

In 2000, Peterson attempted to intervene in the PFS matter but was denied entry because he did not show good cause for late filing, did not have standing, and did not offer a single litigable contention.¹ The Commission affirmed that conclusion on appeal.²

According to his appeal, Peterson proposes to build a combination 300-year storage facility and spent fuel reprocessing facility. Peterson's appeal asks the Commission to consider the country's great need for more power, specifically nuclear, and its corresponding need for more spent fuel storage.

The PFS licensing proceeding is not an open forum for discussing the country's need for energy and spent fuel storage. Our regulations provide procedures for qualified applicants to obtain licenses for safely operated nuclear facilities. If Peterson believes he is qualified to operate a nuclear storage or reprocessing facility, he must comply with those prescribed licensing procedures.

The Board, therefore, was correct in dismissing Peterson's "Petition to License Pigeon Spur Interim Spent Nuclear Fuel Storage Facility," and we affirm.

IT IS SO ORDERED.

For the Commission

/RA/

Annette L. Vietti-Cook
Secretary of the Commission

Dated at Rockville, MD
this 2nd day of March 2004

¹Private Fuel Storage L.L.C., (*Independent Spent Fuel Storage Installation*), LBP-00-23, 52 NRC 114 (2000), *reconsideration denied*, unpublished order, Sept. 25, 2000.

²Private Fuel Storage L.L.C., (*Independent Spent Fuel Storage Installation*), CLI-00-21, 52 NRC 261 (2000).