additions or revisions were to be completed, documents relied upon in preparing the additions or revisions, and documents analyzing, studying or critiquing the additions or revisions.

Response: Objected to as outside the scope of the emergency planning issues now under consideration by the Board (see Introduction). These requests are irrelevant and are not reasonably calculated to lead to discovery of admissible evidence pertaining to LILCO's plan. Furthermore, Request 7 seeks intra-governmental correspondence (and other documents) regarding County policymaking decisions. Such materials are privileged and not subject to discovery.

Suffolk County Plans for Non-Nuclear Emergencies

13. All documents pertaining to the County's organization for coping with emergencies that do not involve nuclear power.
14. All documents pertaining to the County's procedures for coping with emergencies that do not involve nuclear power.

15. All documents analyzing, studying or critiquing the County's plan or plans for dealing with emergencies that do not involve nuclear power.
16. All documents relied upon in preparing the County's plan or plans for dealing with emergencies that do not involve nuclear power.
17. All documents analyzing, studying, or critiquing any documents relied upon in preparing the County's plan or plans for dealing with emergencies that do not involve nuclear power.
18. All documents indicating the division of responsibility for preparing the County's plan or plans for dealing with emergencies that do not involve nuclear power, the schedule by which the plan or plans were to be completed, and the persons, if any, who reviewed the plan or plans.
19. All other documents pertaining to the County's plan or plans for dealing with emergencies that do not involve nuclear power.

Response: Objected to as outside the scope of the emergency planning issues now under consideration by the Board (see Introduction). Suffolk County's plans and procedures for coping with non-nuclear accidents are not pertinent to LILCO's plan or its actions to be taken in the event of a radiological

emergency. Furthermore, the requests seek documents pertaining to Suffolk County policymaking which are privileged. LILCO's requests are thus irrelevant and are not reasonably calculated to lead to discovery of admissible evidence pertaining to the emergency planning issues now before the Board.

Suffolk County's Plans For Emergencies Involving Brookhaven National Laboratory and the Millstone Nuclear Power Stations

20. All documents pertaining to the County's organization for coping with emergencies involving the Brookhaven National Laboratory.
21. All documents pertaining to the County's procedures for coping with emergencies that involve the Brookhaven National Laboratory.
22. All documents analyzing, studying or critiquing the County's plan for dealing with emergencies that involve the Brookhaven National Laboratory.
23. All documents analyzing, studying, or critiquing any documents relied upon in preparing the County's plan for dealing with emergencies that involve the Brookhaven National Laboratory.
24. All documents indicating the division of responsibility for preparing the County's plan for dealing with emergencies that involve the Brookhaven National Laboratory, the schedule by

which the plan was to be completed, and the persons, if any, who reviewed the plan.

25. All other documents pertaining to emergency planning for emergencies involving the Brookhaven National Laboratory.
26. All documents pertaining to the County's organization for coping with emergencies involving the Millstone Point Nuclear Power Station.
27. All documents pertaining to the County's procedures for coping with emergencies involving the Millstone Point Nuclear Power Station.
28. All documents analyzing, studying or critiquing the County's plan for dealing with emergencies involving the Millstone Point Nuclear Power Station.
29. All documents analyzing, studying, or critiquing any documents relied upon in preparing the County's plan for dealing with emergencies involving the Millstone Point Nuclear Power Station.
30. All documents indicating the division of responsibility for preparing the County's plan for dealing with emergencies involving the Millstone Point Nuclear Power Station, the schedule by which the plan was to be completed, and the persons, if any, who reviewed the plan.

31. All other documents pertaining to emergency planning for emergencies involving the Millstone Point Nuclear Power Station.

Response: Objected to as outside the scope of the emergency planning issues now under consideration by the Board (see Introduction). Suffolk County's plans or procedures for emergencies at Brookhaven National Laboratory or the Millstone Point Nuclear Power Station are not pertinent to LILCO's plan or the actions it will take in the event of an emergency at Shoreham. LILCO's requests are thus irrelevant and are not reasonably calculated to lead to discovery of admissible evidence pertaining to the emergency planning issues now before the Board.

Suffolk County's Radiological Emergency Response Plan

32. All documents regarding preparation of the county-wide Radiological Emergency Response Plan (Response Plan) now being developed under Resolution No. 262-82, including any documents indicating the person or persons preparing the plan, the division of responsibility for preparing the plan, the schedule by which the plan will be completed, and the persons who will review the plan.

33. All documents that outline, describe, summarize or contain drafts of the Response Plan or parts of it.
34. All documents analyzing, studying, or critiquing any descriptions, outlines, summaries, or drafts of the Response Plan or parts of it.
35. All documents being used to prepare the Response Plan, including but not limited to:
 - (a) consultants' reports.
 - (b) studies or analyses of the topographic area surrounding Shoreham.
 - (c) studies or analyses of the population surrounding Shoreham.
 - (d) other emergency response plans.
36. All documents analyzing, studying, or critiquing documents being used to prepare the Response Plan.
37. All documents to or from the County's Radiological Emergency Response Plan Steering Committee, or individual members of that Committee, including but not limited to:
 - (a) directions or guidelines to be followed by the Committee.

- (b) schedules for the Committee's work.
- (c) documents addressing the division of responsibility among Committee members.

38. All documents reflecting any meeting or contacts involving Suffolk County officers, personnel, contractors, subcontractors, consultants, or other representatives and pertaining to emergency planning.

39. All other documents pertaining to the preparation of the Response Plan or parts of it.

Response: Objected to as outside the scope of the emergency planning issues now under consideration by the Board (see Introduction). Suffolk County's own emergency planning efforts are not presently at issue. The requests are therefore irrelevant and are not reasonably calculated to lead to discovery of admissible evidence pertaining to the issues now under consideration by the Board. Furthermore, as noted above, even assuming arguendo that LILCO Requests 32-39 are relevant, the production of responsive documents would be extremely burdensome. Suffolk County is expending exhaustive efforts to develop an emergency response plan by October 1, 1982. A massive amount of material is continuously being developed and refined on a daily basis for inclusion in the proposed plan. A records-search and production of all responsive material would

distract the County and its consultants from their efforts to complete the plan in time. Moreover, even if the Board determines that Requests 32-39 are required to be produced by Suffolk County, the Board should defer requiring the County to produce responsive materials until the completion of the County's plan.

