

December 20, 2002

ALL AGREEMENT STATES, PENNSYLVANIA, MINNESOTA, WISCONSIN

**EARLY OPPORTUNITY TO COMMENT ON PROPOSED PORTABLE GAUGE RULE
(STP- 02- 083)**

The U.S. Nuclear Regulatory Commission (NRC) plans to publish a Federal Register (FR) notice of a proposed amendment to 10 CFR 30.34. The proposed rule, draft Environmental Assessment (EA), draft Regulatory Analysis, and draft FR notice has been uploaded to the NRC's Technical Conference Forum (TCF) in the limited access area for Agreement States. Agreement States can access the proposed amendment on the TCF at: <http://techconf.llnl.gov/States/index.html> using the appropriate user name and password which was last updated via All Agreement State Letter SP-99-027.

Please note that this **early draft proposed** rulemaking is under review concurrently by Agreement States and NRC management, and therefore is subject to change based on comments received. The rulemaking was developed by an NRC/Agreement State Working Group. Please note that this is **PREDECISIONAL INFORMATION**. Due to its pre-decisional nature, this draft document is exempt from public disclosure under NRC rules. We request that you limit distribution to your staff and not release the document publicly. If the document is released, please inform me or the Point of Contact below within 24-hours.

The proposed rule would enhance the security of portable gauges. The enhanced requirements would be similar to some of the additional requirements currently imposed by Florida and certain other Agreement States. The proposed Agreement State compatibility designation is discussed in the draft FR notice. The finding of the EA is that no significant environmental impact will result from the proposed rule.

Your comments* on the proposed amendment should be submitted on the TCF **no later than January 10, 2003**.

If you have any questions regarding this correspondence, please contact me or the individual named below.

POINT OF CONTACT: Andrew Mauer

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* This information request has been approved by OMB 3150-0029, expiration 06/30/04. The estimated burden per response to comply with this voluntary collection is approximately 6 hours. Forward any comments regarding the burden estimate to the Information and Records Branch (T-6F33), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and to the Paperwork Reduction Project (3150-0029), Office of Management and Budget, Washington, DC 20503. If a document does not display a currently valid OMB control number, the NRC may not conduct or sponsor, and a person is not required to respond to, a collection of information.

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/RA/

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STP-02-083

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DCD (SP03)
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*see previous concurrence

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