

February 8, 2001

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE PRESIDING OFFICER

In the Matter of )  
 )  
MICHAEL L. PIASECKI ) Docket No. 55-22136-SP  
 )  
(Denial of Reactor Operator License) )

NRC STAFF RESPONSE  
TO MICHAEL L. PIASECKI'S  
REQUEST FOR HEARING

INTRODUCTION

On September 25, 2000, Michael L. Piasecki, an applicant for a reactor operator license, requested an informal NRC staff review of the proposed denial of his application, based upon the grading of the written test. On December 27, 2000, after review of the matter, the NRC staff (Staff) informed Mr. Piasecki by letter that the proposed denial had been sustained. By letter dated January 11, 2001, Mr. Piasecki filed a request for hearing within twenty (20) days of the date of the proposed denial. Mr. Piasecki supplemented his hearing request by letter on January 17, 2001.

On February 5, 2001, the Chief Administrative Judge of the Atomic Safety and Licensing Board Panel issued an order designating a Presiding Officer to rule on the request for hearing and, as necessary, to conduct an informal adjudicatory hearing in accordance with 10 C.F.R. Part 2, Subpart L.

The Staff hereby files its response to Mr. Piasecki's request for hearing, pursuant to 10 C.F.R. § 2.1205(g).

DISCUSSION


An applicant for a reactor operator license who desires a hearing on a proposed denial of a license application must file a request for hearing within twenty (20) days of the

date of the notice of the proposed denial. See 10 C.F.R. §§ 2.103(b)(2), 2.1205(b). Mr. Piasecki filed the instant hearing request within the appropriate time limit. Therefore, the Staff has no objection to the hearing request.

CONCLUSION

For the reason set forth above, the Staff does not object to Mr. Piasecki's request for hearing.

Respectfully submitted,

  
Jennifer M. Euchner  
Counsel for NRC Staff

Dated at Rockville, Maryland  
this 8th day of 2001.

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NUCLEAR REGULATORY COMMISSION

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MICHAEL L. PIASECKI ) Docket No. 55-22136-SP  
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(Denial of Reactor Operator's License) )  
 )

NOTICE OF APPEARANCE

Notice is hereby given that the undersigned attorney herewith enters an appearance in the above-captioned matter. In accordance with 10 C.F.R. § 2.713(b), the following information is provided:

Name: Jennifer M. Euchner  
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Washington, D.C. 20555  
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E-mail Address: [jme@nrc.gov](mailto:jme@nrc.gov)  
Admissions: Maryland Court of Appeals  
Name of Party: NRC Staff

Respectfully submitted,



Jennifer M. Euchner  
Counsel for NRC Staff

Dated at Rockville, Maryland  
this 8<sup>th</sup> day of February, 2000

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(Denial of Reactor Operator's License) )

NOTICE OF APPEARANCE

Notice is hereby given that the undersigned attorney herewith enters an appearance in the above-captioned matter. In accordance with 10 C.F.R. § 2.713(b), the following information is provided:

Name: Susan L. Uttal  
Address: U.S. Nuclear Regulatory Commission  
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E-mail Address: [slu@nrc.gov](mailto:slu@nrc.gov)  
Admissions: U.S. Supreme Court  
U.S. Court of Appeals, 3<sup>rd</sup> Cir.  
New Jersey  
Pennsylvania  
Name of Party: NRC Staff

Respectfully submitted,

  
Susan L. Uttal  
Counsel for NRC Staff

Dated at Rockville, Maryland  
this 8<sup>th</sup> day of February, 2000

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE PRESIDING OFFICER

In the Matter of )

MICHAEL L. PIASECKI )

(Denial of Reactor Operator's License) )

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CERTIFICATE OF SERVICE

I hereby certify that copies of "NRC STAFF RESPONSE TO MICHAEL L. PIASECKI'S REQUEST FOR HEARING AND NOTICE OF APPEARANCE FOR JENNIFER M. EUCHNER AND SUSAN L. UTTAL" in the above-captioned proceeding have been served on the following through deposit in the Nuclear Regulatory Commission's internal mail system, or by deposit in the U.S. Mail, First Class as indicated by an asterisk, this 8<sup>th</sup> day of February 2001.

Administrative Judge  
Charles N. Kelber, Special Assistant  
Atomic Safety and Licensing Board Panel  
Mail Stop - T-3 F23  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

Emile S. Julian, Asst.  
Office of the Secretary  
Rulemakings and Adjudications Staff  
Mail Stop - O-16 C1  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

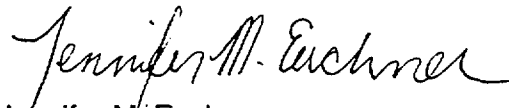
Office of Commission Appellate  
Adjudication  
Mail Stop - O-16 C-1 OWFN  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

Administrative Judge  
Ivan W. Smith, Presiding Officer  
Atomic Safety and Licensing Board Panel  
Mail Stop - T-3 F23  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

Atomic Safety and Licensing Board  
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Respectfully submitted,



Jennifer M. Euchner  
Counsel for NRC Staff