LILCO's REMAINING REQUESTS

2. All maps, drawings or other documents concerning placement of tone-activated radios within the Prompt Notification System network.

Response: Provided. See also the March 10, 1982, materials previously provided to LILCO.

3. All documents analyzing, studying or otherwise concerning the basis for placement of the tone-activated radios and the effectiveness of such radios.

Response: Provided. See response to Request 2.

4. All documents describing procedures for use of the Prompt Notification System including: (a) how it is activated. (b) who may activate it.

Response: Provided. See response to Request 2.

5. All documents analyzing, reviewing or otherwise concerning under what emergency conditions the Prompt Notification System should be used,

including documents concerning use of the system early in an emergency for notification of areas where sheltering may not be a viable option.

Response: Provided. See also response to Request 2.

40. All documents pertaining to emergency planning on which Suffolk County will rely in the NRC operating license proceeding for Shoreham.

Response: Suffolk County has not yet made a determination as to the documents to be relied upon. Such documents will be furnished promptly after Suffolk County has made the requisite determination.

41. All testimony on emergency planning given by any of Suffolk County's consultants, officials, employees, consultants, or representatives in any proceeding, be it administrative, legislative, or judicial. Such consultants include, but are not limited to, the following:

PRC Voorhees
Prof. Philip B. Herr
Dr. Kai T. Erikson
Dr. James H. Johnson
Dr. Donald J. Ziegler
Dr. Walter C. Farrel, Jr.
Dr. David Stevenson
Dr. Fred Finlayson
Dr. Robert J. Budnitz
Dr. Edward P. Radford

Response: Provided with respect to the written testimony of Andrew C. Kanen of PRC Voorhees, Dr. Kai T. Erikson, and Dr. James H. Johnson. Any written testimony on emergency planning given by Dr. Edward P. Radford Dr. Donald J. Ziegler, Dr. Walter C. Farrel, Jr., and Dr. David Stevenson will be forthcoming shortly if such testimony exists.

The oral testimony of the above consultants may be found in the following transcripts of ASLB proceedings:

Andrew C. Kanen	In the Matter of The Detroit Edison Company, Enrico Fermi Atomic Power Plant Unit 2. Docket No. 50-341.
Dr. James H. Johnson	In the Matter of Pacific Gas and Electric Company, Diablo Canyon Nuclear Power Plant Units No. 1 and 2. Docket No. 50-275, 50-323.
Dr. Kai T. Erikson	In the Matter of Pacific Gas and Electric Company, Diablo Canyon Nuclear Power Plant Units No. 1 and 2. Docket No. 50-275, 50-323. In the Matter of Metropolitan Edison Co. Three Mile Island Unit One Docket No. 50-289.

To the extent that there exists oral testimony regarding emergency planning given by Dr. Edward P. Radford, Dr. Donald J. Ziegler, Dr. Walter C. Farrel, or Dr. David Stevenson, such

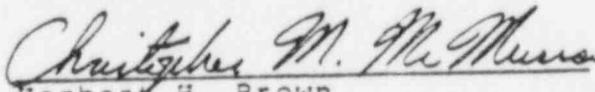
testimony will be identified shortly. In addition, Dr. Erikson was deposed in the present proceedings regarding Indian Point.

Suffolk County objects to Request 41, insofar as it pertains to the remaining consultants, in that such consultants are working solely on development of Suffolk County's plan, are not presently providing services regarding litigation of LILCO's plan, and are not presently expected to testify on the issues at hand. Therefore, the testimony sought is not relevant to LILCO's plan, nor is it reasonably calculated to lead to admissible evidence on that issue. In the event that Suffolk County decides to utilize one of the remaining named consultants as a witness on LILCO's plan, any prior testimony of that witness will be provided.

Respectfully submitted,

DAVID J. GILMARTIN
Suffolk County Attorney

PATRICIA A. DEMPSEY
Assistant Suffolk County
Attorney
Suffolk County Department of
Law
Veterans Memorial Highway
Hauppauge, New York 11788


Herbert H. Brown
Lawrence Coe Lanpher
Christopher M. McMurray
KIRKPATRICK, LOCKHART, HILL,
CHRISTOPHER & PHILLIPS
1900 M Street, NW, Suite 800
Washington, DC 20036
(202) 452-7000

Attorneys for Suffolk County

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)

LONG ISLAND LIGHTING COMPANY)

(Shoreham Nuclear Power Station,)
Unit 1))

) Docket No. 50-322 (O.L.)

CERTIFICATE OF SERVICE

I hereby certify that copies of Suffolk County's Response to LILCO's First Request to Suffolk County For Production Of Emergency Planning Documents were sent on July 1, 1982, by U.S. Mail, first class, to the following:

Lawrence Brenner, Esq.
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dr. James L. Carpenter
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Mr. Peter A. Morris
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Edward M. Barrett, Esq.
General Counsel
Long Island Lighting Company
250 Old Country Road
Mineola, New York 11501

Mr. Brian McCaffrey
Long Island Lighting Company
175 East Old Country Road
Hicksville, New York 11801

Ralph Shapiro, Esq.
Cammer and Shapiro
9 East 40th Street
New York, New York 10016

Howard L. Blau, Esq.
217 Newbridge Road
Hicksville, New York 11801

W. Taylor Reveley III, Esq.*
Hunton & Williams
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707 East Main St.
Richmond, Virginia 23212

Mr. Jay Dunkleberger
New York State Energy Office
Agency Building 2
Empire State Plaza
Albany, New York 12223

Stephen B. Latham, Esq.
Twomey, Latham & Shea
Attorneys at Law
P.O. Box 398
33 West Second Street
Riverhead, New York 11901

*By Federal Express

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Energy Research Group, Inc.
400-1 Totten Pond Road
Waltham, Massachusetts 02154

Joel Blau, Esq.
New York Public Service Commission
The Governor Nelson A. Rockefeller
Building
Empire State Plaza
Albany, New York 12223

David H. Gilmartin, Esq.
Suffolk County Attorney
County Executive/Legislative Bldg.
Veterans Memorial Highway
Hauppauge, New York 11788

Atomic Safety and Licensing
Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Docketing and Service Section
Office of the Secretary
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Bernard M. Bordenick, Esq.
David A. Repka, Esq.
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Stuart Diamond
Environment/Energy Writer
NEWSDAY
Long Island, New York 11747

