

June 8, 2000

Mr. Paul S. Schmidt, Manager  
Radiation Protection Section  
Division of Public Health  
Department of Health and Family Services  
P.O. Box 2659  
Madison, WI 53701-2659

Dear Mr. Schmidt:

To assist us in the development of the planning assumptions to support our Fiscal Year 2002-2003 budget, we are requesting information regarding your schedule to enter into an Agreement with the Nuclear Regulatory Commission (NRC). In particular, we request your target dates for submitting a complete draft application package for NRC staff review, and for submitting a formal request for the Agreement from the Governor to the Chairman.

We consider a draft application package to be complete when NRC is in receipt of all of the following information:

1. Draft letter from the Governor to the Chairman making the certifications required by the Atomic Energy Act, and requesting an agreement.
2. Copies of the State's statutes or legislation authorizing the radiation control program and assumption of regulatory authority under an agreement.
3. Copies of the State's radiation control regulations.
4. Narrative description of the State's radiation control program.
5. Copies of all State implementing procedures and guidance documents for licensing, inspection, enforcement, incident response, response to allegations, and updating of State regulations.
6. Copies of sample forms and licenses.
7. Copies of all position descriptions.
8. Identification of all personnel that will be working in the program, their resumes, and their training and qualifications under State procedures to conduct independent work in the program.
9. Analysis demonstrating that the program meets the criteria set out in the 1981 and 1983 policy statements. The Integrated Materials Performance Evaluation Program common and applicable non-common performance indicator criteria in Management Directive 5.6 may also provide insights on areas that you may want to address in the analysis.

NRC staff expects to follow a two-step approach to processing your request for an agreement.

Assuming there are no major issues, this will include: (1) a completeness review of the draft agreement request, which would be completed within 60 days of receipt; and (2) a detailed review of the formal request for an agreement. NRC staff expects to complete processing of a formal request for an agreement from the Governor within 9 months of receipt. "Processing" of the formal request includes staff and Commission review of the proposed agreement and approval for publication in the Federal Register for public review and comment, resolution of public comments, and final Commission review and approval of the agreement. Following Commission approval, up to one month may be necessary to schedule and hold a signing ceremony, if desired by the State. The agreement is also usually made effective one month following the date of signature to provide time for an orderly transition in regulatory authority (e.g., transfer license and inspection files).

Mr. Lloyd Bolling will contact you to assist in answering any questions on NRC's process and time frame for processing an agreement request. If you have any questions concerning this letter, please contact me at (301) 415-3340 or Mr. Bolling of my staff at (301) 415-2327 or Internet: LAB@NRC.GOV.

Sincerely,

***/RA Paul H. Lohaus for/***

Frederick C. Combs, Deputy Director  
Office of State and Tribal Programs

