

OFFICE OF THE SECRETARY  
CORRESPONDENCE CONTROL TICKET

Date Printed: Mar 15, 2006 10:36

PAPER NUMBER: LTR-06-0139 LOGGING DATE: 03/14/2006  
ACTION OFFICE: EDO To: Johnson, OE  
  
AUTHOR: Debra Spencer Cys: EDO  
AFFILIATION: AK DEDMRS  
ADDRESSEE: Annette Vietti-Cook DEDR  
SUBJECT: Testimony and affidavit...reply to notice of violation continuance, EA-03-126 supplement.... DEDIA  
RIV  
  
ACTION: Appropriate  
DISTRIBUTION: RAS  
  
LETTER DATE: 02/02/2006  
ACKNOWLEDGED No  
SPECIAL HANDLING: Made publicly available in ADAMS via EDO/DPC  
NOTES: Rec'd in C/R staff from RAS/Julian...3/14/2006  
FILE LOCATION: ADAMS  
  
DATE DUE: DATE SIGNED:

*Testimony and Affidavit*  
Reply to Notice of Violation Continuance,  
EA-03-126 Supplement (a)

*Presented by Landlord Debra Spencer on this 25<sup>th</sup> Day of May 2005 and  
re-submitted again on 14<sup>th</sup> Day of July 2005  
3<sup>rd</sup> Request 31 January 2006*

State of Alaska Department of  
Transportation and Public Facilities  
Anchorage, Alaska

Docket No.030-07710 past  
docketed correspondence  
License No.50-14102-01  
EA-03-126 Past reference no.

This notice of violation is being made in pursuant of modification, suspension and revoked licensing actions that are in order and due payment of fines are being request to pursuant and violated party, Debra Spencer.

During a DEC inspection conducted at site of investigation has been conspired in denials of facts, safety concerns, environmental violations and has led a path of violation after violation because many agency discrepancies and breaches of their responsibility to protect the private sector individuals and to be truthful in all communications dealing in facts and solutions. I do not agree on determinations or non-determinations of the DEC inspection that was conducted in 2005 by Bob Petit and Robert Brown, detection of 200 percent levels of explosions registered on the top of the line using the MTX Monitor used by the DEC. Also, was reading of negative ammonia readings that drive my concern for the needed protection of the health and safety of the public immediately? In addition, there has been spill emergency response requested by me from several agencies but no one came. My carbon monoxide monitor was at an alarm rate of 224 ppm and I almost could not catch my breath outside near new area of concern that has been created by outside sources. It is my opinion that Vapor Intrusions, Waste Water, Toxic Contamination in soil, air and land and people is no game and is not a business one should look forward to running. My opinion based on fact, experience, truth and understanding that was aided from everyone sharing their knowledge should be used with seriousness and aid in our responsibility to protect everyone. Did you know you could assign your "will" for example, to a cherry pie!

In addition, I have been advised that there have been violations in the local DOT office of exposures to toxins and violations of NUKE safety standards. I have also made several attempts to receive the readings of the Radioactive Isotopes and their properties, which includes energy of radiation, Mev, particles and transitions, and Types of decay, Percent of Abundance. Also, I have inquired as to the amount of exposures to tested individuals that were proved to be victims of non compliance of Nuclear Regulations and Laws that caused an amount of exposure to radiation at unknown levels to not only the worker but also the private sector individual. The constant denial of the public right to know, SARA,

is completely unlawful and unacceptable. We, the people, have a right to know what we are being exposed to from denial of existence, proper storage, proper consumption, proper labeling, proper training, proper equipment, proper sales, including denials of improvements on technology so that we have a chance to survive! The DOT only monitors themselves, not the community surrounding and effected by DOT activities, which by the way have shown failures in appropriate permitting and violation of ownership rights, violations of Sec 404 Wetlands protections and needed permitted waivers, also not obtained. In addition, I have located the 20/20 plans of construction that prove to be in violation of my contracting rights and Homestead Act protected and patented by President Roosevelt, which grants me inheritance rights, subsurface and mineral rights, and allows me to be the appropriate contracting agent and holder of real deed of trust and real property rights. In fact, in your designed plans of over 2000 areas of reconstruction zones past, present and future, it is already recognized by the Department of Transportation that there is one person who owns deed to land rights, and is written that permission would have to be granted before any constructions are to begin. That, my friends, has not been done and in my eyes we have all failed in doing what is right. My persistence to make wrongs right has not gone over very well with many; however, if you looked at it from my perspective, you would understand I must protect myself, all children of the past, present and of our future and I am obligated to defend the land until the end. And, with saying that I must also mention, I have no choice but to do just that.

