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USNRC  
January 4, 1988

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

'88 JAN -5 P3:15

Before the Atomic Safety and Licensing Board

OFFICE OF SECRETARY  
DOCKETING & SERVICE  
BRANCH

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

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

SUFFOLK COUNTY'S FIRST SET OF INTERROGATORIES  
AND REQUEST FOR PRODUCTION OF DOCUMENTS  
TO LONG ISLAND LIGHTING COMPANY

The Board's December 30, 1987 Memorandum and Order announced the opening of a discovery period on LILCO's Contention 25.C schools evacuation proposal. Pursuant to 10 CFR §§ 2.740b and 2.741, and in accordance with the Definitions and Instructions attached hereto, LILCO is requested by Suffolk County to answer separately and fully, under oath, each of the interrogatories set forth below, and to produce for inspection and copying, at the offices of Kirkpatrick & Lockhart, the documents specified below that are within the possession, custody, or control of LILCO.

INTERROGATORIES AND DOCUMENT REQUESTS

1. Identify each person whom LILCO expects to call as an expert or non-expert witness during the remand proceeding on

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Contention 25.C and state the subject matter on which each is expected to testify.

2. Provide an up-to-date resume of, and all studies, papers, articles, reports, books and other such documents, published or unpublished, authored or prepared by each of the persons LILCO intends to call as a witness.

3. Identify by date, location and proceeding, all prior testimony before any judicial, administrative, or legislative body, including deposition testimony, concerning emergency preparedness, including the implementability of emergency preparedness plans and, in particular, protective actions for school children, given by each of the persons LILCO intends to call as a witness.

4. Provide the following information with respect to each LILCO-employed LERO worker who LILCO relies upon to implement its new schools evacuation proposal by serving as backup and primary school bus drivers:

- (a) Name;<sup>1/</sup>
- (b) Position with LILCO; and
- (c) Qualifications/experience to serve as a school bus driver.

5. Identify every company, organization, group, entity, institution, and individual, other than those identified in Interrogatory 4, who participated in any way in activities

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<sup>1/</sup> Should LILCO wish to protect the privacy of individual workers, the County has no objection to LILCO's designating, at this time, the LILCO-employed school bus drivers by number (or some other means) rather than by name.

concerning LILCO's new schools evacuation proposal. With respect to each organization identified, identify the person or persons affiliated with that organization who are knowledgeable concerning that organization's participation in LILCO's schools evacuation proposal. With respect to individuals identified, identify the organization or entity which they represent or of which they are members.

6. Provide copies of all correspondence, questionnaires, or documents:

- (a) sent by or on behalf of LILCO to the organizations or individuals identified in response to the previous interrogatory; and
- (b) received from such organizations or individuals, concerning LILCO's new schools evacuation proposal.

7. Have any LILCO personnel declined to participate in LILCO's new schools evacuation proposal? If so, please indicate the number who have declined to participate, and identify the reason(s) given for their declining to participate.

8. Have any non-LILCO organizations or personnel declined to participate in LILCO's new schools evacuation proposal? If so, please identify and, for individuals, specify the organizations which they represent or of which they are members, and identify the reason(s) given for their declining to participate.

9. Provide copies of all correspondence or documents:

- (a) sent by or on behalf of LILCO to the organizations or persons identified in the previous interrogatory; and,
- (b) received from these organizations or persons, concerning such non-participation.

10. Provide copies of all correspondence to or from, and any other documents or information sent by or on behalf of LILCO, to, or received from, FEMA and/or the NRC, or any other federal agency, federal personnel, or contractor thereof, concerning LILCO's new schools evacuation proposal.

11. Provide a copy of all documents relating to:

- (a) The recruitment of LILCO employees to serve as school bus drivers under LILCO's schools evacuation proposal;
- (b) The requirements and qualifications imposed by LILCO or any other entity on those LILCO employees who agree to become LERO school bus drivers, including by way of example only, the participation form required to be signed; and
- (c) The training of LILCO employees who agree to serve as LERO school bus drivers.

