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DOCKETED
USNRC

April 22, 2005 (4:30pm)

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

April 22, 2005

(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: Request for Hearing in Response to Order Prohibiting
Involvement in NRC-Licensed Activities
In the Matter of Andrew Siemaszko, IA-05-021

Dear Secretary:

Andrew J. Siemaszko, by his attorneys Billie Pirner Garde and Clifford & Garde, and pursuant to 10 C.F.R. 2.202, hereby denies the allegations contained in the Order Prohibiting Involvement in NRC-Licensed Activities, issued to him on April 21, 2005, and requests a hearing on the proposed enforcement action.

Based on a telephone conversation earlier today with the Office of Enforcement, it is my understanding that a denial of the charge and request for a hearing satisfies the requirement on page 10 of the Order that the answer specifically admit or deny each allegation or charge made in the Order. If this is not accurate, please advise me, since it is difficult to determine from the Order what allegations are specifically attributed to actions by Mr. Siemaszko that resulted in the issuance of this Order. However, Mr. Siemaszko does specifically deny the assertion 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 the licensee to implement appropriate corrective actions." (*Order*, p. 7)

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

As a final matter, please note that you sent the Order to my old firm and address. Please change your records to reflect our new and current name and address as follows:

Clifford & Garde
1707 L Street, NW, Suite 500
Washington, DC 20036

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

Sincerely,

A handwritten signature in black ink that reads "Billie P. Garde". The signature is written in a cursive, flowing style.

Billie Pirner Garde

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

Assistant General Counsel for
Materials Litigation and Enforcement
U.S. Nuclear Regulatory Commission
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