Also, I have gained knowledge of the HUB station Power Plant Modules outside of easement boundaries and on my property, and within my rights of free trade and rights to refuse service to anyone in violations of ordinances, laws, protection of community health and safety, violations of waste disposal, etc. and I request a Stop Order and Order of Seizure for current water line, waste line, and all developmental projects within boundaries of all Homestead Claimed Lands, Mining Claims, Performing Un-Regulated Activities, and destroying my land rights and Stewardship claims. All cutting of trees is to end today for lack of permits and proper planning and all done without proper authority and no permissions to do such activities.

In fact, as the legal landlord and according to law, it is necessary to reclaim abused lands, or protected lands that are not being used for original intent, example would be ANWR areas, state parks, protected wildlife areas throughout the original boundaries of the Frontier Lands. It has proven to be a chance to protect all of our world's waters, our children and opportunities for universal peace and prosperity and gives us a chance to unite as one. If we can clean up America, then we can do anything we want. The rest is up to us!

Also, in respect to the ownership and payment of the land and benefits acquired by me under attack of foreclosure processes that are not of real property facts, along with the constant abuse of changing stories, modifications of facts, documents, and unofficial permissions or executive, undocumented secret meetings of Acting Members and / or Commission members and Councils, Representatives that aren't there for me, Legislature that is manipulated, Educators, Lawyers, Political Figures, and pretty much everyone I've

dealt with I must tell you that as a citizen of the United States of America I have a duty to preserve land and its freedoms and also have a right to defend those rights in perpetuity. So I ask for a truce and for acknowledgement of real problems and your help in building real avenues of solutions. Currently, we are on the path of destruction without a doubt and we all deserve better than that, especially the children!

In accordance with the "General Statement of Policy and Procedure for past NRC Enforcement Actions," NUREG-1600, the violation is listed below and also can be viewed on past violation docket number 030-07710, License No. 50-14102-01, EA-03-126 concluded on July 17, 2003:

10 CFR 30.7(0) prohibits discrimination by a Commission licensee against an employee for engaging in certain protected activities. Discrimination includes discharge or other actions relating to the compensation, terms, conditions, and privileges of employment. Under 10 CFR 30.7(a) (1) (i), the activities that are protected include, but are not limited to, the reporting by an employee to the Commission or his employer information about alleged regulatory violations.

Contrary to the above, between 1999 and 2002, the State of Alaska Department of Transportation and Public Facilities, to be further noted as ADOT&PF, an NRC licensee, discriminated against one of its employees, the Statewide Radiation Safety Officer in violation of 10 CFR 30.7(a). Specifically the licensee retaliated against the SRSO for raising safety concerns regarding radiation exposures to ADOT&PF employees, by taking several actions against the terms, conditions, or privileges of the SRSO's employment. This is a Severity Level II violation (Supplement VII).

Pursuant to the provisions of 10 CFR 2.201, the SOA DOT&PF (Licensee) is required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, Attn: Document Control Desk, Washington, DC 20555, with a copy to the Regional Administrator within 30 days of the date of the letter transmitting this Notice of Violation (Notice) "Reply to Notice of Violation Continuance, under EA-03-126 supplement a submitted by Debra Spencer, legal Steward of the Seward Meridian and holder of intellectual property rights and patented rights and Homestead Act. Your reply should include for each violation: (1) The reason for the violation, or if contested, the basis for disputing the violation or severity level, (2) the corrective steps that have been taken and the results achieved, (3) the corrective steps that will be taken to avoid further violations, and (4) the date when full compliance will be achieved (5) reason for violations of conditional use agreements and within boundaries of further violations today.

