

September 8, 2003

ALL AGREEMENT AND NON-AGREEMENT STATES

**DRAFT RULEMAKING PLAN FOR ASSURED ISOLATION FACILITIES (AIFs)
(STP- 03-070)**

We have posted the draft rulemaking plan, "Assured Isolation Facilities," for your review and comment.* We ask that you provide comments within 45 days from the date of this letter via the Technical Conference Forum or directly to: Paul Goldberg, (301) 415-7842; email: PFG@NRC.GOV; fax: (301) 415-5369.

The plan is predecisional and is available only at the Agreement State area of the NRC's Technical Conference Forum <http://techconf.llnl.gov/cgi-states/topics> via the NRC Home Page <http://www.nrc.gov>. The draft rulemaking plan is marked: **"PREDECISIONAL DRAFT INFORMATION - FEDERALLY PROTECTED - NOT FOR PUBLIC DISCLOSURE."**

The draft rulemaking plan, developed by the AIF Joint NRC/State Working Group, responds to Commission direction related to the request by the State of Ohio for review and comments on its proposed rule for licensing AIFs. The AIF Joint NRC/State Working Group included representatives of the Organization of Agreement States, Inc., and the Conference of Radiation Control Program Directors, Inc. The results of surveys sent to States in [STP-030-011, "Survey of Projected Need for Disposal or Storage of Low-Level Waste and Projected Disposal Capacity,"](#) provided important input. Summary discussions of issues for licensing of an AIF are included in the draft rulemaking plan.

Due to its predecisional nature, this draft is exempt from public disclosure under NRC rules. Therefore, we request that you limit distribution to your staff and not release the draft publicly. If this draft is released, please inform me or the contact named below within 24 hours. For additional information about distribution and use of predecisional information, please see the Office of State and Tribal Programs Procedure [SA-800](#) available at the Agreement State web site, <http://www.hsrn.dornl.gov/nrc/procedures/sa800.pdf>.

Thank you for your attention to this matter. If you have any questions regarding this correspondence, please contact me on (301) 415-2325 or the individual named below.

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**/RA BY Kevin Hsueh Acting for/
Josephine M. Piccone, Deputy Director
Office of State and Tribal Programs**

*This information request has been approved by OMB 3150-0029, expiration 06/30/04 and OMB 3150-0200, expiration 05/31/06. The estimated burden per response to comply with this voluntary collection is approximately 8 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 and 3150-0200), 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.

STP-03-070

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