Cherif Sedky, Esq.
Kirkpatrick, Lockhart,
Johnson & Hutchison
1500 Oliver Building
Pittsburgh, Pennsylvania 15222

Mr. J. f. Smith
Shoreham Nuclear Power Station
P.O. Box 618
North Country Road
Wading River, New York 11792

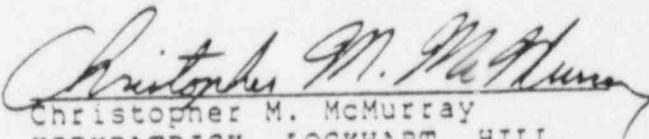
MHB Technical Associates
1723 Hamilton Avenue
Suite K
San Jose, California 95125

Hon. Peter Cohalan
Suffolk County Executive
County Executive/Legislative
Building
Veterans Memorial Highway
Hauppauge, New York 11788

Ezra I. Bialik, Esq.
Assistant Attorney General
Environmental Protection Bureau
New York State Department of
Law
2 World Trade Center
New York, New York 10047

Atomic Safety and Licensing
Appeal Board
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Matthew J. Kelly, Esq.
Staff Counsel, New York
State Public Service Comm.
3 Rockefeller Plaza
Albany, New York 12223


Christopher M. McMurray
KIRKPATRICK, LOCKHART, HILL,
CHRISTOPHER & PHILLIPS
1900 M Street, N.W., 8th Floor
Washington, D.C. 20036

DATE: July 1, 1982

KIRKPATRICK, LOCKHART, HILL, CHRISTOPHER & PHILLIPS

A PARTNERSHIP INCLUDING A PROFESSIONAL CORPORATION

1900 M STREET, N. W.

WASHINGTON, D. C. 20006

TELEPHONE (202) 452-7000
 CABLE: KLPKRI
 TELEX 440909 KLPK UT
 WRITER'S DIRECT DIAL NUMBER

June 15, 1982

IN PITTSBURGH
 KIRKPATRICK, LOCKHART, JOHNSON & ECKHARTSON
 1500 OLIVER BUILDING
 PITTSBURGH, PENNSYLVANIA 15222
 (412) 336-6500

452-8391

James Christman, Esq.
 Hunton & Williams
 P.O. Box 1535
 707 East Main Street
 Richmond, Virginia 23212

Dear Jim:

I am in receipt of "LILCO's First Request to Suffolk County for Production of Emergency Planning Documents" dated June 2, 1982. It appears from my review of that request that the vast majority of items sought pertain to Suffolk County's emergency response planning efforts and related matters, rather than LILCO's own actions in the event of an emergency. In this respect, LILCO's discovery request far exceeds the scope of the emergency planning issues which the Board has indicated are presently subject to litigation.

At the pre-hearing conference of April 14, 1982, the Board specifically outlined the area of emergency planning "on which we can proceed to litigation." That area was defined as "the licensee's actions under its emergency plan whether those actions be onsite or offsite...." Tr. 860. In its Order of April 20, 1982, the Board reiterated that emergency planning contentions "based on LILCO's emergency plan must be received by June 22, 1982." Order at 7. In light of the Board's explicit statements, it would appear that LILCO's discovery request seeks documents not relevant to the present scope of permissible emergency planning issues. For instance, documents pertaining to Suffolk County's radiological emergency planning documents as of March 10, 1982 (Requests 1, 6-12), the County's plans for emergencies not related to nuclear power (Requests 13-19), the County's plans for emergencies at Brookhaven National Laboratory (Requests 20-25), and the County's plans for emergencies involving the Millstone Point Nuclear Power Station (Request 26-31) do not fall within the

KIRKPATRICK, LOCKHART, HILL, CHRISTOPHER & PHILLIPS

James Christman, Esq.

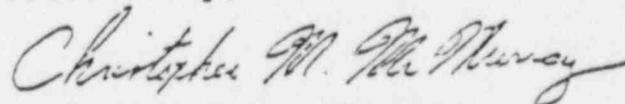
June 15, 1982

Page Two

scope of relevant issues provided by the Board. In addition, the requests (32-39) seeking discovery of documents pertaining to Suffolk County's Radiological Emergency Response Plan are far beyond those that are permissible in light of the Board's guidance.

I am indicating these concerns to you at this time in the interest of avoiding numerous formal objections to the breadth of your request at a later date. Suffolk County is prepared to respond to any reasonable discovery request regarding the issues on which discovery is presently open. Please notify me promptly should you desire to amend your discovery request in accordance with the Board's guidance.

Yours truly,



Christopher M. McMurray

HUNTON & WILLIAMS

707 EAST MAIN STREET P.O. Box 1535

RICHMOND, VIRGINIA 23212

TELEPHONE 804-788-8200

S & T BUILDING
P.O. BOX 109
RALEIGH, NORTH CAROLINA 27602
919-828-9371

FIRST VIRGINIA BANK TOWER
P.O. BOX 3888
NORFOLK, VIRGINIA 23514
804-625-5501

1918 PENNSYLVANIA AVENUE, N.W.
P.O. BOX 19230
WASHINGTON, D.C. 20038
202-223-6650

FILE NO.

DIRECT DIAL NO. 804-788-8368

June 17, 1982

Christopher M. McMurray, Esq.
Kirkpatrick, Lockhart, Hill,
Christopher & Phillips
1900 M Street, N.W.
Washington, D.C. 20036

Dear Chris:

Thanks for your letter of June 15, 1982, which I received yesterday by the telecopier. As I understand it, you are going to refuse to answer at least 35 of our 41 document requests dated June 2, and maybe more. Although you might have mentioned this to me over the last ten or so days, I do appreciate your not waiting until any later to spring the news.

I gather your position is that the ASLB, in its § 2.752 prehearing conference order, has somehow ordered the parties not to conduct discovery on those parts of the emergency planning issue other than emergency planning functions that are the responsibility of LILCO, rather than, for example, the County. I must say I can't find anything in the Board's order that says such a thing. What the Board did was to cut off document production requests relating to LILCO's plan as of June 22; try as I might, I cannot conceive of any way that can be converted into a sort of protective order shielding your client from discovery on other parts of the emergency planning issue. Nor do I know of anything in the NRC regulations that would have that effect.

