

STATE OF ALASKA

DEPARTMENT OF LAW

OFFICE OF THE ATTORNEY GENERAL

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August 29, 2005

VIA FACSIMILE (817-860-8122) & U.S. MAIL

Bruce S. Mallett, Ph.D.
Regional Administrator
U.S. NRC Region IV
Texas Health Resources Tower
611 Ryan Plaza, Suite 400
Arlington, TX 76011-4005

Re: Request for Issuance of Report regarding
January, 2004 transfer of Robert Farmer
Investigation Report No. 4-2004-005
Our file no. 221-03-0830

Dear Dr. Mallett:

I am writing you with reference to the NRC's investigation of the transfer of Mr. Robert Farmer by the Alaska Department of Transportation and Public Facilities (ADOT&PF) in January of 2004 from his position as Statewide Radiation Safety Officer in the Materials Branch of ADOT&PF. This investigation was conducted by OI Investigator Michael Fitzgibbon of NRC Region IV.

This investigation has been pending for over a year and a half and has involved several visits to Alaska by Investigator Fitzgibbon and the interview of numerous witnesses. The State was advised that the Report was scheduled to be issued this spring but was delayed for a number of reasons.

Global settlement, which once appeared imminent, has apparently stalled and an amicable resolution by the parties now appears unlikely after the NRC, the Alaska State Employees' Association and the State of Alaska were prepared to sign the Global Settlement (and the U.S. Department of Labor to approve it), but counsel for Mr. Farmer has been unable to secure Mr. Farmer's consent. Therefore, given the substantial good faith efforts put into both the investigation and the above-referenced mediation by the

Bruce S. Mallett, Ph.D.
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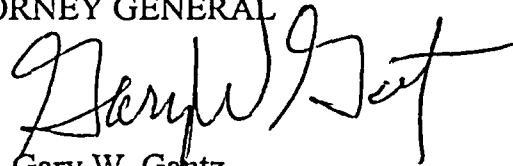
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State of Alaska (and many other participants), the State of Alaska respectfully requests that the Report be issued as soon as possible, and, in any event, within the next 30 days.

Sincerely,

DAVID W. MÁRQUEZ
ATTORNEY GENERAL

By:



Gary W. Gantz
Assistant Attorney General

GWG:eg

cc: - Jared Heck, Esq.
Roy Lessy, Esq.
John MacKinnon, Deputy Commissioner, ADOT&PF