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Hudson indemnities

TWO STATE commissioners, Ogden R. Reid of Environmental Conservation and John S. Dyson of Commerce, are arguing over the amount of financial loss involved in the fishing ban imposed for the Hudson River as a result of contamination by PCBs, the industrial toxic.

"Many millions," Reid asserted when he announced the ban. "Not more than $100,000," Dyson said at a news conference last week.

Why argue? Well, General Electric, whose two plants are charged with contaminating the river, may be forced to indemnify the fishermen if, after a hearing, Reid's department finds there is cause. So a base figure becomes important, one that will satisfy environmentalists or one that won't give industry the idea that the state is expensively over-regulated.

Commercial fishing may not be a big-money item in the lower Hudson, but whose fault has that been? Shad and crabs have been at the mercy of sewer and oil pollution for decades. Bass and other finny species have paid the price of industrial processes, including the coolants the utility companies use.

Commercial fishermen working Haverstraw Bay and the Tappan Zee — uncomplaining for the most part and yet victimized for years by bureaucratic neglect and oversight — have not sought indemnities as much as they have reasonable consideration and controls.

YET RETROACTIVE indemnification, no matter how unlikely that would be, is just as reasonable in the present situation if it would emphasize that the issue of PCBs is just another manifestation of a long-standing problem.

If the state is making a serious effort to punish General Electric — and the federal government for issuing the operating permit to G.E. — the fishermen could well call the state to account for a series of other losses in their industry. Dollar amounts are not as important as improving the fishing habitat and overcoming a wide range of abuses, which means, basically, indemnifying the Hudson.

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