I might add that I find it hard to understand your client's motive for refusing to produce documents. Whatever the Board meant, it is inconceivable that it would object to your providing us with the documents we requested. And since we will repeat the same requests in the future, if they are not satisfied now, you will have to produce in due course anyway. I can, in short, think of no good reason why your client would refuse to produce. If you find the request burdensome to meet in the allotted time, we can of course discuss it and try to find a solution to the problem; but you haven't indicated that you can't produce, only that you won't.

I might add that your client's position is particularly strange in light of the large number of documents that we

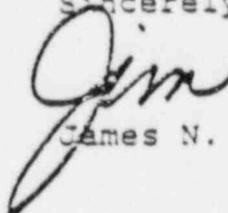
HUNTON & WILLIAMS

Christopher M. McMurray, Esq.
June 17, 1982
Page 2

provided for you on Monday, at no small sacrifice in time and effort by LILCO people. Your client's somewhat grudging response to our document production request, which was far less burdensome than your request to us, hardly seems to be in the same spirit, and certainly not within either the spirit or the letter of the NRC regulations.

In short, I guess I would have to say that I find your position both unfounded and hard to understand. I believe you should produce the documents we've requested in the interest of avoiding delay later on.

Sincerely,

A handwritten signature in cursive script that reads "Jim".

James N. Christman

126/740

KIRKPATRICK, LOCKHART, HILL, CHRISTOPHER & PHILLIPS

A PARTNERSHIP INCLUDING A PROFESSIONAL CORPORATION

1900 M STREET, N. W.

WASHINGTON, D. C. 20036

June 22, 1982

IN PITTSBURGH

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1600 OLIVER BUILDING

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 CABLE: KIPPH
 TELEX 460800 KIPPH UT
 WRITER'S DIRECT DIAL NUMBER

James N. Christman
 Hunton & Williams
 717 East Main Street
 P.O. Box 1535
 Richmond, VA 23212

Dear Jim:

I am in receipt of your letter of June 17, 1982. It appears that we have a fundamental difference of opinion concerning the permissible scope of discovery on the emergency planning issues in this proceeding.

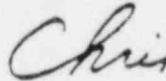
As I stated in my letter, and in subsequent telephone conversations with you and Kathy McClesky, it is Suffolk County's position that the only emergency planning issues that have been defined by the Board for litigation, and therefore the only issues on which there may be discovery, are those pertaining to LILCO's actions, both onsite and offsite. It seems to be your position that discovery may be had on issues related to the County's emergency planning efforts, which issues are as yet undefined and for which the relevant scope of discovery cannot yet be determined. We do not agree, particularly in light of the Board's explicit statements in the record and the fact that there will be no County plan in existence until later this year.

Despite your suggestion to the contrary, our client has no motive for refusing to produce documents pertaining to the County's emergency planning efforts other than to adhere to litigation of the issues that the Board has indicated are presently open to consideration. Furthermore, while we of course are cognizant of your efforts in complying with Suffolk County's first document discovery request, you will note that that request fell well within the permissible scope of discovery. Therefore, your compliance with that request was mandatory, not magnanimous.

James N. Christma..
June 22, 1982
Page Two

Despite our continuing belief that your request exceeds the permissible scope of discovery, we are open to further discussion of this matter with you, particularly in light of the statement in your June 17 letter that our position is "unfounded." I would appreciate learning the basis for your conclusion and encourage you to contact me on this point. We are prepared to reconsider your request if there is something new brought to our attention.

Yours truly,



Christopher M. McMurray

CMM:rs

Attachment I

Jones Ex No. 5



COUNTY OF SUFFOLK



4050050

PETER F. COHILAN
SUFFOLK COUNTY EXECUTIVE

OFFICE OF THE COUNTY EXECUTIVE

FRANK R. JONES
DEPUTY COUNTY EXECUTIVE

TO: ALL DEPARTMENT HEADS

FROM: ~~FRANK R. JONES~~
Deputy County Executive

DATE: July 23, 1982

RE: Documents Regarding Emergency Planning

As you are aware, the County is a party in proceedings before the NRC Atomic Safety and Licensing Board concerning whether the Long Island Lighting Company should be granted an operating license for the Shoreham Nuclear Power Station.

On July 20, 1982, the Board ruled that the County is obligated to produce for LILCO's inspection a wide range of documents regarding the County's plans for dealing with emergencies, both nuclear and non-nuclear. The documents which the County must produce are as specified in two separate requests for documents (attached) which LILCO had previously submitted to the County. In light of the Board's ruling, I request that your department immediately commence a search of its files in order to determine whether it is in possession of any of the items listed in the attached document requests. To the extent that your department does possess such emergency planning documents, they must be copied and submitted to my office promptly. As I understand the request, any emergency procedure you may possess of any nature, should be provided to LILCO.

The Board has ordered that all documents in the County's possession pertinent to LILCO's document requests be provided by Monday, July 26, 1982. Prompt attention on the part of your department is necessary in order to meet that order. Therefore I require that within 24 hours of receipt of this memorandum, you inform me

Page 2

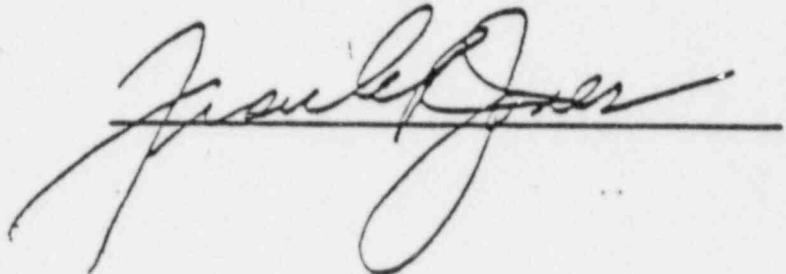
July 22, 1982

4050050

Documents Regarding Emergency Planning

of the volume of pertinent materials in your department's possession and an estimate of when those materials can be copied and submitted to me. In addition, please describe briefly how your emergency planning documents are filed (e.g. are they in one file or distributed among many files.) Please note that it is not necessary to wait until all documents meeting these requests are copied before forwarding them to this office. If certain categories of documents are more readily accessible or non-voluminous, then those materials should be submitted as soon as possible.

Your prompt attention to this matter is appreciated.

A handwritten signature in cursive script, appearing to read "Joseph P. Jones", is written over a horizontal line.