In addition, non-disclosure of the MSDS on Triangle Research Power Module that shows warnings of danger of toxic substance listed as Sulfur admittance at dangerous levels, and cautions that workers use protective equipment near this equipment for their own safety and protection to exposures to toxins that are harmful to a person's health. Also, denial of my incorporated rights as the stakeholder with the most responsibility needs to be addressed and compensated immediately.

As identified in my deed, it is stated that all information regarding inheritances, land rights, subsurface rights, patented land and deeded responsibilities as landlord and Steward of the Seward Meridian, and anything thing else figured out by me shall be released as available information to me immediately. In addition, there have been false allegations created to further deter me from my legal grandfathered rights, royalty rights and obligations for contracting obligations to be entered into. Not to mention have been at times humiliatingly dangerous to me, and others and downright mean. Recently, my animals have contracted pestilence and one of my animals almost died from the silt that you have allowed to be projected on my land and property. Also, I have recently hurt myself on accident by falling in a hole that is created from the underground facility and the undermining being diverted through the DOT drainage systems.

The non-disclosure of this safety data information and failure of DEC investigation requests that did not follow up with the reading levels of toxic exposures has created an unwarranted invasion of my personal privacy. By owner of deeded Homestead Act and inheritance rights of original Homesteader's rights, obligations, lands and Stewardship responsibilities you are not obliged by 10 CFR 2.390(b) which would support a request for withholding confidential commercial or financial information.). Within the Deeded Rights are rights to full disclosures, and requirements of ROW contracts, leases, and now damages with claims that continue to exceed my miners right of importance and my concerns for public health or safety, rights of Clean Air and Water, and rights of crucial disclosures of easement contracts, project acknowledgements throughout Alaska, and immediately proceedings for acquisition of just compensations for the SOA DOT&PF violations of law and their constant denial of facts relevant to community health and safety concerns.

Within the 20/20 plans is a budget allowance beyond belief. You can't always believe what you read but I do believe this one! You have several compensation funds for all of the violations and the request for compensation must begin today, or I must be forced to file suit at International levels. The United Nations is waiting for your answers. We bid you peace and safety to you and your families, and request that you please help us today to protect everyone's families.

In pursuance of worker safety and community protection, I will add another violation of agreement made on March 4, 2004 that the ADOT&PF must take actions to ensure compliance with 10 CRF 30.7 and to ensure it has established and has maintained a Safety Conscious Work Environment. The agreed-upon actions noted in Section IV of the Confirmatory Order focus on (1) ensuring that ADOT&PF's internal policies and procedures establish and will support a Safety Conscious Work Environment by providing for a review of these policies and procedures supporting Safety Concerns Without Fear of Retaliation on May 14, 1996 {61FR24336}; (2) developing a plan to conduct training of employees and their supervisors and managers on NRC's Employee Protection Regulations and on establishing a Safety Conscious Work Environment; and (3) developing a long-term plan for maintaining a Safety Conscious Work Environment that includes culture surveys and annual refresher training. On March 4, 2004, ADOT&PF consented to issuing this CO with the commitments as described in Section

IV below. Also in further agreement in its March 4, 2004 letter that this CO is to be effective upon issuance and that it has waived its right to a hearing on the CO.

I am reporting continued violations of the commitments agreed to by the ADOT&PF because their accepted commitments to the public health and safety are in gross negligence and within immediate acknowledgement of violations and immediate actions in support of past commitments to protect public health and safety and worker's health and safety and issuance of proper protective equipment and I am issuing a REQUEST FOR HEARING TO BE IMPLEMENTED ON THIS SUPPLEMENTAL NOTICE OF CONTINUED VIOLATION OF PAST VIOLATION AGREEMENTS.

Since the DOT has given up its rights to a hearing, I would like to know the next step towards just compensation and immediate negotiations of future projects to begin with me today. Also, we must clean up our mess without further destruction to historical evidence, artifacts, burial sites, national sites of importance and we must immediately preserve our resources that have less than a predicted 14 year time span of existence.

Accordingly, pursuant to Sections 81, 161b, 161i, 161o, 182 and 186 of the Atomic Energy Act of 1954, as amended, and the Commission's regulations in 10 CFR 2.202 and 10 CFR part 30, that additional license modification or license withholding and actions that further endanger public health and safety, which includes workers health and safety requirements, trainings, acknowledgements to contaminations, and availabilities of proper safety equipment be implemented immediately, not to mention proper pay scales!

