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RYE, NEW HAMPSHIRE

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BRANCH

TO: Helen F. Hoyt, Chairman
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

RE: PSNH, et al Docket Nos. 50-443OL
50-444OL

SERVED SEP 8 1983

MOTION FOR RECUSE AND REHEARING

Now comes the Town of Rye, New Hampshire, an intervenor, before the Board seeking an order from the Board to close hearings on PSNH 50-443-OL and 50-444OL; and to reschedule and rehear these matters in appropriate places in the Seacoast of New Hampshire and for the Chairperson to recuse herself from these hearings and all future deliberations in these matters.

Rye, being a lawful interested municipality in all matters pertaining to ASLB conduct regarding the Seabrook nuclear project, we have by our presence and observations become convinced that prejudice, bias, and impropriety in the conduct and progress of these deliberations have been allowed in repeatedly by the rulings, comments and general demeanor of Chairperson Hoyt, and; that her conduct has radiated a poisonous atmosphere through the proceedings such that applicant's and NRC's Counsels are treated with respect and injudicious support from the Chair, while at the same time, she is insulting, stifling and injudicious in much of her conduct toward the Towns and other intervenors.

For no good reason, citizens of Rye and the other intervening Towns have been denied fair and easy access to the hearings by the Panel's decision against holding hearings in Seacoast places which were offered for the hearings.

Further, citizens of Towns around the Seabrook project were denied access and meaningful participation by unnecessary, arbitrary schedule changes, late notifications, and out of Town locations. In hearings supposed to get at issues surrounding public safety and evacuation of Towns in close proximity to the Seabrook project, all but one evening's limited testimony was arranged by the Panel to be outside of the area.

The record is thick with timely letters from Town officials offering appropriate accessible hearing facilities all of which were passed over in favor of out of Town locations and 11th hour schedule changes. We believe such decisions were the start of a pattern of biased attempts to deny interested municipalities their lawful rights of participation.

Representatives of intervening Towns, the State of New Hampshire, the Commonwealth of Massachusetts and of the non-government intervenors have been insultingly reprimanded for seeking to carry out their proper responsibilities to participate honestly and fully. At the same time, Ms. Hoyt defended and praised Counsel for the Applicant who were seen by many people to repeatedly violate the most basic rules of testimony.

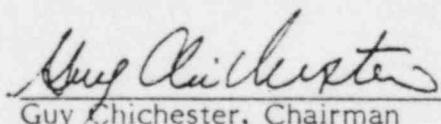
The Chair improperly revealed intervenors' cross examination plans to witnesses and Counsel for the Applicant.

The Panel arbitrarily changed rulings on procedure to exclude the Towns from cross examination of witnesses.

Testimony from Seacoast officials and Townsmen to the effect that local experience must be taken into account was kept out of the record by prejudicial conduct of the Panel.

The Chair has called bailiffs to strong arm and intimidate Town representatives who wished to address to hearing.

This Panel's conduct has been in keeping with a long history of nuclear lip service to planning standards and legal requirements while high level managers of this industry are given a free hand to put their poisonous technology anywhere they want and to rob the Commonwealth to pay for it.



Guy Chichester
Guy Chichester, Chairman
Rye Nuclear Intervention Committee