FRJ/tr

Attachment J

HUNTON & WILLIAMS

707 EAST MAIN STREET P. O. Box 1535

RICHMOND, VIRGINIA 23212

TELEPHONE 804 - 788 - 8200

1919 PENNSYLVANIA AVENUE, N. W.
P. O. BOX 19230
WASHINGTON, D. C. 20036
202-223-8660

July 21, 1983

FILE NO. 24566.00000

DIRECT DIAL NO. 804 788- 855

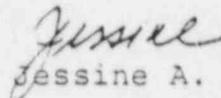
Mr. E. Birkenheier, Esq.
Patrick, Lockhart, Hill,
Christopher & Phillips
100 M Street, N.W.
Washington, D.C. 20036

Informal Discovery Requests
of July 21, 1983

Dear John:

Enclosed are some informal discovery requests. We would appreciate receiving your responses at your earliest convenience. I invite you to telephone me right away if there are any problems with this request.

Sincerely,


Jessine A. Monaghan

668
Enclosure

Stephen B. Latham, Esq.
James B. Dougherty, Esq.
David A. Repka, Esq.
Ralph Shapiro, Esq.

Edward M. Barrett, Esq.
Ira L. Freilicher, Esq.
Mr. John A. Weismantle
Mr. Brian R. McCaffrey
Mr. J. P. Carney
Mr. Charles A. Daverio
Mr. Anthony M. Callendrello
W. Taylor Reveley, III, Esq.
James N. Christman, Esq.
Kathy E. B. McCleskey, Esq.
Ms. Sharon Separ
Ms. Wendy Haynes

Informal Discovery Requests
of July 21, 1983

For the purposes of set of requests, "document" shall mean and include reports, summaries, notes, surveys, analyses, studies, tests, memoranda, correspondence, letters, telegrams, telexes, cables and writings of every description including but not limited to, drawings, graphs, charts, photographs, films, videotapes, magnetic tapes, computer tapes and printouts, and other data from which information can be obtained and translated, including tab runs and survey questionnaires.

As used herein, the singular of any word or phrase includes the plural and the plural includes the singular.

Documents produced in response to this request shall be organized and labeled to correspond with this set of requests.

If any documents covered by this request are withheld under a claim of privilege, furnish a list specifying each document for which privilege is claimed, together with the following information as to each such document: the author(s); the name and job title of each recipient and person to whom the document or a copy thereof was furnished; the date; the subject matter of the document; the basis on which the privilege is claimed; and the paragraph of this request to which each such document is responsive.

1. Any correspondence from (or to) Andrew Kanen to (or from) members of the Suffolk County Emergency Plan Steering Committee or other County officials, employees, or counsel that relate to emergency planning including, but not limited to, any

documents that discuss the relative strengths or weakness of the roads of Long Island (or Suffolk County or any part of Suffolk County) as compared to roadways in other parts of the country or the world.

2. Any documents regarding the size of the plume pathway emergency planning zone, including, but not limited to, documents addressing or discussing how large the EPZ should be and how the decision to make it a certain size was made.

3. Any documents addressing the question of whether County personnel or other people who might be needed to perform emergency functions will perform their duties in an emergency, or whether for some reason (for example, role conflict or fear for their own safety), they will fail to perform their duties or delay in performing them.

4. Any documents addressing the likely reactions of the public to information about a nuclear accident at the Shoreham plant or addressing the reactions of people in general to nuclear accidents including, but not limited to, documents discussing whether members of the public will or will not follow instructions from governments or utilities.

5. All testimony on emergency planning given by any Suffolk County's consultants, officials, employees or representatives in any proceeding, be it administrative, legislative or jurisdictional. The term proceeding in this request shall include all proceedings before Governor Cuomo's Shoreham Commission.

6. All documents, articles, papers or other publications pertaining to emergency planning, authored or co-authored by any of Suffolk County's consultants, officials, employees, or representatives.

7. All documents analyzing, studying or otherwise pertaining to procedures that might be used to notify those within the EPZ who are deaf or hard of hearing.

8. All documents analyzing, studying or otherwise pertaining to the traffic or radiological conditions that might exist during a radiological emergency.

9. All documents analyzing, studying or otherwise pertaining to the various protective actions available for the plume exposure pathway EPZ during emergency conditions, and the bases for choosing one of those actions.

10. All documents analyzing, studying or otherwise pertaining to evacuation time estimate studies for Long Island.

11. All documents analyzing, studying or otherwise pertaining to analyses, studies or surveys regarding the voluntary evacuation, shadow effect or other actions by people outside the EPZ.

12. All documents identifying, analyzing, studying or otherwise pertaining to the possibility that LILCO and non-LILCO personnel expected to report to the site for emergency duty would fail to report (or to report in a timely manner) because of conflicting family or other duties that would arise in the event of a radiological emergency.

13. All documents analyzing, studying or otherwise pertaining to public education programs to inform the population potentially effected by a radiological emergency of the initial and subsequent actions to be taken in the event of a radiological emergency.

14. All documents regarding the particular social and psychological profile of Suffolk County's residents and the probable response of particular groups, such as the economically disadvantaged to various educational programs.

15. All documents analyzing, studying or otherwise pertaining to a PRA consequence analysis applicable to Shoreham.

16. All documents detailing, analyzing, studying or otherwise pertaining to the best methods for prompt notification of any boats within the EPZ.

17. All documents pertaining to or analyzing the relative merits of various means of providing public information to ensure preparedness to respond to a radiological emergency.

18. All documents analyzing, studying or otherwise pertaining to the most effective method to inform the transient or permanent population or both within Suffolk County of the protective actions needed to be taken in the event of a radiological emergency at Shoreham.

19. All documents studying, analyzing, or otherwise pertaining to possible obstacles, such as impassible roadways due to evacuation or adverse environmental conditions, that

might prevent field monitoring teams from reaching the offsite monitors.

20. All documents pertaining to consequence analysis studies that reflect the potential consequences of a serious radiological emergency at Shoreham.

21. All documents pertaining to the County's organization for coping with emergencies that do not involve nuclear power.

22. All documents pertaining to the County's procedures for coping with emergencies that do not involve nuclear power.

23. All documents analyzing, studying, critiquing, or pertaining to the County's plan or plans for dealing with emergencies that do not involve nuclear power.

24. All documents relied upon in preparing the County's plan or plans for dealing with emergencies that do not involve nuclear power.

25. All documents indicating the division of responsibility for preparing the County's plan or plans for dealing with emergencies that do not involve nuclear power, the schedule by which the plan or plans were to be completed, and the persons, if any, who received the plan or plans.

