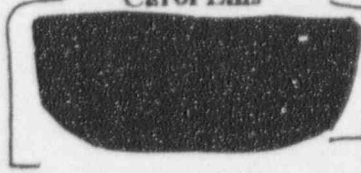


Carol Ellis



Ex. 6

September 4, 1995

By Fax to 301-415-5130 and Mail

FREEDOM OF INFORMATION  
ACT REQUEST

Nuclear Regulatory Commission

Mail Stop T6D8

Washington, D.C. 20555

FOIA-95-363  
Rec'd. 9-5-95

**FOIA REQUEST**

**Re: As license requirement, did NYPA waive their immunity as municipal corporation?**

Indian Point 3 is a federally licensed nuclear facility under Facility Operating License under DPR-64 originally issued on December 12, 1975 to Con Edison and later amended to reflect PASNY as owner and then owner and operator of the facility. PASNY is also a municipal corporation and a public benefits corporation. According to the Atomic Energy Act and Amendments, "The Commission may require, as a further condition of issuing a license, that an applicant waive any immunity from public liability conferred by Federal or State law." 42 USC section 2210 (a).

This Freedom of Information Request is made to determine whether or not PASNY was ever required to waive their immunity as a municipal (and public benefits) corporation. If PASNY was required to waive their immunity, please advise me as soon as possible. Also, please send me copies of any amendments to their license or the financial indemnity agreement pertaining to this issue.

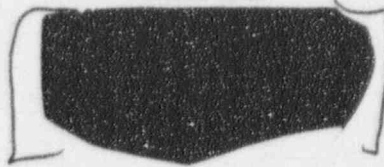
In the event PASNY was NOT required to waive their immunity, please provide the following information:

1. Advise me whether there was ever any discussions, correspondence or records relating to the issue of whether or not PASNY would be required to waive their immunity. Please provide any written documentation.
2. State the reason why PASNY was not required to waive their immunity.
3. Provide a list of owners and / or operators of other nuclear facilities in the United States who have or may have Federal, State or charitable immunity and indicate whether these licensees were required to waive their immunity as a licensee requirement.

I look forward to your response as soon as possible. Thank you. Carol Ellis

FREEDOM OF INFORMATION  
ACT REQUEST

Carrie Beth Corcoran  
Carol Ellis



FOIA-96-048  
Rec'd 2-5-96

Ex. 6

February 5, 1996

Sent by mail and fax to 301-415-5130

Mr. Russel Powell, Chief, FOIA - LPDR Branch  
Freedom of Information Administrative Office  
U.S. Nuclear Regulatory Commission  
Mail Stop T6D8  
Washington, D.C. 20555

Re: Indian Point 3

Dear Mr. Powell:

I am writing to you about my former husband, Eugene Thomas Corcoran, on behalf of myself, and our daughter, Carrie Beth Corcoran, who is the Executrix of his Estate. Mr. Corcoran's social security number is [REDACTED]

Ex. 6

Mr. Corcoran was employed as a millwright by Westinghouse Electric Corporation in the summer of 1985 at Indian Point 3. He subsequently developed leukemia and passed away at 50 years of age on September 25, 1993.

We have made several previous freedom of information requests from IP3's licensee, New York Power Authority, to obtain personnel reports on Mr. Corcoran. In spite of the fact that we have provided copies of Mr. Corcoran's pay stubs and W-2 form as evidence of his employment at IP3, NYPA has not been able to locate any personnel reports whatsoever for Mr. Corcoran.

I am writing to you because I would like to know if the millwrights who worked at IP3 from June through August 1985 received personnel monitoring for radiation exposure as required under 10 C.F.R. 20.202(a) or 34.33(a). According to 10 C.F.R. 20.407, the licensee must submit a report of either the total number of individuals for whom personnel monitoring was required or the total number for whom it was provided. In the event personnel monitoring was not required to be provided to any individual by the licensee, the licensee is required to submit a negative report indicating that such personnel monitoring was not required.

In sum, my first question is: Were the millwrights who worked in the turbine building (which was a restricted area) at IP3 during June - August 1985 monitored in any way for radiation exposure?

My second question is: If the millwrights, or other employees who were working in the turbine building at IP3 were not monitored, I would like to see a copy of the negative report which should hopefully indicate the reason personnel monitoring was not required.

Thank you for your anticipated cooperation.

Very truly yours,

Carol Ellis