

July 23, 2001

Ms. Linda Bruemmer, Manager
Section of Asbestos, Indoor Air, Lead & Radiation
Division of Environmental Health
121 E. Seventh Place, Suite 220, P.O. Box 64975
St. Paul, MN 55164-0975

Dear Ms. Bruemmer:

We are requesting updated information regarding your plans to enter into an Agreement with the Nuclear Regulatory Commission (NRC), to assist us in the development of planning assumptions, to support our Fiscal Year 2002 and 2003 budgets, and to support your request for an agreement. (We request an update at six-month intervals.) In particular, we need your target date for submitting a complete draft application package for NRC staff review.

It is important to NRC's budget planning process that the best projections are made regarding your schedule for becoming an Agreement State. NRC's resources are allocated and committed based upon your projected schedule. I have enclosed a projected schedule for processing of the Minnesota Agreement based upon your earlier legislative dateline of August 2002. We understand that the legislature has approved an extension of this date to August 2003.

The enclosed schedule was prepared based on Appendix C-1 of State and Tribal Programs (STP) Procedure SA-700, "Processing an Agreement," which can be viewed at the STP website: www.hsrdo.nrc.gov/nrc/procedures/sa700.pdf. Our projections show that in order to achieve an August 2002 effective date, you should have submitted a draft application to this office by June 18, 2001. Please note that based upon the minimum amount of time required to process an Agreement, it is not possible to keep to the August 2002 schedule since the June 18, 2001 deadline has already been missed. Therefore, we request that you revise the enclosed schedule and indicate when you will submit a draft application.

We plan to use a two-step process to review your request for an Agreement. We expect to provide you the results of our completeness review six weeks after receipt of your draft application. Assuming there are no major unresolved issues, our formal assessment process, including opportunities for public comment, should be complete within nine months of receipt of the governor's formal request. The Agreement is usually made effective one month following the date of approval or signature to provide for an orderly transition in regulatory authority (e.g., to transfer license and inspection files).

If you have any questions concerning our projections and process, please contact me at (301) 415-2325 or Ms. Cardelia Maupin of my staff at (301) 415-2312 or Internet: CHM1@NRC.GOV.

Sincerely,

/RA/

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

Enclosure:
As stated

PROCESSING SCHEDULE FOR MINNESOTA AGREEMENT¹

EVENT	EVENT TIME (weeks)	ELAPSED TIME (weeks)	DATE
Part 1 - Review of the Request for an Agreement (24 weeks)			
Minnesota Program notifies the Office of State and Tribal Programs (STP) that a Draft Request will be submitted (2 months prior to submittal)			4/23/01
STP establishes NRC Review Team (Team established between notification and receipt of draft request)			5/21/01
STP receives draft request ² from Minnesota Program	0	0	6/18/01
NRC Review Team concludes completeness review	3	3	7/9/01
NRC Review Team provides any comments resulting from the completeness review to Minnesota Program ³	3	6	7/30/01
NRC Chairman receives formal request from Governor of Minnesota	8	14	9/24/01
NRC Review Team completes review of formal request ⁴	8	22	11/19/01
NRC Review Team completes negative consent Commission Paper, including draft staff assessment and FR notice	2	24	12/03/01
Part 2 - FR publication & public comment period (16 weeks)			
NRC Offices concur on Commission Paper	3	27	12/24/01
EDO sends Paper to Commission	2 ⁵	29	1/14/02
Commission gives negative consent	2	31	1/28/02
First publication in FR	1	32	2/4/02
Public comment period ends	4	36	3/4/02

¹Assumes an Agreement is in place by August 1, 2002. This schedule provides an approximate 30 day window for completion of the Minnesota Agreement process.

²presumes a two month alert by State, allowing four weeks to establish the NRC staff review team

³presumes two week office concurrence

⁴presumes no unresolved issues

⁵The schedule was slightly modified to reflect the Federal holidays occurring during this period.

EVENT	EVENT TIME (weeks)	ELAPSED TIME (weeks)	DATE
NRC Review Team analyzes comments; completes final assessment and Commission paper	4	40	4/1/02
Part 3 - Final processing and Commission approval (13 weeks)			
NRC Offices concur on final assessment and paper	3	43	4/22/02
EDO signs paper	2	45	5/06/02
Commission SRM approving Agreement (includes arrangements for signing Agreement)	4	49	6/3/02
Effective date of Agreement	4	53	7/1/02