26. All documents pertaining to the County's organization and procedures for coping with emergencies involving the Brookhaven National Laboratory.

27. All documents analyzing, studying, critiquing, or pertaining to the County's plan for dealing with emergencies that involve the Brookhaven National Laboratory.

28. All documents indicating the division of responsibility for preparing the County's plan for dealing with emergencies that involve the Brookhaven National Laboratory, the schedule by which the plan was to be completed, and the persons, if any, who reviewed the plan.

29. All other documents pertaining to emergency planning for emergencies involving the Brookhaven National Laboratory.

30. All documents pertaining to the County's organization and procedures for coping with emergencies involving the Millstone Point Nuclear Power Station.

31. All documents analyzing, studying, critiquing, or pertaining to the County's plan for dealing with emergencies involving the Millstone Point Nuclear Power Plant.

32. All documents indicating the division of responsibility for preparing the County's plan for dealing with emergencies involving the Millstone Point Nuclear Power Station, the schedule by which the plan was to be completed, and the persons, if any, who reviewed the plan.

33. All documents reflecting any meetings or contacts involving Suffolk County's officers, personnel, contractors, subcontractors, consultants or other representatives and pertaining to emergency planning.

Attachment K

JAM

KIRKPATRICK, LOCKHART, HILL, CHRISTOPHER & PHILLIPS

A FLEXIBLE INVESTMENT & PROFESSIONAL CORPORATION

1900 M STREET, N. W.
WASHINGTON, D. C. 20036

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CABLE NEWS
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FAX (202) 452-7097

August 22, 1983

OF MEMBERS
KIRKPATRICK, LOCKHART, HILL, CHRISTOPHER & PHILLIPS
200 OLIVER BUILDING
PHILADELPHIA, PENNSYLVANIA 19103
(215) 562-4500

(202) 452-7097

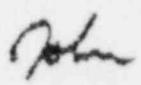
Jessine A. Monaghan, Esq.
Bunton & Williams
707 East Main Street
Richmond, Virginia 23212

Dear Jessine:

On Friday we sent you copies of documents responsive to LILCO's informal discovery requests of July 21, 1983, by Federal Express, for Saturday delivery. The documents were readied before the accompanying written responses were finalized. The written responses are being sent by computer today, and a hard copy will be sent by mail.

If you have any questions, please contact me.

Sincerely,



John E. Birkenheier

cc w/o encis.:

- James B. Dougherty, Esq.
- Stewart M. Glass, Esq.
- Stephen B. Latham, Esq.
- David A. Repka, Esq.
- Ralph Shapiro, Esq.

SUFFOLK COUNTY'S RESPONSE
TO LILCO'S INFORMAL
REQUESTS OF JULY

The following responses and the attachments provided
to LILCO's Requests 1-33 pursuant to 10 CFR
Section 2.740.

LILCO Request 1:

Any correspondence from (or to) any (a) mem-
bers of the Suffolk County Emergency Committee or
other County officials, employees, or agents to
emergency planning including, but not limited to, documents
that discuss the relative strengths (or weaknesses) of
Long Island (or Suffolk County or Nassau County)
as compared to roadways in other parts of the
world.

Response:

There are no such documents other than those provided by LILCO
during Phase 1 discovery in response to LILCO's
LILCO's First Request To Suffolk County of Emer-
gency Planning Documents.

LILCO Request 2:

Any documents regarding the size of an emergency
planning zone, including, but not limited to, ad-
dressing or discussing how large the zone should be
decision to make it a certain size.

LILCO Requests 21-32:

Objection. In Requests 21-32, LILCO seeks all documents pertaining to the County's organization, procedures, plans and supporting documents for emergencies that do not involve nuclear power, for emergencies involving the Brookhaven National Laboratory, and for emergencies involving the Millstone Point Nuclear Power Station. Such matters are not relevant to this proceeding, and the information sought is not reasonably calculated to lead to the discovery of admissible evidence. See also, County's Response to Request 102 of LILCO's June 29, 1983 informal discovery requests. In addition, however, and without waiving its objection, the County notes that information responsive to these requests was provided to LILCO during Phase I discovery, and one additional document, which may be responsive to these requests, is provided.

LILCO Request 33:

All documents reflecting any meetings or contacts involving Suffolk County's officers, personnel, contractors, subcontractors, consultants or other representatives and pertaining to emergency planning.

Response:

This request is objectionable on a number of bases. First, it is grossly overbroad. It would be similar to a request by the County to LILCO for all documents pertaining to emergency planning. Such unfocused discovery requests are not proper.

Attachment L

HUNTON & WILLIAMS

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TELEPHONE 804-788-8200

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WASHINGTON, D. C. 20038
202-223-8650

FILE NO. 24566.3

DIRECT DIAL NO. 804-788-8552

August 8, 1983

BY FEDERAL EXPRESS

John E. Birkenheier, Esq.
Kirkpatrick, Lockhart, Hill,
Christopher & Phillips
1900 M Street, N.W.
Washington, D. C. 20036

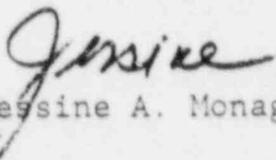
Informal Discovery Request of August 8, 1983

Dear John:

Enclosed are LILCO's Informal Discovery Request of August 8, 1983. We would appreciate receiving responses to these at your earliest convenience.

Please do not hesitate to call if you have questions about these or any other discovery-related matters.

Sincerely,


Jessine A. Monaghan

283/735

Enclosures

cc: Stephen B. Latham, Esq.
James A. Dougherty, Esq.
David A. Repka, Esq.
Ralph Shapiro, Esq.

cc: Edward M. Barrett, Esq.
Ira L. Freilicher, Esq.
Mr. John A. Weismantle
Mr. Brian R. McCaffrey/NOSD
Mr. Charles A. Daverio
Mr. J. P. Carney
Mr. Anthony M. Callendrello
W. Taylor Reveley, III, Esq.
Donald P. Irwin, Esq.
James N. Christman, Esq.
Kathy E. B. McCleskey, Esq.
Ms. Sharon Separ
Ms. Wendy Haynes

INFORMAL DISCOVERY REQUESTS OF
AUGUST 8, 1983

For the purpose of this set of requests, "document" shall mean and include reports, summaries, notes, surveys, analyses, reports, books, articles, statements, studies, tests, memoranda, minutes, notes, correspondence, letters, telegrams, telexes, cables and writings of every description including but not limited to, drawings, graphs, charts, photographs, films, videotapes, magnetic tapes, computer tapes and printouts, and other data from which information can be obtained and translated, including tab runs and survey questionnaires.

