



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

May 8, 2009

Mr. Terry J. Lodge, Esq.
316 N. Michigan Street, Suite 520
Toledo, Ohio 43604-5627

SUBJECT: DENIAL OF REQUEST FOR EXTENSION OF TIME TO REQUEST A
HEARING RELATED TO THE ORDER FOR IMPLEMENTATION OF
ADDITIONAL SECURITY MEASURES AND FINGERPRINTING FOR
UNESCORTED ACCESS FOR FERMI POWER PLANT INDEPENDENT
SPENT FUEL STORAGE INSTALLATION

Dear Mr. Lodge:

On April 7, 2009, the U.S. Nuclear Regulatory Commission (NRC) issued an Order (EA-09-072) modifying the general license for the Independent Spent Fuel Storage Installation (ISFSI) at the Fermi Power Plant to require compliance with the specified additional security measures (ASMs).

The Order requires responses and actions within specified time frames. Section IV of the Order notes that in accordance with 10 CFR 2.202, any other person adversely affected by the Order may request a hearing on the Order, within twenty (20) days of the date of the Order and, where good cause is shown, consideration will be given to extending the time to request a hearing.

In your submittal dated May 6, 2009, you requested an extension to the 20 day time period for a hearing request. After consultation with the Nuclear Material Safety and Safeguards Office Director, your request is denied.

Please contact L. Raynard Wharton at (301) 415-3300 if you have any questions.

Sincerely,

A handwritten signature in black ink, which appears to read "Kevin W. Pstrak" or similar, is written above the typed name.

David W. Pstrak, Chief
Rules, Inspection & Operations Branch
Division of Spent Fuel Storage
and Transportation
Office of Nuclear Material Safety
and Safeguards

Docket No.: 72-71

May 8, 2009

Mr. Terry J. Lodge, Esq.
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Toledo, Ohio 43604-5627

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/RA/

David W. Pstrak, Chief
Rules, Inspection & Operations Branch
Division of Spent Fuel Storage
and Transportation
Office of Nuclear Material Safety
and Safeguards

Docket No.: 72-71

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