

EDO Principal Correspondence Control

FROM: DUE: 11/23/01 EDO CONTROL: G20010510
DOC DT: 11/05/01
FINAL REPLY:

Representative William D. Delahunt
(Thomas Maher, Plymouth Airport Commission)

TO:

Chairman Meserve

FOR SIGNATURE OF : ** PRI **

CRC NO: 01-0597

Chairman

DESC:

ROUTING:

Temporary Flight Restriction over the Pilgrim
Plant

Travers
Paperiello
Kane
Norry
Craig
Burns/Cyr
Miller, RI
Virgilio, NMSS
Wessman, IRO
ERCT
Schum, OEDO
Davis, NMSS

DATE: 11/09/01

ASSIGNED TO: CONTACT:
NRR Collins

SPECIAL INSTRUCTIONS OR REMARKS:

Coordinate response with ERCT.

OFFICE OF THE SECRETARY
CORRESPONDENCE CONTROL TICKET

Date Printed: Nov 09, 2001 11:53

PAPER NUMBER: LTR-01-0597 **LOGGING DATE:** 11/09/2001
ACTION OFFICE: EDO

AUTHOR: REP William Delahunt
AFFILIATION: REP
ADDRESSEE: Richard Meserve
SUBJECT: Concerns the Temporary Flight Restriction over the Pilgrim plant

ACTION: Signature of Chairman
DISTRIBUTION: RF, OCA to Ack

LETTER DATE: 11/09/2001
ACKNOWLEDGED No
SPECIAL HANDLING:

NOTES:

FILE LOCATION: ADAMS

DATE DUE: 11/27/2001 **DATE SIGNED:**

EDO --G20010510

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November 9, 2001

Chairman Richard A. Meserve
Mail Stop 17B1
11555 Rockville Pike
Rockville, Maryland 20859

Dear Chairman Meserve:

As part of our shared and ongoing concern for public security over nuclear power plants, I seek further clarification of the Temporary Flight Restriction (TFR) over the Pilgrim plant in Plymouth, Massachusetts.

First, it is my understanding that the TFR of October 30, 2001 applied to a 10 nautical mile radius around the plant and expired on November 7 following the seven-day mandated enforcement period. We are all struggling to weigh safety precautions with their potentially adverse economic effects. Based on local impact of the recent TFR on the Pilgrim facility, I would appreciate your clarification of the following issues:

- 1) With jurisdiction for aspects of TFR orders involving the Justice Department, Federal Aviation Authority, Nuclear Regulatory Commission and Office of Homeland Security, what are the respective responsibilities of each agency?
- 2) By what criteria are judgments made about the imposition of TFRs? Is evidence of economic impact on small businesses that can be discounted as public safety threats, considered a relevant factor in this formula?
- 3) Once it is clear a TFR will be issued, can there be collaboration with local authorities about its duration and geographical contour? Is there any provision for community input to address unintended economic impacts of a TFR?

I respect the gravity of the health and safety concerns -- from the air, sea and land -- that must be addressed. I also understand that federal authorities must be able to respond quickly to developing intelligence about possible threats. I appreciate the progress we have made together -- especially at two sessions in Plymouth Town Hall

since September 11 -- toward enhancing security precautions and public confidence in these protocols.

That is the spirit with which I am writing again today. It seems to me that our experience with last week's TFR could be instructive as we move ahead in this uncharted territory. The objective is obviously to take prudent steps to meet any security challenges -- while avoiding collateral economic damage to legitimate commercial enterprises.

I realize much of this is a work in progress for all concerned, and seek your counsel as we move ahead together. Toward that end, I have enclosed a letter outlining the impact of the recent TFR on the Plymouth Airport, and would welcome your comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Will Delahunt", written in a cursive style.

William D. Delahunt

Enclosure



Thomas Maher
Airport Manager

TOWN OF PLYMOUTH
OFFICE OF

PLYMOUTH AIRPORT COMMISSION

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William D. Burke, *Vice Chairman*
Robert R. Crociati
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Paul G. Worcester

The Honorable William D. Delahunt
1495 Hancock St. 4th Floor
Quincy MA 02169

VIA FAX

Temporary Flight Restriction, Pilgrim Power Plant

November 5, 2001

Dear Congressman Delahunt,

On 10/30/01 at 4:40PM the Airport was advised by the Federal Aviation Administration (FAA) of a TFR regarding the Pilgrim Power plant. The TFR is a 10 nautical mile radius around the plant and includes the Plymouth Municipal Airport. As you know the TFR restricts all General Aviation (GA) flights with the exception of law enforcement, medical evacuation and air charter flights. The TFR is currently noted to expire on 11/6/01 at midnight but there has been some talk that the TFR may be extended longer.