As used herein, the singular of any word or phrase includes the plural and the plural includes the singular.

Documents produced in response to this request shall be organized and labelled to correspond with this set of requests.

If any documents covered by this request are withheld under a claim of privilege, furnish a list specifying each document for which privilege is claimed, together with the following information as to each such document: the author(s); the name and job title of each recipient and person to whom the document or a copy thereof was furnished; the date; the subject matter of the document; the basis on which the privilege is claimed; and the paragraph of this request to which each such document is responsive.

1. State the basis and list all documents on which you rely to support the proposition that the public perceives

7. Do you contend in Contention 78 that the LILCO plan fails to comply with regulations because it does not provide for a single, separate department or section within the LERO organization which will be responsible for making or implementing protective action recommendations or decisions with respect to the ingestion exposure pathway EPZ?

8. Do you contend in Contention 78 that the LILCO plan fails to comply with regulations because there is overlap of responsibilities among the persons identified as responsible for making or implementing protective action recommendations or decisions with respect to the ingestion exposure pathway of the EPZ?

9. Does Suffolk County, alone or in conjunction with New York State, have any plans or procedures in place, or under development, to provide protective actions in the event of a radiological emergency for those portions of the County falling within the 50-mile ingestion exposure pathway of any nuclear facility, for example, Brookhaven National Laboratory, Millstone or Indian Point. If such plans or procedures do exist, please provide copies of such documents and all related materials. If no such plans exist, please explain why Suffolk County does not consider such plans to be necessary.

10. Does the County maintain maps or other documents showing key land use data, watersheds, water supply intakes and treatment plans and reservoirs? If such maps or documents are available, please provide copies.

11. Does Suffolk County, alone or in conjunction with Nassau County or New York State, have plans, procedures or other documents, in place or under development, to be used in restricting the transportation of agricultural products in or out of Suffolk County? If such plans, procedures or other documents exist, please provide copies of the documents and other supporting documents and materials.

12. Does Suffolk County, alone or in conjunction with New York State, have plans, procedures or other documents, in place or under development, to protect the public health and safety from contaminated seafood? If such plans, procedures, or other documents exist, please produce copies of such documents and supporting documents and materials.

13. Does Suffolk County, alone or in conjunction with New York State, have plans, procedures or other documents, in place or under development, to protect the public health and safety from contaminated ducks? If such plans, procedures or documents exist, please provide copies of such documents and supporting documents or materials.

14. Is it your position that human behavior in Suffolk County is likely to differ markedly from human behavior elsewhere if a radiological emergency occurs? If so, state each basis for your position and list all documents on which you rely in support of that position. If you rely on documents, please provide copies. If you propose to present evidence other than documents in support of the above stated

tidewaters, chemical spill, and other nature or manmade disasters.

45. Describe the training given to members of the Suffolk County Police Department in connection with their responsibilities generally and their responsibilities in an emergency. Provide copies of any training materials, tests or other pertinent documents relating to the training to the Suffolk County Police Department. Provide a list of the training and experience of the average Suffolk County policeman.

46. Describe the indemnification provided to Suffolk County policemen.

47. Describe the ability of the Suffolk County Police Department to respond in an emergency. Please provide copies of all documents which pertain to the ability of the Suffolk County Police Department to respond to an emergency.

48. Provide copies of all correspondence, information or documents given to local response organizations including but not limited to, fire departments, ambulance services, bus drivers, schools, rest homes, nursery schools, the American Red Cross, and hospitals referring to or discussing the LILCO transition plan or emergency planning for Shoreham.

49. List any meetings that have taken place since February 1, 1982, between Suffolk County, its officers, its employees, or its agents or its representatives, and officers, employees, agents, or representatives of these organizations for the purpose of discussing the LILCO transition plan,

Attachment M

KIRKPATRICK, LOCKHART, HILL, CHRISTOPHER & PHILLIPS

A PARTNERSHIP INCLUDING A PROFESSIONAL CORPORATION

1900 M STREET, N. W.

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TELEX 440909 KIPPHI UI
WRITER'S DIRECT DIAL NUMBER
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(412) 355-6600

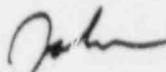
August 31, 1983

Jessine A. Monaghan, Esq.
Hunton & Williams
707 East Main Street
Richmond, Virginia 23212

Dear Jessine:

Please find enclosed the County's responses to certain of LILCO's informal discovery requests of August 8, 1983, documents responsive to certain of those requests, and additional documents responsive to LILCO Requests 105 and 106 of June 29, 1983. Please let me know if you have any questions.

Sincerely,



John E. Birkenheier

JEB/bg
Encl.

cc w/o enc.: James B. Dougherty, Esq.
Stewart M. Glass, Esq.
Stephen B. Latham, Esq.
David A. Repka, Esq.
Ralph Shapiro, Esq.

Responses to LILCO Requests of August 8, 1983

LILCO Request 4:

List and provide copies of all documents, statutes, ordinances, rules, or regulations pertaining to Suffolk County's provisions for emergency snow removal.

Response:

The County objects to this request on the basis that it is overbroad and seeks information that is not relevant or designed to lead to the discovery of admissible evidence in this proceeding. Without waiving its objection, the County states that with respect to snow removal during a radiological emergency, the County has no such documents.

LILCO Request 5:

List and provide copies of all documents analyzing, studying or otherwise pertaining to the impassability of roads and/or highways on Long Island or Suffolk County due to heavy snowfall, hurricanes or other meteorological occurrences.

Response:

The County objects to this request, because it is overbroad and seeks information which is not relevant and which is not reasonably calculated to lead to the discovery of admissible

as the Request seeks information concerning protective actions for the Shoreham ingestion pathway EPZ, no such documents exist.

LILCO Request 11:

Does Suffolk County, alone or in conjunction with Nassau County or New York State, have plans, procedures or other documents, in place or under development, to be used in restricting the transportation of agricultural products in or out of Suffolk County? If such plans, procedures or other documents exist, please provide copies of the documents and other supporting documents and materials.

