



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, DC 20555 - 0001

March 30, 2004

EA-03-126
EA-03-190

Mr. Michael Barton, Commissioner
State of Alaska Department of
Transportation & Public Facilities
3132 Channel Drive
Juneau, Alaska 99801

SUBJECT: REQUEST FOR AN EXTENSION OF TIME TO RESPOND TO NOTICES OF
VIOLATION

Dear Mr. Gantz:

This refers to letters from your attorney, Mr. G. Gantz, dated March 18, 2004, to Mr. Frank Congel in response to the Notice of Violation (NOV) and Confirmatory Order Modifying License (EA-03-126), dated March 15, 2004, and to Dr. Bruce Mallett, also dated March 18, 2004, in response to the Notice of Violation and Proposed Imposition of Civil Penalties-\$21,000 (EA-03-190), dated March 15, 2004.

In the March 18, 2004, letters, Mr. Gantz indicated that he has submitted requests under the Freedom of Information Act (FOIA) on behalf of the Alaska Department of Transportation and Public Facilities (ADOT&PF) for documents related to EA-03-126 and EA-03-190. Mr. Gantz has requested a 30 day extension from receipt of the materials requested under the FOIA to respond to the NOV's. Based on the FOIA requests, the NRC agrees that an extension of time to respond to the NOV's and to pay the civil penalties is appropriate and grants the extensions as requested. As noted in the March 18th letter concerning EA-03-126, this extension of time does not apply to any of the commitments specified in the Confirmatory Order.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter and its enclosures will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Sincerely,

/RA/

Frank Congel, Director
Office of Enforcement

Docket No.: 030-07710
License No.: 50-14102-01

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