



**UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION IV
611 RYAN PLAZA DRIVE, SUITE 400
ARLINGTON, TEXAS 76011-4005**

March 27, 2006

Debra Spencer
c/o General Delivery
Homer, Alaska 99603-9998

Ms. Spencer:

This letter is in response to your request for information on U.S. Nuclear Regulatory Commission (NRC) related issues as addressed in your correspondence to the State of Alaska, Department of Transportation and Public Facilities (ADOT & PF), with a copy being sent to the NRC Region IV Regional Administrator. The NRC received your letter on March 3, 2006. Please note that in responding to the issues raised in your correspondence we restricted our response to only NRC related issues. Additionally, we noted in your correspondence a request to receive copies of NRC regulations pertaining to employee protection as stated in 10 CFR 30.7, 40.7, and 50.7 (enclosed).

In reviewing the issues addressed in the copy of your correspondence, we want you to know that NRC licensees must conduct their radiation safety program with meticulous attention to detail and maintain a high standard of compliance with NRC regulations. The NRC's regulations limit the exposure of members of the public from the operation of an NRC licensed facility to receiving no more than 100 millirem each year. For comparison purposes, the average annual radiation exposure from natural sources of radiation to an individual in the United States is about 300 millirem. NRC licensees are required to demonstrate compliance with this limit by a combination of mathematical calculations and radiation surveys.

We noted in the copy of your correspondence the following statement, "I have inquired as to the amount of exposure 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." As a result of NRC inspections on ADOT & PF activities, a Notice of Violation was issued to ADOT & PF on March 15, 2004, for a Severity Level II violation based on the licensee discriminating against one of its employees for raising safety concerns regarding radiation exposures to other employees. The NRC also issued an immediately effective Confirmatory Order to confirm certain commitments, as set forth in the Order, involving the licensee's internal policies and procedures pertaining to assuring compliance with NRC employee protection requirements. In addition, a Notice of Violation and Proposed Imposition of Civil Penalties in the amount of \$21,000 was issued to ADOT & PF for (1) a willful Severity Level II problem (\$15,000) involving radiation exposures in excess of NRC's annual public exposure limit and failure to perform surveys appropriate to demonstrate compliance with NRC dose limits for individual members of the public, and (2) a willful Severity Level III violation (\$6,000) involving the failure to provide copies of two exposure reports to six affected individuals.

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Ensuring adequate protection of public health and safety and the environment has always been, and continues to be, the NRC's primary goal. Accordingly, safety is the most important consideration in evaluating licensee performance. As you can see, the NRC conducts inspection activities and takes a full range of actions (issuance of orders, civil penalties and/or criminal prosecution, suspending or revoking a license) necessary to ensure that a licensee's performance does not fall below acceptable levels.

I trust this information is responsive to your concerns.

Sincerely,

/RA/ Roberto J Torres for

Jack E. Whitten, Chief
Nuclear Materials Licensing Branch

Enclosures: As stated

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