Response:

The County objects to this request on the basis that it is overbroad, and seeks information that is not relevant and is not calculated to lead to the discovery of admissible evidence.

LILCO Request 12:

Does Suffolk County, alone or in conjunction with New York State, have plans, procedures or other documents, in place or under development, to protect the public health and safety from contaminated seafood? If such plans, procedures, or other

documents exist, please produce copies of such documents and supporting documents and materials.

Response:

See response to Request 11.

LILCO Request 13:

Does Suffolk County, alone or in conjunction with New York State, have plans, procedures or other documents, in place or under development, to protect the public health and safety from contaminated ducks? If such plans, procedures or documents exist, please provide copies of such documents and supporting documents or materials.

Response:

See response to Request 11.

LILCO Request 14:

Is it your position that human behavior in Suffolk County is likely to differ markedly from human behavior elsewhere if a radiological emergency occurs? If so, state each basis for your position and list all documents on which you rely in support of that position. If you rely on documents, please

Response:

The County objects to this request on the grounds that it seeks information that is not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving its objection the County refers LILCO to N.Y. Gen. Mun. Law §50-j (McKinney).

LILCO Request 47:

Describe the ability of the Suffolk County Police Department to respond in an emergency. Please provide copies of all documents which pertain to the ability of the Suffolk County Police Department to respond to an emergency.

Response:

The County objects to this request, because it is overbroad, vague and seeks information that is not relevant and is not designed to lead to the discovery of admissible evidence.

LILCO Request 48:

Provide copies of all correspondence, information, or documents given to local response organizations including but not limited to, fire departments, ambulance services, bus drivers, schools,

Attachment N

HUNTON & WILLIAMS

707 EAST MAIN STREET P. O. Box 1535

RICHMOND, VIRGINIA 23212

TELEPHONE 804 - 788 - 8200

September 23, 1983

1919 PENNSYLVANIA AVENUE, N. W.
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202-223-6650

FILE NO. 24566.000003

DIRECT DIAL NO. 804 788-8701

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NORFOLK, VIRGINIA 23514
804-625-5501

James A. Laurenson,
Chairman
Atomic Safety and Licensing
Board
U.S. Nuclear Regulatory
Commission
East-West Tower, Room 402A
East-West Hwy.
Bethesda, MD 20814

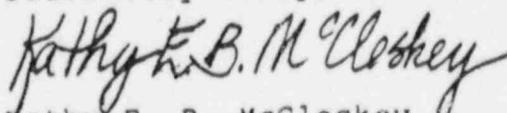
Mr. Frederick J. Shon
Atomic Safety and Licensing
Board
U.S. Nuclear Regulatory
Commission
East-West Tower, Rm. 430
4350 East-West Hwy.
Bethesda, MD 20814

Dr. Jerry R. Kline
Atomic Safety and Licensing
Board
U.S. Nuclear Regulatory
Commission
East-West Tower, Room 427
East-West Hwy.
Bethesda, MD 20814

Dear Administrative Judges:

So that no one will be taken by surprise, I am writing to inform you that on Monday, September 26, LILCO will file a motion to compel Suffolk County to provide more complete responses to certain of LILCO's discovery requests. We had planned to file the motion this week so that it might be taken up along with other discovery matters at the conference on Monday, but were unable to do so. The motion will be hand-delivered to the Board and the parties on Monday morning prior to the conference. We recognize that the Board may not want to take it up at the conference due to the timing of the filing, but we will be prepared to discuss the motion at the conference if the Board wishes.

Yours very truly,


Kathy E. B. McCleskey

301/869

cc: All Parties

Attachment O

KIRKPATRICK, LOCKHART, HILL, CHRISTOPHER & PHILLIPS

A PARTNERSHIP INCLUDING A PROFESSIONAL CORPORATION

1900 M STREET, N. W.

WASHINGTON, D. C. 20036

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CABLE: HIFPHI
TELEX 440909 HIFPH UI
WRITER'S DIRECT DIAL NUMBER

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1500 OLIVER BUILDING
PITTSBURGH, PENNSYLVANIA 15222
(412) 385-8800

(202) 452-7064

September 27, 1983

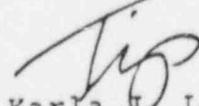
BY HAND DELIVERY

Donald P. Irwin, Esquire
Hunton & Williams
P.O. Box 1535
707 East Main Street
Richmond, Virginia 23212

Dear Don:

Enclosed are some documents which are responsive to some of LILCO's Phase I discovery requests, and possibly to some of your Phase II requests. We discovered these in our most recent re-search of the County's files and apologize for the lateness in getting them to you. As you know, it is our position that the decision-making process involved in the County's emergency planning activities and information concerning non-nuclear emergencies are irrelevant to the currently pending proceeding. Our providing these documents to you now is no indication of any change in that position, or any waiver of objections stated in our responses to discovery requests. Since they are responsive to specific requests from Phase I which were upheld by the Brenner Board, however, I felt obligated to produce them even though we just learned of their existence. For your information, we have withheld three pages of three documents which contain lists of equipment, by type and amounts, owned by the Suffolk County Police Department. We have also excised portions of one document that contains the home addresses and telephone numbers of certain Police Department officials. Finally, we did not produce a 181-page 1959 "Nassau Target" Civil Defense Survival Plan (for nuclear attack), a restricted copy of a 1974 Emergency Directory (containing residential addresses and phone numbers of Suffolk County officials) or the enclosures to three letters which contain addresses and phone numbers of bus drivers and firemen.

Sincerely,


Karla V. Letsche

Enclosures

Attachment P

KIRKPATRICK, LOCKHART, HILL, CHRISTOPHER & PHILLIPS

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October 6, 1983

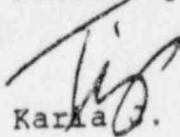
BY FEDERAL EXPRESS

Donald P. Irwin, Esquire
Hunton & Williams
P.O. Box 1535
707 East Main Street
Richmond, Virginia 23212

Dear Don:

Enclosed are a few more documents which are responsive to some of LILCO's Phase I discovery requests and possibly to some of your Phase II requests. These should have been included with the batch of documents I sent you on September 27, but they slipped through the cracks. They are subject to the caveats concerning the County's position on their relevance that are stated in my September 27 letter to you. Again, I apologize for the delay in getting these to you.

Sincerely,



Karla G. Letsche

KJL:so
Enclosures