

ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:

G. Paul Bollwerk, III, Chairman  
Dr. Jerry R. Kline  
Dr. Peter S. Lam

In the Matter of

PRIVATE FUEL STORAGE, L.L.C.

(Independent Spent Fuel Storage Installation)

Docket No. 72-22-ISFSI

ASLBP No. 97-732-02-ISFSI

September 5, 2000

MEMORANDUM

(Petitioner William D. Peterson's  
September 4, 2000 "Motion for Enlargement of Time")

The Licensing Board has received a submission from petitioner William D. Peterson entitled "Motion for Enlargement of Time" that was filed and sent by e-mail to the Board members on September 4, 2000. In his pleading, Mr. Peterson apparently seeks additional time to take action, although the nature of that action as it relates to this proceeding is not altogether clear.

Be that as it may, on August 31, 2000, this Board denied Mr. Peterson's June 5, 2000 late-filed request to intervene in this proceeding. See LBP-00-23, 52 NRC \_\_ (Aug. 31, 2000). Mr. Peterson's September 4, 2000 filing does not appear to request Board reconsideration of that determination denying him party status to this proceeding. As a consequence, we will take no further action relative to his September 4, 2000 submission.

The Board nevertheless notes, as it did in its August 31, 2000 decision, that pursuant to 10 C.F.R. § 2.714a(a) petitioner Peterson may take an appeal to the Commission relative to our determination to dismiss his late-filed intervention request. See id. at \_\_ (slip op. at 15). In

accordance with 10 C.F.R. § 2.710, any appeal must be filed on or before Friday, September 15, 2000. Further, any request to extend the time for filing such an appeal should be directed to the Commission rather than this Board.

FOR THE ATOMIC SAFETY\*  
AND LICENSING BOARD

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G. Paul Bollwerk, III  
ADMINISTRATIVE JUDGE

Rockville, Maryland

September 5, 2000

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\*Copies of this memorandum were sent this date by Internet e-mail transmission to petitioner William D. Peterson and to counsel for (1) applicant Private Fuel Storage, L.L.C.; (2) intervenors Skull Valley Band of Goshute Indians, Ohngo Gaudadeh Devia, Confederated Tribes of the Goshute Reservation, Southern Utah Wilderness Alliance, and the State of Utah; and (3) the NRC staff.

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of )  
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PRIVATE FUEL STORAGE, L.L.C. ) Docket No. 72-22-ISFSI  
 )  
(Independent Spent Fuel Storage )  
Installation) )

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB MEMORANDUM (PETITIONER PETERSON'S 9/4/00 "MOTION FOR ENLARGEMENT OF TIME") have been served upon the following persons by deposit in the U.S. mail, first class, or through NRC internal distribution.

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Docket No. 72-22-ISFSI  
LB MEMORANDUM (PETITIONER  
PETERSON'S 9/4/00 "MOTION  
FOR ENLARGEMENT OF TIME)

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[Original Signed by Kris Cater]

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Office of the Secretary of the Commission

Dated at Rockville, Maryland,  
this 5th day of September 2000