

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)

HOUSTON LIGHTING AND POWER CO.)
(South Texas Project,)
Units 1 & 2))

'82 APR -8 11:16
Docket No. 50-498
50-499

AFFIDAVIT OF ROB HAGER
IN SUPPORT OF
CCANP MOTION FOR RECUSAL OF
ERNEST HILL



I, ROB HAGER, swear and depose as follows:

1. I am an attorney admitted to the Bar of the United States Supreme Court and of other courts and have represented CCANP during hearings in the above-captioned matter.
2. I have read the affidavit of Lanny Alan Sinkin sworn the 23rd day of March 1982 and state that paragraphs 1-10 and 13 of that affidavit are true to my knowledge and belief.
3. During the week of hearings held in Houston during the week of January 18 to 22 Ernest Hill either was or appeared to be asleep on the bench while the hearings were in session. This occurred during the cross-examination by intervenors and appeared to be an expression of his lack of interest in hearing the intervenor's case.
4. On January 22 in the course of objecting to the conduct of the proceedings by the Board on the grounds that Constitutional due process is involved in a nuclear power plant licensing hearing, affiant read the following quotation from a Nuclear Regulatory Commission issuance published in the Federal Register:

the operation of (nuclear power) plants will cost human lives. 46 Fed. Reg. 39580 col. 2.

Ernest Hill then insisted to the Board Chairman, loudly enough to be heard at counsel's table, that this quotation be struck from the record. This act of Ernest Hill showed a fundamental misunderstanding of the responsibility of an administrative law judge to listen to evidence and legal argument and again revealed his inability to control his bias in favor of nuclear power.

B204120432 B20402
PDR ADDCK 05000498
G PDR

Rob Hager
Rob Hager

Subscribed and sworn to before me this 2nd day of March 1982.

Notary Public
Notary Public

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of

Houston Lighting and Power Co.
(South Texas Project, Units 1
and 2)

(
)
(Docket No. 50-498
) 50-499
(

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing AFFIDAVIT OF ROB HAGER IN SUPPORT OF CCANP MOTION FOR RECUSAL OF ERNAEST HILL were mailed, first class postage prepaid to the following, this 6th day of April, 1982.

Charles Bechhoefer, Esq.
Chairman
Atomic Safety and Licensing Board
U. S. N. R. C.
Washington, D.C. 20555

Dr. James C. Lamb, III
313 Woodhaven Road
Chapel Hill, North Carolina 27514

Mr. Ernest E. Hill
Lawrence Livermore Laboratory
University of California
P. O. Box 808, L-123
Livermore, California 94550

Brian Berwick, Esq.
Assistant Attorney General
Environmental Protection Division
P. O. Box 12548, Capitol Station
Austin, Texas 78711

Tom Hudson, Esq.
Baker and Botts
One Shell Plaza
Houston, Texas 77002

Edwin J. Reis
Office of Executive Legal Director
U.S.N.R.C.
Washington, D.C. 20555

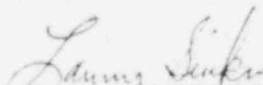
Jack R. Newman, Esq.
Lowenstein, Newman, Reis,
Axelrad & Toll
1025 Connecticut Avenue
Washington, D.C. 20036

Mrs. Peggy Buchorn
Route 1, Box 1684
Brazoria, Texas 77422

Docketing and Service Section
Office of the Secretary
U.S.N.R.C.
Washington, D.C. 20555

Atomic Safety and Licensing Board
U. S. N. R. C.
Washington, D.C. 20555

Atomic Safety and Licensing
Appeal Board
U.S.N.R.C.
Washington, D.C. 20555


Lanny Sinkin

William Jordan III
Harmon and Weiss
1725 I Street, N.W.
Washington, D.C. 20006