

THE TIMES HERALD
RECORD

Newburgh Bureau 233 Broadway, Newburgh N.Y. 12550

Wayne Hall, Staff Writer

FOI/PA REQUEST

Case No: 2000-0069
Date Recd: 12-2-99
Action Of: Paul
Related Case:

Nuclear Regulatory Commission
FOIA Officer
King of Prussia, Pa.
Nov. 29, 1999

Dear Sir:

This is a request for records under the Freedom of Information Act.

We are seeking copies of detailed allegations received, allegations substantiated and allegation open from both the Indian Point 2 and Indian Point 3 nuclear power plants in Buchanan, N.Y. from 1993 to the most recent year available, which is believed to be 1998.

Upon information and belief, the NRC's reports list more than 1 allegation in each of the above categories sought for the years sought. We are looking for explanations of what these allegations are about. We understand that the names of the alleged may be withheld, although we ask that they be provided in substantiated cases.

If you refuse to provide complete records, we ask that you redact what you consider sensitive material and tell us generally what the redacted material concerned.

In particular, we want to know if an allegation is about harassment, etc., and what kind, promotional, etc. retribution is alleged, such as the employee being denied benefits, any compensation, retirement payments as a result of "whistleblowing." To the extent possible, we want to know what the whistleblowing was about - safety, etc.

We also want to find out what you did in the substantiated cases procedurally to followup the allegations and what you did to rectify whatever damage the employee alleged to his or her career, etc. Again, we realize the spirit of this program is to encourage employees to come forward and that identifying them when their anonymity might discourage them from doing so. But we also want to inform our readers about what might have gone wrong at one of these plants to bring the allegations brought by the employees - and to say what happened as a result of their whistleblowing, which presumably you encourage.

We feel redacting material would allow you to maintain anonymity as well as provide us with enough information to write our story.

When we say we want to know about details of an allegation, this might be handled by telling us that such and such a worker charged that safety procedures in his or her plant were not being followed as pertains to containment procedures. Surely, there are enough people involved at any plant to make that a broad statement that would not lead back to a particular employees.

Also, we assume that you have corresponded with plant management in these cases. Arguably, you have kept the employees identity safeguarded but have brought to the plant's attention the nature of the allegation. If so, we think that correspondence might be useful in our story because it would explain your concerns while keeping secret the whistleblower's identity.

Please remember that the FOIA provides a 5-day business day window for a response to this request.

If this request is denied in any part, please inform us of your appeals officer so we may appeal.

We also request these records at no cost or at minimum cost because the information is for the use of the public.

Very truly yours,

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