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June 12, 1981

FREEDOM OF INFORMATION ACT REQUEST

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FOIA-81-230  
Rec'd 6-16-81

Mr. J.M. Felton  
Director, Division of Rules and Records  
Office of Administration  
United States Nuclear Regulatory Commission  
Washington, D.C. 20555

Dear Mr. Felton:

New York Attorney General Robert Abrams has received information that the Nuclear Regulatory Commission ("NRC") has decided to request the Department of Justice and Attorney General William French Smith to enforce the \$210,000 civil penalty against Consolidated Edison Company, Inc. ("Con Edison") in the Matter of Consolidated Edison Company of New York, Inc. (Indian Point Nuclear Power Station, Unit 2) Docket No. 50-247 EA 81-11. This NRC request for enforcement is pursuant to 42 U.S.C.A. §2282(c). Further, it is our understanding that the NRC has transmitted this request for enforcement to the Department of Justice, which has received this request and has acknowledged receipt of this request.

On behalf of Attorney General Robert Abrams, I hereby request copies of the following documents pursuant to Section 552 of the Freedom of Information Act and of 10 CFR §9.8:

1. All documents setting forth and evidencing the NRC decision to request the United States Attorney General to enforce the civil penalty against Con Edison, pursuant to 42 U.S.C.A. §2282(c) in the Matter of Consolidated Edison Company of New York, Docket No. 50-247 EA 81-11.
2. The document constituting the request for enforcement of the civil penalty transmitted by NRC to the U.S. Attorney General's office, and any accompanying letters, attachments, enclosures, exhibits and materials referred to in the request for enforcement.

3. All interagency communications, concerning the NRC's decision to request enforcement and its referral including any correspondence, minutes of meetings, memoranda, and logs of telephone conversations between principals, agents, and employees of the NRC who are responsible for the decision to request enforcement and the corresponding individuals at the U.S. Attorney General's office who are responsible for receiving the request and taking action upon it.

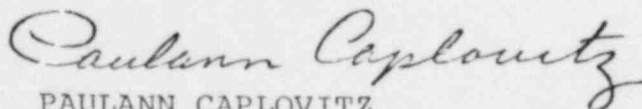
4. All documents from the U.S. Attorney General's office which acknowledge its receipt of the request by NRC for enforcement of the civil penalty, including any accompanying letters, attachments or enclosures.

5. All documents in the possession of the NRC recording the status of any investigation or action to enforce the civil penalty instituted by the U.S. Attorney General pursuant to the NRC's request for enforcement, as authorized by 42 U.S.C.A. §2282(c).

6. All communications concerning or addressing the NRC's decision to request enforcement and its referral to the Attorney General, including all correspondence, minutes of meetings, and logs of telephone conversations between principals, agents, and employees of the NRC responsible for the decision to request enforcement and its referral and the corresponding individuals at Consolidated Edison Company, Inc.

Thank you for your cooperation.

Respectfully yours,



PAULANN CAPLOVITZ  
Assistant Attorney General  
In Charge, Energy and Utilities

PC:CR