



HUDSON RIVER FISHERMEN'S ASSOCIATION

Box 725

Ossining, New York 10562

March 18, 1972

Dr. James R. Schlesinger  
Chairman,  
Atomic Energy Commission  
Washington, D. C. 20545

My dear Dr. Schlesinger:

Yesterday's New York Times reported your proposal that the Atomic Energy Commission be allowed to issue so-called "interim" operating licenses to nuclear power plants (completed but not licensed) through June, 1973, without having to submit the final environmental impact statements required by the National Environmental Policy Act.

The Atomic Energy Commission released their own study (Docket No. 50-247; December 30, 1971) dealing with Consolidated Edison Company's Indian Point Plants (1 and 2) at Buchanan, N. Y. Speaking on the subject of fish kills by Indian Point Plant No. 1, the study credits this plant with killing five million fish since going on the line in 1963. Indian Point Plant No. 1 has been out of service almost as much as it has been in service. One would have to double the fish-kill figures had this plant stayed on the line constantly.

On March 1, 1972, the New York State Department of Environmental Conservation ordered Indian Point Plant No. 2 to cease operating all circulators. This order came as a result of over 100,000 fish being killed over a brief four-day period (February 23rd - 26th).

Your recommendation that the requirements stipulated in the National Environmental Policy Act be set aside would allow Indian Point Plant No. 2 to go on the line free of the restrictive chains of environmental responsibility. The recent fish kills by this plant were not the first attributed to it. Indian Point Plant No. 2 has a record of fish kills that can only be called disastrous.

The Atomic Energy Commission study admits that the operation of Indian Point generating facilities poses a real threat to fishlife in that portion of the Hudson River (effected by water withdrawal and thermal discharge). An annual mortality of 25% of striped bass eggs and larvae is anticipated (AEC's figures).

8111030478 720318  
PDR ADOCK 05000247  
H PDR

Rec'd Off. Dir. of Env.  
Date 3/21/72

4224

In the name of "expected power emergencies" you are asking that a moratorium be declared on environmental concern. This moratorium would be in effect until June, 1973. And after June, 1973? You are aware, I'm sure, of the momentum theory: Once a thing has been put in motion, attempts to stop it are frequently futile. A massive force in motion (An unrestricted AEC) generates tremendous momentum. Once you have been allowed to circumvent existing policy, who will be able to stop you? Will you be able to brake your own momentum. Perhaps it is more to the point to ask if you will want to brake this momentum.

Freed of environmental restraints by a special act of Congress, allowed to operate for one year beyond the dictates of the National Environmental Policy Act, damage done to the environment by nuclear plants will be incalculable.

In the manufactured climate of "expected power emergencies" you are asking that gains made for environmental protection be relinquished.

Consolidated Edison Company's record on the Hudson River is well documented in Robert H. Boyle's book THE HUDSON RIVER (W. W. Norton & Company, Inc. 1969). Through the efforts of the Hudson River Fishermen's Association, Consolidated Edison has been forced to recognize their environmental responsibilities. Gradually, a certain detente has been established between both organizations. You now will make it possible for the utility to assume its earlier posture of environmental indifference.

Those utilities involved in your proposal will applaud your action. Environmental groups involved (directly) in your proposal will view it as a cynical act.

Your appointment as Chairman of the Atomic Energy Commission was seen by many as a turning point in the AEC's history. A new man; a different philosophy; an AEC with a conscience. You have the chance to vindicate this judgement. I hope you will take it.

Sincerely,



David M. Seymour  
Member, Board of Directors  
Hudson River Fishermen's Assoc.  
R. F. D. #1  
Garrison, N. Y. 10524

cc: The Honorable John D. Dingle  
U. S. House of Representatives  
Washington, D. C. 20515

FROM <b>Hudson River Fishermen's Association</b> <b>David M. Seymour</b> <b>Ossining, N. Y.</b>		CONTROL NUMBER <b>4331</b>	FILE LOCATION						
TO <b>Schlesinger</b>		DATE OF DOCUMENT <b>3/18/72</b>	ACTION COMPLETION DEADLINE <b>4/6/72</b>						
DESCRIPTION <b>Ltr</b> <input type="checkbox"/> Original <input checked="" type="checkbox"/> Copy <input type="checkbox"/> Other		ACTION PROCESSING DATES Acknowledged _____ Interim Report _____ Final _____							
<p><b>Comments on proposal to issue "interim" operating licenses to nuclear power plants without having to submit a final environmental impact statement which would allow Indian Point 2 to operate free of restrictive chains of environmental responsibility</b></p>		<p>PREPARE FOR SIGNATURE OF: _____ Chairman _____ Director of Regulation</p>							
<table border="1"> <tr> <td>REFERRED TO</td> <td>DATE</td> <td>IS NOTIFICATION TO THE JCAE RECOMMENDED?</td> </tr> <tr> <td><b>Rogers f/approp. handling</b></td> <td><b>3/23/72</b></td> <td></td> </tr> </table>		REFERRED TO	DATE	IS NOTIFICATION TO THE JCAE RECOMMENDED?	<b>Rogers f/approp. handling</b>	<b>3/23/72</b>		<p>REMARKS</p> <p><b>NOTE:</b> This has not been put in the Public Document Room. Per instructions from the Chairman's office, each ltr to the Chairman is to be checked with Hoffmann before filing in PDR. This check is in progress.</p> <p style="text-align: right;">jhc</p>	
REFERRED TO	DATE	IS NOTIFICATION TO THE JCAE RECOMMENDED?							
<b>Rogers f/approp. handling</b>	<b>3/23/72</b>								
<p>Cys: <b>Morris Low</b> <b>60-247</b></p>		<p><b>F.S. DeG</b> <b>Director of Regulation</b></p>							
DO NOT DETACH THIS COPY		DIRECTOR OF REGULATION COMMUNICATIONS CONTROL							
		Form HQ-32 (6-70) USA EC							

OFFICE OF THE CHAIRMAN

TO:

*D/R*

REPLY FOR \_\_\_\_\_'s SIGNATURE

REPLY FOR SIGNATURE BY: GM \_\_\_\_\_ DR \_\_\_\_\_

FOR APPROPRIATE HANDLING

(Please send ONE copy of reply to Office of the Chairman)

FOR INFORMATION: GM \_\_\_\_\_ DR \_\_\_\_\_ COMMISSIONERS \_\_\_\_\_

REMARKS:

*Cy to Mrs Hoffmann*

A. W. JACKSON  
For the Chairman