12. Identify by date and description all drills, exercises, tabletop exercises, classroom training sessions, and all other training activities relating to LILCO's new schools evacuation proposal that have been held and/or are scheduled to be held.

13. For each activity identified in response to the previous interrogatory, identify the persons who participated.

14. For each activity identified in response to Interrogatory 12, provide all documents concerning the activity.

15. Identify all persons responsible for training LILCO employees to serve as LERO school bus drivers. Describe the functions and responsibilities of these people.

16. Provide an up-to-date resume for each of the persons identified in response to the previous interrogatory, including information regarding each person's qualifications and experience.

17. Provide a copy of all documents, including correspondence and drafts, relating to the telephone survey of school districts purportedly conducted by or on behalf of LILCO in July 1987, and updated for the Mount Sinai School District in October 1987, and which resulted in LILCO's estimate that about 562 school bus drivers would be required to evacuate all public school children from the EPZ in a single wave. With respect to this interrogatory, it is requested that every company, organization, group, entity, institution and individual who participated in any way in the telephone survey be identified, and that the function and responsibilities of each be described. For any organization identified, identify the person or persons affiliated with that organization who are knowledgeable concerning that organization's participation in the survey. For individuals identified, identify the organization or entity which they represent or of which they are members. A copy of the survey instrument should be provided. In addition, information regarding, but not limited to, how the survey was conducted, the

survey's respondents, and whether and, if so, how the survey was verified should be provided.

18. Provide a copy of all documents, including correspondence and drafts, relating to LILCO's determination that the school districts within the 10-mile emergency planning zone have on payroll or under contract at least 340 school bus drivers. With respect to this interrogatory, it is requested that every company, organization, group, entity, institution and individual who participated in any way in this determination be identified, and that the functions and responsibilities of each be described. For any organization identified, identify the person or persons affiliated with that organization who are knowledgeable concerning that organization's participation in the aforesaid determination. For individuals identified, identify the organization or entity which they represent or of which they are members. Information regarding, but not limited to, how LILCO's determination was made, who was contacted, and whether and, if so, how information regarding the number of bus drivers each bus company has on contract to each school within the 10-mile planning zone was verified should be provided.

19. Provide a copy of all documents, including correspondence and drafts, relating to LILCO's purported offer to "work with" the school districts within the 10-mile Shoreham emergency planning zone by training, equipping and reimbursing the regular school bus drivers employed by or under contract to the school districts.

20. What contacts has LILCO had with any school or school district regarding LILCO's schools evacuation proposal? For each such contact, identify all district(s) and person(s) involved, the date(s) of each contact, the substance of any conversations, and produce copies of any documents which relate in any way to such contacts.

21. Identify:

- (a) All bus yards to which LILCO-employed school bus drivers would be ordered to report in the event of a Shoreham emergency; and
- (b) The number of LILCO-employed school bus drivers that could be ordered to report to each of the designated bus yards.

22. Provide a copy of all documents relating to:

- (a) The notification, mobilization, briefing, equipping, dispatching, coordination, control and/or management of LILCO-employed school bus drivers in the event of a Shoreham emergency;
- (b) The pre-assignment of LILCO-employed school bus drivers to bus yards in the event of a Shoreham emergency; and
- (c) The schools to which particular bus drivers would be assigned (if such assignments are not available, then, all documents relating to the allocation of LERO bus drivers to EPZ schools).

23. Identify all persons who would be relied upon by LILCO to notify, mobilize, brief, equip, dispatch, coordinate, control

and/or manage LILCO-employed school bus drivers during a Shoreham emergency.

24. Provide copies of all documents relating in any way to any time estimates for the evacuation of public school children from the 10-mile emergency planning zone in a single wave under LILCO's schools evacuation proposal.

25. Provide a copy of all documents, including correspondence and drafts, concerning the adequacy, implementability, legality and/or efficacy of LILCO's schools evacuation proposal, including, but not limited to, the training, qualifications, licensing and/or certification of LILCO-employed school bus drivers and whether the school districts could or would permit LILCO's proposal to be implemented.