Dated this 25<sup>th</sup> Day of May, 2005 and resubmitted on this 14<sup>th</sup> Day of July 2005

If you contest this enforcement action, you should also provide a copy of your response, with the basis for your denial to the Director, Office of Enforcement, United States Nuclear Regulatory Commission, Washington, DC 20555-0001

As the legal authority for contracting developments throughout Alaska's Frontier Lands, and a victim of a stated Conspiracy attempts against me per staff statement at Representative Seaton's office, and as being a continued victim of discriminations and violations that endanger my life, home and liberties and lands, and even my educational rights I must conclude that I will be given rights and authority to Steward Alaska's Frontier Lands, and enter into further developmental plans that support required obligations that have been ignored by the ADOTP&F throughout my domain will bring light of our universal significance.

In favor of equal opportunities and rights of non discriminatory actions against myself, I would ask that the entire file referenced, including responses and all compliance regulations that assure compliances with the NRC's Employee Protection regulations (e.g. 10 CFR 30.7, 40.7, and 50.7, a draft of the Commission's May 1996 Policy Statement on the "Freedom of Employees in the Nuclear Industry to Raise Safety Concerns Without Fear of Retaliation", drafts of internal policies / procedures regarding a Safety Conscious Work Environment, and an immediate compensation for my

developments of intellectual property that has been terrorized, aid to help me save my home from collapse because of illegal diversions of Artesian Well Source and from the erosion and diversion of my property boundaries, including manipulations of elevations that manipulate tunnel within my property boundaries of Homestead protection and obligations legally inherited by me to protect this section of land. Request of Royalties payment is due upon receipt of this request. Also, I would like start up costs, meter advancements, acknowledgement of power sourcing agent and compensations for excessive productions of resources and utilities, illegal consumption of minerals that I own and claim rights to legally and protection of Homestead Lands from seizures from attacking attorneys and Title Companies and Banks that have entered into deceptive practicing and requires the facts provide information that no further payments to KPB taxing authorities and removes responsibility to illegitimate contracting agencies that have proven deceptive and unjust in their moral and ethical commitments to fair contracting, trade , equity and equality in housing rights, etc. Please also acknowledge acceptance of criteria set forth in 10 CFR SS 2.309(d) and (f), and please forward a draft copy of compliance regulations to my immediate attention. Please also provide me with the plumbing codes and regulation information, transportation codes and regulation, nuclear codes and regulations, FAA codes and regulations, International Waters codes and Regulations, Health Codes and Regulations, etc.

I have no library access to computers or the ability to check out any materials currently. Also, I have been discriminated against and requested by the following agencies not to enter into these public areas, some of which are the only sources to past, current and accurate information, such as the recorders office, Homer Electric Association, SOA Job services office, the Cook Inlet Keeper, ACS – Alaska Communication Systems, and a few others such as the Tesoro gas station with my address of residence assigned to their parcel in Kachemak City, also denial of services from some of the local bars, and continued discrimination including the Alaska Bar Association members throughout Alaska, all state “conflict of interest” to my right to fair representation opportunities at Pro Bono acceptance levels. Recently, I discovered the reason of the missed opportunity for equal opportunity for legal representation and conclude by opinion that it has something to do with my set up property rights and empowerments through the discovery of my inheritance and responsibilities. Past actions, and cases have given us the leg to stand on, so why don't we run today.

Today I have been thrown out of my living situation by a guy named Jim Long, who requested the police to have me removed from my boyfriend's trailer where I have been staying since my hot water heater is not working because of discrimination from Contractors and Home Insurance Company, Horace Mann, and since my electricity has been unjustly disconnected and my phone access manipulated. When is the last time you received a Four Thousand Dollar phone bill for 3 weeks of service? Also, constant theft of my identity has endangered the welfare of the Homestead Lands, our monies and the people's opportunities for their families. I request immediate seizure of my accounts that are being manipulated by higher power agencies such as Wells Fargo and First National Banks, HUD, Real Estate Commission Members, South Peninsula Hospital and the Community Mental Health Trust. I should be justly compensated for the slander, libel,

kidnapping, destruction of property, endangerment of life, liberty and denial of inheritance rights and denial of equal opportunities, and claims of constant discriminatory actions taken against me to stall my further efforts to succeed in building a more powerful dynasty that secures America's resources and offers International Advancements in Economical Areas not yet considered by Commerce Commissions and agencies. Also, the denial of the opportunity for the private sector individual to be a part of the Legislative process has been completely denied by impossible measures for one woman to meet. I think fair and just compensation for the libels and slanders committed against me, would be to assign me as ownership to Disneyland. I also have proof of my families connections tied into this request. Did you know the Walt Disney was a child molester? I did not until two children confirmed this rumor I had heard last year.

