

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
ATOMIC SAFETY AND LICENSING BOARD

DOCKETED 01/25/06

SERVED 01/25/06

Before Administrative Judges:

Lawrence G. McDade, Chairman
E. Roy Hawken
Dr. Peter S. Lam

In the Matter of

ANDREW SIEMASZKO

Docket No. IA-05-021-EA

ASLBP No. 05-839-02-EA

January 25, 2006

SCHEDULING ORDER

In an Order issued on December 22, 2005, this Board granted a Motion in which the NRC Staff requested a stay of these proceedings until February 1, 2006.¹ In granting that stay, we directed that the NRC Staff file a status report with this Board on or before January 23, 2006, and we also directed that any additional request for a stay of these proceedings be filed on or before that date. Finally, we directed that, absent a further Order from the Board, we would hold a Status Conference on February 1, 2006.

On January 20, 2006, the NRC Staff filed a Motion to extend the time within which it could request a further stay of this proceeding until February 1, 2006. The NRC Staff, in its motion, expressly represent that counsel for Mr. Siemaszko has consented to this extension of time. Accordingly, the NRC Staff's Motion is granted. The pending stay of these proceedings is continued until it is expressly lifted by this Board. Further motions to stay this proceeding may be filed on or before February 1, 2006, and replies to any such motion may be filed on or before February 8, 2006.

¹ Licensing Board Memorandum and Order (Dec. 22, 2005). This Board has previously granted stays that had been requested by the Staff in orders dated on May 25, 2005, July 22, 2005, and September 29, 2005.

Absent notice of a conflict from one or more of the parties on or before February 1, 2006, and/or further Order from the Board, we will hold a Status Conference on February 10, 2006, at 2:00 PM, EST to hear oral argument on any motions then pending and, if appropriate, to set a schedule for the resolution of this proceeding. Details regarding the logistical specifics for that conference (i.e., via telephone or in person, etc.) will be finalized after consultation with the parties.

IT IS SO ORDERED.²

FOR THE ATOMIC SAFETY
AND LICENSING BOARD

/RA/

Lawrence G. McDade
ADMINISTRATIVE JUDGE

Rockville, Maryland
January 25, 2006

² Copies of this order were sent this date by Internet e-mail transmission to: (1) counsel for Mr. Siemaszko, (2) counsel for the NRC Staff, (3) David Lochbaum, Union of Concerned Scientists, and (4) Sandy Buchanan, Ohio Citizen Action.

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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ANDREW SIEMASZKO)	Docket No. IA-05-021
)	
)	
(Enforcement Action))	

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB SCHEDULING ORDER have been served upon the following persons by U.S. mail, first class, or through NRC internal distribution.

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[Evangeline S. Ngbea]
Office of the Secretary of the Commission

Dated at Rockville, Maryland
this 25th day of January 2006