

January 31, 2002

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

Dear Mr. Schmidt:

We are requesting updated information regarding your plans to enter into an Agreement with the Nuclear Regulatory Commission (NRC). This information will 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. Your July 30, 2001 letter to F. Combs stated that the draft application would be submitted in June 2002, followed by the formal application in October 2002. Based on these dates, I have enclosed a projected schedule for processing of the Wisconsin Agreement based upon your proposed date of July 2003 for an effective Agreement.

The enclosed schedule was prepared based on Appendix C-1 of Office of State and Tribal Programs (STP) Procedure SA-700, "Processing an Agreement," which can be viewed at the STP web site: www.hsr.d.ornl.gov/nrc/procedures/sa700.pdf. Our projections show that in order to achieve a July 2003 effective date, you should notify us by April 1, 2002 of your intent to submit the draft application to this office by June 3, 2002 and the formal application should be submitted by September 9, 2002. If the enclosed schedule does not reflect the State's plans, please 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) 415-3340 or Mr. Lloyd Bolling of my staff at (301) 415-2327 or Internet: LAB@NRC.GOV.

Sincerely,

/RA/

Paul H. Lohaus, Director
Office of State and Tribal Programs

Enclosure:
As stated

Paul Schmidt

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STP-NA-24

PROCESSING SCHEDULE FOR WISCONSIN AGREEMENT

EVENT	EVEN TI (we
Part 1 - Review of the Request for an Agreement	(24 weeks)
Wisconsin Program notifies the Office of State and Tribal Programs (STP) that a Draft Request will be submitted (2 months prior to submittal)	
STP establishes NRC Review Team (Team established between notification and receipt of draft request)	
STP receives draft request ¹ from Wisconsin Program	0
NRC Review Team concludes completeness review	3
NRC Review Team provides any comments resulting from the completeness review to Wisconsin Program ²	3
NRC Chairman receives formal request from Governor of Wisconsin	8
NRC Review Team completes review of formal request ³	8
NRC Review Team completes negative consent Commission Paper, including draft staff assessment and FR notice	2

¹presumes a two month alert by State, allowing four weeks to establish the NRC staff review team.

²presumes two week office concurrence.

³presumes no unresolved issues.

EVENT	EVENT TIME (weeks)
Part 2 - FR publication & public comment period	(16 weeks)
NRC Offices concur on Commission Paper	3
EDO sends Paper to Commission	2 ⁴
Commission gives negative consent	2
First publication in FR	1
Public comment period ends	4
NRC Review Team analyzes comments; completes final assessment and Commission paper	4
Part 3 - Final processing and Commission approval	(13 weeks)
NRC Offices concur on final assessment and paper	3
EDO signs paper	2
Commission SRM approving Agreement (includes arrangements for signing Agreement)	4
Effective date of Agreement	4

⁴ The schedule was slightly modified to reflect the Federal holidays occurring during this period.