

June 4, 2002

Mr. David J. Allard, CHP, Director  
Bureau of Radiation Protection  
Pennsylvania Department of  
Environmental Protection  
Rachel Carson State Office Building  
P.O. Box 8469  
Harrisburg, PA 17105-8469

Dear Mr. Allard:

This is to confirm the information in your e-mail of May 28, 2002, about Pennsylvania's plans to enter into an Agreement with the U.S. Nuclear Regulatory Commission (NRC). We requested the information to plan support for your request in our Fiscal Year 2003 and 2004 budgets. We intend to request updates on your plans at about six-month intervals.

Based on the information in your e-mail, we have developed a projected schedule (enclosed) for processing the Agreement which represents an 18-month slip from the current schedule. The schedule follows the model on page C-1 of Appendix C, of the Office of State and Tribal Programs (STP) Procedure SA-700, "Processing an Agreement." SA-700 can be viewed at the STP web site at: [www.hsrdo.org/nrc/procedures/sa700.pdf](http://www.hsrdo.org/nrc/procedures/sa700.pdf). In order to achieve an effective date of November 30, 2005 for your Agreement, you should plan to submit a draft application to this office in November 2004.

The projected schedule reflects a two-step process to review the request for an Agreement. We expect to provide you the results of our completeness review six weeks after receipt of the 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 receiving a formal request signed by the governor. 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).

Please review the projected schedule and confirm that you expect to prepare and submit a complete draft application in November 2004. If you have any questions concerning the projected schedule or the Agreement request review process, please contact me at (301) 415-2325 or Mr. Richard Blanton of my staff at (301) 415-2322 or Internet: [RLB@NRC.GOV](mailto:RLB@NRC.GOV).

Sincerely,

/RA/

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

Enclosure:  
As stated

David J. Allard

June 4, 2002

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DATE	06/03/02		06/04/02		06/04/02				

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## PROCESSING SCHEDULE FOR PENNSYLVANIA AGREEMENT

EVENT	EVENT TIME (weeks)	ELAPSED TIME (weeks)	DATE
<b>Part 1 - Review of the Request for an Agreement</b> (24 weeks)			
Pennsylvania notifies the Office of State and Tribal Programs (STP) that a Draft Request will be submitted (2 months prior to submittal)			September 29, 2004
STP establishes NRC Review Team (Team established between notification and receipt of draft request)			
STP receives draft request <sup>1</sup> from Pennsylvania	0	0	November 24, 2004
NRC Review Team concludes completeness review	3	3	December 15, 2004
NRC Review Team provides any comments resulting from the completeness review to Pennsylvania <sup>2</sup>	3	6	January 5, 2005
NRC Chairman receives formal request from Governor of Pennsylvania	8	14	March 2, 2005
NRC Review Team completes review of formal request <sup>3</sup>	8	22	April 27, 2005
NRC Review Team completes negative consent Commission Paper, including draft staff assessment and FR notice	2	24	May 11, 2005

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<sup>1</sup>presumes a two month alert by State, allowing four weeks to establish the NRC staff review team

<sup>2</sup>presumes two week office concurrence

<sup>3</sup>presumes no unresolved issues

EVENT	EVENT TIME (weeks)	ELAPSED TIME (weeks)	DATE
<b>Part 2 - FR publication &amp; public comment period</b> (16 weeks)			
NRC Offices concur on Commission Paper	3	27	June 1, 2005
EDO sends Paper to Commission	2	29	June 15, 2005
Commission gives negative consent	2	31	June 29, 2005
First publication in FR	1	32	July 6, 2005
Public comment period ends	4	36	August 3, 2005
NRC Review Team analyzes comments; completes final assessment and Commission paper	4	40	August 31, 2005
<b>Part 3 - Final processing and Commission approval</b> (13 weeks)			
NRC Offices concur on final assessment and paper	3	43	September 21, 2005
EDO signs paper	2	45	October 19, 2005
Commission SRM approving Agreement (includes arrangements for signing Agreement)	4	49	November 2, 2005
Effective date of Agreement	4	53	November 30, 2005