In addition, I have no way to travel, no money to travel, and I have been in need of protecting my boundaries, lands, rights and home on a daily basis for quite some time now, I would like to request in advance the acceptance for a telephonic appearance on hearing date, and that some legal representation or authority be assigned to aid me in my cases being introduced for negotiating terms or United Nations hearing levels. Also, I request immediate power to my home and training and control over station controls and high security awarded with computer capabilities that are failing proofed and with protection from piracy and theft. Also, I would like my privacy and my rights to sustain a healthy and loving relationship with someone who is not controlled by more influential characters needs immediate attention and resolution. Please define H.A.R.P.S. and A.R.C. operations and outline goals leaving no hidden agendas to understand.

Your choices have proven without a doubt the urgency for the need for regulation compliance throughout Alaska, including the preservation of wet lands that are scarce, the demand to stop manipulating sources used to cause Global Warming and the immediate protection of community health and safety, protection for all children from rape, abuse, danger and manipulations and we, the people, have rights to Clean Air and Clean Water, an acceptance of permission to me to develop a water distillery and for need to develop sales for bottled waters and for protection of International boundaries and Waters that do not belong to the boroughs but to the Homestead that is older than all of us! This land has much to offer in educational values, why would anyone want to take our educational opportunities away from under us?

*Request for hearing shall be submitted to the Secretary, U.S. Nuclear Regulatory Commission, Attn: Rulemakings and Adjudications Staff, Washington, DC 20555.*

*\*\*\*Hearing rights have been waived by the DOT\*\*\**

Copies also should be sent to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, Washington, DC 20555, to the Assistant General Counsel for Material Litigation and Enforcement at the same address, to the Regional Administrator, NRC Region IV, 611 Ryan Plaza Drive, Suite 400, Arlington, Texas 76011, and to the Licensee. Disruptions in mailing service requests that requests for hearings be submitted

by facsimile transmission to 301-415-1101 or by email to [hearingdocket@nrc.gov](mailto:hearingdocket@nrc.gov) and also to the Office of the General Counsel either by means of facsimile transmission to 301-415-3725 or by email to [OGCMailCenter@nrc.gov](mailto:OGCMailCenter@nrc.gov)

Cc: Special Circumstances of Urgency for Human Rights Committee Commission/Sub-Commission Team (1503 Procedure)

Support Services Branch

Office of the High Commissioner for Human Rights

United Nations Office at Geneva

1211 Geneva 10, Switzerland

Fax: +41 22 9179011

Email: [1503.hchr@unog.ch](mailto:1503.hchr@unog.ch)

\*\*\*Waiver of Optional Protocol and requesting Committee's Special Rapporteur on New Communications compliance requested inherently to avert additional irreparable harm being suffered. Also, rule 91(3) seeking protecting additional irreparable damages. Further, pertinent provisions in rule 112(5) of the Committee of procedure should be taken in follow up with the state and its agencies and Rule 108(1), for seeking interim and request of special circumstances of urgency and sensitivity is in motion of request. Also, since this complaint is not being submitted under Optional Protocol to the International Covenant on Civil and Political Rights because this is a claim of violation of right to property and merits are presented in fact, in light of trust, and in the honor of universal justice and peace in perpetuity.

Enclosures included:

Evidence of plans of destruction that go against all agreements made by ADOT&PF's commitments of April 4, 2003

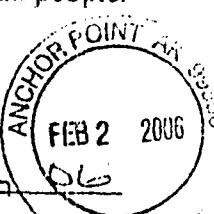
Evidence of plans of future destructive activities including proof of one person ownership rights needing developments of contracting that allows DOT to enter upon lands of subsurface and mineral rights that are protected and owned legally by me, Debra Spencer.