26. Provide a copy of all documents, including correspondence and drafts, concerning the impact on the implementability of LILCO's offsite emergency plan of LILCO's new schools evacuation proposal, including, but not limited to, the impact of having to notify, mobilize, brief, equip, dispatch, communicate with, coordinate, command and control, and/or manage as many as 562 additional LERO personnel.

27. Identify all persons who participated in the drafting, designing, preparing, reviewing, revising, negotiating, or finalizing of LILCO's new schools evacuation proposal.

28. Provide a copy of all documents, including correspondence and drafts, concerning the drafting, designing, preparing, reviewing, revising, negotiating or finalizing of LILCO's new school evacuation proposal.

29. Identify any and all locations to which school children would purportedly be transported by LILCO-employed school bus drivers in the event of a Shoreham emergency.

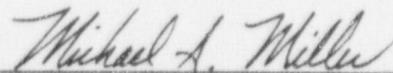
30. Identify all routes which might have to be driven by LILCO-employed school bus drivers in transporting school children during a Shoreham emergency.

31. Provide a copy of all maps which LILCO-employed school bus drivers are purportedly to be given as part of their training.

32. Provide copies of any documents relating to LILCO's new schools evacuation proposal and not previously produced, including, by way of example only, drafts, notes, and correspondence, whether produced or generated by LILCO, LERO, or non-LILCO organizations or individuals.

Respectfully submitted,

E. Thomas Boyle  
Suffolk County Attorney  
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Veterans Memorial Highway  
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Washington, D.C. 20036-5891

Attorneys for Suffolk County

DEFINITIONS AND INSTRUCTIONS FOR ANSWERING  
INTERROGATORIES AND DOCUMENT PRODUCTION

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

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

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

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

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

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

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

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

H. The term "LILCO" or "LILCO personnel" means Long Island Lighting Company, and any affiliate, agent, employee, consultant, contractor, technical advisor, representative (including, without limitation, attorneys and accountants and their respective agents and employees), or other person acting for or on behalf of LILCO,

or at LILCO's direction or control, or in concert with LILCO or assisting LILCO.

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

J. The term "contractor" means any person, not affiliated with LILCO, who performed work concerning Shoreham, on behalf of LILCO and/or pursuant to a contract with LILCO. The term "subcontractor" means any person, not affiliated with LILCO, who performed work of any kind concerning Shoreham, on behalf of a contractor with whom the person was not affiliated, and pursuant to a contract with such contractor. A person, other than a contractor, who contracts with a subcontractor shall be deemed a subcontractor.

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

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

- (1) his name;
- (2) his last known residence address;
- (3) his last known business address;
- (4) his last known employer;

- (5) his title or position;
- (6) his areas of responsibility;
- (7) his business, professional, or other relationship with LILCO; and
- (8) if any of the above information has changed subsequent to the time period referenced in a particular interrogatory, set forth in the answer, and label appropriately, current information as well as the information applicable to the time referenced in the interrogatory.

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

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

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

- (1) set forth:
  - (a) the date of the document;
  - (b) the type or nature of the document;
  - (c) the length of the document;
  - (d) the location of the document;
  - (e) a brief description of the contents of the document; and
- (2) identify:
  - (a) the author, signatories and any other person who originated, prepared or participated in the preparation of the document;
  - (b) all persons to whom the document was addressed and all persons to whom copies of the document were to be or have been sent; and
  - (c) all persons whom LILCO knows or believes to have possession, custody or control of the document and of any copies thereof.

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

- (1) state:
  - (a) the date of the communication;
  - (b) the place of the making and place of receipt of the communication;
  - (c) the type and means of communication;

- (d) the substance of the communication; and
- (2) identify:
  - (a) each person making the communication, and his location at the time the communication was made;
  - (b) each person to whom the communication was made, and his location at the time the communication was made;
  - (c) all other persons present during, participating in, or receiving the communication and the location of each such person at the time;
  - (d) each document concerning such communication; and
  - (e) each document upon which the communication is based or which is referred to in the communication.

