

July 14, 2003

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:

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 2004 and 2005 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.

Based on information you previously supplied, we developed a projected schedule for processing the Agreement with an effective date of November 30, 2005. I have enclosed a copy of that schedule for your review. The 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 website: www.hsrdoornl.gov/nrc/procedures/sa700.pdf. Our projections show that in order to achieve a November 2005 effective date, you should submit a draft application by November 24, 2004.

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).

Please review the enclosed schedule, and if it does not reflect the Commonwealth's current plans, please revise the schedule and indicate when you will submit a draft application. If you have any questions concerning our projections and process, please contact me at (301) 415-2325 or Mr. Richard Blanton of my staff at (301) 415-2322 or Internet: rlb@nrc.gov.

Sincerely,

/RA/

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

Enclosure:
As stated

David J. Allard

July 14, 2003

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OFFICE	STP		STP:DD		STP:D				
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DATE	07/10/03		07/11/03		07/14/03				

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PROCESSING SCHEDULE FOR PENNSYLVANIA AGREEMENT

EVENT	EVENT TIME (weeks)	ELAPSED TIME (weeks)	DATE
Part 1 - Review of the Request for an Agreement (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 ¹ 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 ²	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 ³	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

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)	ELAPSED TIME (weeks)	DATE
Part 2 - FR publication & public comment period (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
Part 3 - Final processing and Commission approval (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