Evidence of the need of the NRC to intervene in the protection of Alaska's resources and need for protection from further terrorism activities presented by United States Citizens themselves for their own beneficial reasoning that does not comply with ethical compliance laws and obligations to protect and be true to the American people.

Debra Spencer 2-2-06

S/o General Delivery  
Homer, AK 99603-4998

Subscribed and sworn to before me 2 day of February



Notary Public and / or Witnesses Debra Spencer Postmaster USPS #15556

Commission Expires: N/A

## ***Notice to Quit from Unlawful Holding by Force***

This requirement of *Notice to Quit from Unlawful Holding By Force* is being made to the Department of Transportation on this 27<sup>th</sup> day of May and on this 14<sup>th</sup> day of July Two Thousand and Five by force possession of real property Alaska Statute 09-45-090(b) and the subsurface, land and minerals owned by me, Debra Spencer, and you have deliberately inflicted substantial (loss, destruction and defacement of a lot of the Territory, exceeding \$400) and at a quick estimation would conclude approximately \$400 Trillion Dollars in damages, just in Alaska alone. It is demanded that full compensations for the use of resources I own and for the destruction to subsurface lands that I also own, and for the destruction of my private dwelling and for the endangerment of life to my animals and my self. I have reviewed your 20/20 outlined notes and you do have funds available today for these occurrences. And I request that you stop causing any further destructions as outlined in your plans that were sent to me.

You are in possession of real property lands and you have over stepped boundaries without a written lease or agreement for use of resources and without the consent of the owner of the real property, Debra Spencer. You have damaged the property by moving your possessions to the property, you have brought pests to the Frontier Lands and there is waste and filth surrounding everything as a result of your possession. You have caused electrical bills to be charged in just one month of time to be in excess of four hundred dollars and phone bills in excess of Four Thousand Dollars, in which previously you were not generating a cost for all the excess resources you have been using and taking.

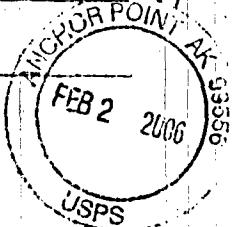
You are hereby notified that your unlawful possession of boundaries of the Territorial Lands of Alaska, which include Canada and any other Frontier Boundary that lie outside of the allowed ROW of 50 feet that has been measured accordingly to historical land markers and it is concluded that you are outside of you boundaries and you have no contracting authority with anyone on my land or with my subsurface and mineral rights throughout the Seward Meridian, and I, with landlord rights and your involvement in the destruction of land caused from you and your contracted agencies such as HEA CAP, Sig/Com, ACS1, ACS2, ACS3, ACS4, Alaska Communication Systems, State of Alaska agencies, KPB, Marathon Oil and others, termination is being requested and you must move from these lands by the minimum time requirement by law of 24 hours of time of receipt of this notification.

*Debra Spencer 2-2-06*

Subscribed and sworn to before me 2 day of February 06

Notary Public and / or Witnesses Gandell Simon Postmaster 97557

Commission Expires: WIA



## *Landlord's Record of Service*

Instructions: Serve a copy of this notice on the tenant. Immediately fill out the following to describe how service was accomplished. Complete all that apply. Keep the completed original for use in filing the Complaint.

Tenant acknowledges receipt of this notice on \_\_\_\_\_  
Date \_\_\_\_\_ Tenant's Signature \_\_\_\_\_

This notice was personally served on \_\_\_\_\_ by the undersigned on the date of \_\_\_\_\_.

I attempted to make personal service on the tenants named above. I knocked on the door of the premises named above, but no one answered. I believed tenants were absent, so I securely affixed this Notice to the entry door of the above premises. This was done on the date of \_\_\_\_\_.

Tenants were served by registered or certified mail. (The return receipt will be retained for use in court.)

Date: 2-2-06

Signature Debra Spencer  
Printed Name Debra Spencer

Attach to Complaint if Suit is filed

AS 09-45-100  
AS 34.03.010 et seq  
Civil Rule 85

Subscribed and sworn to before me

2 day of February 05 552

Notary Public and / or Witnesses Debra Spencer Posture

Commission Expires: 01/14

