

authorities to move the site to protect the bird, but they had no luck. Just as it looked like the rare bird would suffer grievously from the melee, the GOP decided to transfer the convention site to Miami — pointing up once again President Nixon's innate ecological consciousness.

### Illicit plutonium?

A House appropriations subcommittee has been urged not to approve Atomic Energy Commission funds for the fast breeder nuclear reactor by a witness who says industries are stockpiling plutonium in anticipation of a nuclear reactor "boom."

The testimony came on May 8 from Elise Jerard, chairman of an organization called the Independent Phi Beta Kappa Environmental Study Group.

Miss Jerard said if the U.S. develops a fast breeder reactor network, "There will spring up worldwide illicit traffic which will put the stuff of bombs into the hands of anyone able to steal it or pay for it on the black market."

The AEC later responded that the 550 pounds of plutonium now owned by electric utilities is strictly controlled and cannot be moved without the consent of the AEC itself.

### Nader as defendant?

Ralph Nader, the crusading consumer advocate who has built up a small conglomerate of organizations to fight the problems of corporate irresponsibility, has been accused of corporate irresponsibility.

The accuser is Donald Gordon, a Los Angeles lawyer who was the sole entrant in a 1970 contest sponsored by Nader's Center for the Study of Responsive Law. Since he had no competition, Gordon contends he should have won the \$750 prize money. The Nader group, which did not think very highly of Gordon's 80-page entry, instead included it in the 1971 contest, where it did not win.

"I've read about the Nader organization accusing some companies of failing to cough up prize money in company-sponsored contests," Gordon said. "Now it's doing exactly the same thing."

Gordon, who has maintained a flurry of correspondence with the Nader group for over a year, finally filed suit on May 9, asking for \$750 plus \$4000 punitive damages. "They think I'm too meek to keep trying, and they've gotten away with murder," he said.

Ted Jacobs, executive director of the Center, called the suit "a publicity play" and vowed to fight it after Gordon turned down an offer by Nader to publicly apologize.

## The pipeline

On May 4, the three environment groups which have so far successfully stopped the trans-Alaska pipeline in court held a press conference and distributed their four-volume rebuttal to the Interior Department's nine-volume final environmental impact statement on the pipeline. The standing joke for the afternoon was that whichever side went into the paper recycling business had it made.

The technical material contained in the four volumes, however, was not so funny. In the 45 days allotted by the Interior Department for review of the impact statement, the Wilderness Society, Environmental Defense Fund, and Friends of the Earth worked frantically to reproduce at their own expense thousands of pages of the scarce statement to send out to scientists for review. Among the scientists' major findings were: the pipe itself could wrinkle under stress; Interior made no mention of the negative results of tests on migrating caribou overcoming pipeline obstruction; Interior failed to make use of information from an oil spill in Nova Scotia in determining marine impact or "acceptable" levels of marine pollution; and Interior failed to assess the environmental impact of new harbors needed along the West Coast to accommodate large oil tankers. Comments also revealed major discrepancies in Interior's estimates of midwest oil prices and the effects of oversupply to the West Coast — factors critical to Interior's conclusion that the West needs the oil. It was further stressed that considerable information available from Canadian experts on the possible Mackenzie River valley pipeline route was not used in the final impact statement.

Asked by a *Newsweek* reporter how the pipeline controversy could have been avoided, Interior Secretary Rogers Morton angrily replied, "How? By not selling leases up there until someone damn well had figured out how to get the oil . . . . They got oil fever in Alaska, and the tracts were sold without the foggiest idea how to get it out." But a foggy idea of a trans-Alaska pipeline was soon conceived by the oil companies; they promptly ordered all their supplies and are now paying \$5 million per month to store them. And an oil feverish administration has just given them a green light.

Only seven days after the environmentalists submitted their comments, Secretary Morton announced his decision to grant approval of the pipeline project, and any hope for a conscientious reading of the environmental material, or for deferral, or for public hearings flew out the window.

In a five-page news release, Morton outlined the reasoning behind his approval, much of which may provide material for the conservationists' continued legal attack against the pipeline. Citing an estimated U.S. 1980 oil demand of 20 to 25 million barrels per day, Morton said that "without North Slope oil, domestic production would be as low as 9 to 12 million barrels per day, leaving a potential deficit of many millions of barrels per day." Yet, *with* North Slope oil, we will have only 11 to 14 million barrels per day, hardly a significant improvement.

The same day as Morton's announcement, a U.S. Appeals Court overruled an earlier district court decision and granted David Anderson and the Canadian Wildlife Federation the right to intervene in the conservationists' continuing lawsuit. They are expected to file separate claims concerning the dangers of marine oil transport to coastal fishing, logging, and sealing operations and the lack of consideration of the Mackenzie valley route.

By law the environmentalists had until May 18 to pursue further legal action. And, in a surprise move on May 12, they filed in the U.S. District Court for separate judgment on their claim that the oil companies have violated the Mineral Leasing Act of 1920. (Environmental claims would be determined later.) That Act includes a provision that allows the Secretary of Interior to grant only up to 25-foot rights-of-way on either side of the pipeline. Including the pipeline's four-foot-width, that would make for a total allowable width of 54 feet — far less than the requested several hundred-foot-wide construction corridor the oil companies want. Whether or not the claim is heard independently of other charges including Interior's failure to hold public hearings on the final impact statement, it represents a major legal trump card for the environmental groups.

While citizen input into stopping the pipeline has been halted by Morton's approval of the project, the three environment groups expect to keep up the pressure on the Interior Department in the next few months, delaying the beginning of construction at least until next year, and hopefully for even longer.

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