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

Q. Where exact information cannot be furnished, estimated information should be supplied to the extent possible. Where

estimated information is used, the answer should so state and should indicate the basis upon which the estimate was made. If possible, the upper and lower boundaries of the estimate should be given.

R. If LILCO objects to or claims a privilege (attorney-client, work product, or otherwise) with respect to any interrogatory or document request, in whole or in part, or seeks to withhold documents or information because of the alleged proprietary nature of the data, set forth all reasons and the underlying factual basis for the objection or claim of privilege in sufficient detail to permit the Licensing Board to determine the validity of the objection or claim of privilege. This description by LILCO should include with respect to any document: the author, addressor, addressee, recipients of indicated and "blind" copies, date of preparation, subject matter, purpose for which it was prepared, number of pages, attachments or appendices, all persons to whom distributed, shown or explained, present custodian, all persons believed to have a copy of the document, and the nature of the privilege or objection asserted.

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

T. Information furnished in answer to an interrogatory may be furnished by reference to the answer provided for another interrogatory, provided the other referenced answer fully

responds to each request for information contained in the interrogatory. Separate answers should be provided for each interrogatory and each subpart thereof, unless a complete answer to each interrogatory may best be presented through combining answers. The County is interested in this regard in receiving the relevant data asked for and any means of providing such data which is less time-consuming for the responder but which is nevertheless complete will satisfy the intent of this discovery request.

U. Each interrogatory and document request shall be construed to impose upon LILCO the continuing obligation to supplement answers and document production whenever required by the NRC's Rules of Practice.

V. As used herein:

- (1) "Analysis" means research, investigation, audit, inspection, review, evaluation, testing, monitoring, or any other method or form of examining data and/or forming conclusions or recommendations.
- (2) "NRC" or "NRC Staff" means the Nuclear Regulatory Commission and its staff, any division or section or region thereof, any staff member thereof, or any agent, consultant, contractor, technical advisor, employee, or representative (including but not limited to attorneys and accountants and their employees and agents) of the NRC.

- (3) "FEMA" means the Federal Emergency Management Agency and its staff, any division or section or region thereof, any staff member thereof, or any agent, consultant, contractor, technical advisor, employee, or representative (including but not limited to attorneys and accountants and their employees and agents) of FEMA.
- (4) References to LILCO's "schools evacuation proposal" are to the proposal first put forth by LILCO on October 22, 1987<sup>1/</sup> for evacuating school children from the Shoreham 10-mile emergency planning zone during a radiological emergency, by using LILCO employees to serve as backup and primary school bus drivers.

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

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<sup>1/</sup> See LILCO's Motion for Summary Disposition of Contention 25.C ("Role Conflict" of School Bus Drivers), dated October 22, 1987.

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

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In the Matter of )

LONG ISLAND LIGHTING COMPANY )

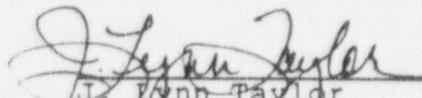
(Shoreham Nuclear Power Station, )  
Unit 1) )

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

NOTICE OF APPEARANCE

The undersigned attorney enters an appearance in this proceeding. In accordance with 10 C.F.R. § 2.173, the following information is provided:

Name	J. Lynn Taylor
Address	Kirkpatrick & Lockhart 1800 M Street, N.W. South Lobby Washington, D.C. 20036
Telephone	(202) 778-9251
Admission	Tennessee
Name of Party	Suffolk County Address: Suffolk County Legislature Legislative Bldg. Veterans Memorial Hwy. Hauppauge, New York 11787

  
J. Lynn Taylor

DATED: January 4, 1988

DOCKETED  
USNRC

January 4, 1988

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

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)

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

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

CERTIFICATE OF SERVICE

I hereby certify that copies of SUFFOLK COUNTY'S FIRST SET OF INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS TO LONG ISLAND LIGHTING COMPANY and NOTICE OF APPEARANCE OF J. LYNN TAYLOR have been served on the following this 4th day of January, 1988 by U.S. mail, first class, except as otherwise noted.

James P. Gleason, Chairman  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

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Douglas J. Hynes, Councilman  
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