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Consumers Power Asks Change in AEC Stand On Nuclear Facilities

Firm Says Proposals to Regulate The Environmental Effects of Plants May Be Too Restrictive

By a WALL STREET JOURNAL *Staff Reporter*

JACKSON, Mich.—In two moves, Consumers Power Co. sought to change the Atomic Energy Commission's proposed regulations governing environmental effects of nuclear plants.

The company said proposed AEC regulations attempt to establish a method by which electric utilities engaged in AEC hearings for nuclear plant operating licenses could obtain temporary operating authority, pending a review of environmental effects of the plant in compliance with the National Environmental Policy Act.

Consumers Power said the AEC proposal requires evidence prior to issuance of an interim license that a plant's operation wouldn't significantly affect the environment. The proposed regulations, the company said, make the situation "particularly acute" for its Palisades nuclear plant, sitting idle on the shore of Lake Michigan awaiting AEC action on a request for an interim operating license.

In one move, the company asked the U.S. court of appeals in Washington to rehear a case involving a plant being built by Baltimore Gas & Electric Co. in which the court ordered the AEC to amend its regulations providing for implementation of the National Environmental Policy Act.

In a second action Consumers Power told AEC Chairman James R. Schlesinger that the agency's proposed regulations governing environmental effects of nuclear plants may be more restrictive than required by law.

Early clarification of the U.S. court of appeals decision, the company asserted, "would avoid delays of months or even years and irreversible financial loss to Consumers Power."

The company said it suggested to the AEC an alternative regulation that would permit the start of operations of a plant "unless it is demonstrated on the record at a licensing hearing that significant and substantially irreversible adverse environmental effects will result from such operations, and that those adverse effects aren't outweighed by countervailing benefits."

A company spokesman said the Palisades plant is costing Consumers Power $1 million a month while idle.

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