I have initiated a simple study to determine the potential impact that TFR is having on various aspects of the airport's operation. I have tried to note both the direct impact on the Town of Plymouth Municipality and also the companies located on the airport. It is not possible to quantify the non-direct economic impacts that the TFR is having on the local economy, the lost business related to business aircraft activity in and out of the airport would be difficult to determine.

With regards to the Town's general activity, the TFR has cut the overall aviation activity on the airport by approximately 95%. Only 2-3% of the based aircraft are currently able to fly, these aircraft are related to the State Police Airwing, Boston Medflight, one small charter operator and other law enforcement operations. The primary income sources for the airport are from fuel sales and land rental. Fuel sales account for approximately 60% of total revenue and the balance from land and office rent. The operations which continue to fly do purchase small amounts of fuel from the Airport but the overall flowage adjusted for the time of year is estimated to be reduced by approximately 89% over the same period last year. The reduction would equate to a loss of approximately \$1600.00 per day or potentially \$11,200 per week.

There are 11 Commercial aviation companies located on the airport, with some 107 employees. There is also 4 corporate aviation departments employing an additional 20. The three companies which have been most affected are Alpha One Flight School, East Coast Aviation and Ryan Rotors which have been shut down since 10/30. These companies are two flight schools and one agricultural spray company and employ 37. Alpha One has had to let go 10 flight instructors so far and additional cuts are likely. The four aircraft maintenance companies (New England, Paragon, Northeast and Yankee) have been affected to a lesser extent but have not been able to have aircraft fly into to Plymouth for scheduled service. These companies had aircraft "in the shop" at the time that the TFR went into affect. These aircraft will keep their employees busy until the early part of the this week but all four companies plan to lay off mechanics if the airport does not open this week as there will be no aircraft to replace those which will be finished early this week. An extension of the TFR which includes the airspace over the airport will cause a number of layoffs as early as



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the end of this week (week ending 11/9/01). The FAA did allow for aircraft to depart the airport on 11/2/01 and approximately 26 aircraft did depart, and extension of the TFR may have additional aircraft depart and it is very likely that some aircraft may not return if the airport is seen as being potentially "unreliable" in the future.

There appears to be two major challenges for the future: if the TFR is extended beyond 11/7 and what will happen if these TFRs were to return every time there is a threat?


1. If the TFR is extended beyond 11/7, the impact that an additional week or more will be very difficult for the airport overall. The loss of fuel income will require the airport to quickly look at salaries/ wages and other costs. I will recommend layoffs of 1/3 of the Town employees at the airport as soon as the end of this week if the TFR is extended without a specific date of expiration. At this time the flight schools are not likely to be able to operate off airport to any significant extent, their students will not want to drive to New Bedford for lessons and these students would probably go to other flight schools at Marshfield or Taunton and many of these students will be "lost". Most of the flight instructors will be laid off in the next week if the TFR is extended. It is also possible that any extension of the TFR could cause the two flight schools on the airport to close permanently. The maintenance shops being unable to get additional aircraft in for service are planning to layoff most of the mechanics at the end of this week.
2. Almost as important as the present situation is what will happen in the future if the TFR, at its present dimensions, were to be reinstated each time there is a threat. If the TFR is seen as a "light switch" of sort which can be turned "on and off", there will be an ongoing problem of maintaining consistent operations of the airport. A lack of consistency will cause many aircraft to relocate permanently due to the potential of not being able to use the airport with any degree of certainty. Both flight schools have voiced their concern that they would have to consider a permanent relocation if the TFR were to loom with no accommodation for reasonable use of the airport. The loss of the flight schools would have a devastating affect on the airport overall as the schools are needed to maintain the "critical mass" that every airport needs. It would also seem likely that a significant percentage of all based aircraft would also relocate over some period of time if there is this fear of the TFR going on and off and on again.

It is estimated that over the next month that the loss of 60 plus jobs would take place if the TFR were to be extended or reoccur without some system that allow for the reasonable use of the airport. It is the concept that some system needs to be considered that allows for either a smaller restricted area or a corridor to and from the airport which needs to be addressed. As I have stated in the past, the Airport is not against the idea of a restricted area if means are made available to access the airport by the normal type of traffic (General Aviation) which the airport relies on. A 5 mile radius or a permanent corridor to and from the West, North and South would seem reasonable.

We are asking your help to intervene with the FAA and NRC regarding the plight of the Plymouth Airport. The Airport is at a critical point, we will not survive with these current restriction. Please help!

If you have any questions, please feel free to contact me at (508) 746-2020.

Sincerely



Thomas Maher

Airport Manager



THE HONORABLE WILLIAM D. DELAHUNT

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To: Tom Madden
or Betsy Keeling
Fax #: 202 301-415-8571

Date: 11/9/01

Pages: 5

From:
Hannah Stebbins

Comments:

Hi Tom and Betsy,
Enclosed is a copy of a letter
sent by Congressman Delahunt
to Chairman Meserve today.
Please feel free to call me if
you have any questions or
concerns. Thanks - Hannah