

RAS 12488

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DOCKETED
USNRC

October 31, 2006 (11:41pm)

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

October 31, 2006

(By Facsimile: 301-415-1101,
e-mail: hearingdocket@nrc.gov
and Regular U.S. Mail)

Secretary
U.S. Nuclear Regulatory Commission
ATTN: Rulemakings and Adjudications Staff
Washington, DC 20555

Re: Response to NRC Staff's October 17, 2006 Amendment to Order
Prohibiting Involvement in NRC-Licensed Activities, Appeal, and
Request for Consolidation With Hearing in *In the Matter of Andrew
Siemaszko, IA-05-021, ASLBP No. 05-839-02-EA*

Dear Secretary:

Andrew J. Siemaszko, by his attorneys Billie Pirner Garde and Clifford & Garde, and pursuant to 10 C.F.R. 2.202, hereby appeals the Amendment to the Order Prohibiting Involvement in NRC-Licensed Activities, issued on October 17, 2006. Mr. Siemaszko denies the allegations contained in the Amendment to Order Prohibiting Involvement in NRC-Licensed Activities, issued to him on October 17, 2006. Further, Mr. Siemaszko requests that the allegations contained in the Amendment be consolidated with the pending matter for a hearing on the proposed enforcement action.

This appeal and request for consolidation should not be construed as waiving any rights that Mr. Siemaszko has to seek dismissal of these claims or to challenge the claims on the merits.

It is my understanding that a denial of the charges and request for a hearing satisfies the requirement of the Order that the answer specifically admit or deny each allegation or charge made in the Order. Again, Mr. Siemaszko specifically denies the assertion that he deliberately engaged in any misconduct, and that "[h]ad the NRC been aware of this incomplete and inaccurate information, the NRC would likely have taken immediate regulatory action to shut down the plant and require FENOC to implement appropriate corrective actions." (*Order, p. 3*)

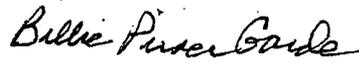
TEMPLATE = SELV-037

SELV-02

Please be advised that Mr. Siemaszko is not currently employed or involved in any NRC-licensed activities.

Thank you for your attention to these matters. Please contact me if you have any questions or if you need additional information.

Sincerely,



Billie Pirner Garde



cc: Director
Office of Enforcement
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

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Mr. Andrew Siemaszko
(By e-mail)