



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

August 1, 2006

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

SUBJECT: CLOSURE OF INVESTIGATION (OI 4-2006-008)

Dear Mr. Barton:

This refers to an investigation conducted by the NRC Office of Investigations (OI) regarding activities at the State of Alaska's Department of Transportation & Public Facilities (ADOT&PF) offices in Anchorage, Alaska. OI initiated the investigation to determine whether your former statewide radiation safety officer was the subject of employment discrimination for bringing forward safety concerns.

Based on a review of the OI investigation and all other pertinent information, the NRC did not substantiate that the former radiation safety officer's employment termination was in violation of the Employee Protection Rule, 10 C.F.R. § 30.7. The NRC plans no further action related to this alleged discrimination and considers this investigation closed.

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

Sincerely,

/RA/

Leonard D. Wert, Jr., Director
Division of Nuclear Materials Safety

Docket: 030-07710
License: 50-14102-01

cc:
Mr. Gary Gantz
Assistant Attorney General
State of Alaska
Department of Law
1031 West 4th Avenue, Suite 200
Anchorage, AK 99501-5903

bcc: Allegation File

SUNSI Review Completed: HAF ADAMS: Yes No Initials: HAF
 Publicly Available Non-Publicly Available Sensitive Non-Sensitive

OFFICE	RIV:SAC	RC/TL:ACES	C:NMIB	D:DNMS
NAME	HAFreeman	KDFuller	VHCampbell	LDWert
	/RA/	/RA/	/RA/	/RA/
DATE	07/26/2006	07/31/2006	07/31/2006	08/01/2006

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