



**UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, DC 20555 - 0001**

March 17, 2006

IA-05-021

Ms. Billie P. Garde, Esq.  
Law Office  
Clifford & Garde  
1707 L Street, N.W., Suite 500  
Washington DC 20036

SUBJECT: REQUEST TO CLARIFY ORDER TO ANDREW SIEMASZKO

Dear Ms. Garde:

This letter is in response to your letter dated February 17, 2006, in which you requested that the Order issued to your client, Andrew Siemaszko, on April 21, 2005, be clarified on whether or not the Order was immediately effective. Based on your request, we have reviewed the Order issued to Mr. Siemaszko. Although Section IV lists the conditions of the Order, the last paragraph of Section V of the Order states that the provisions of Section IV are effective and final 90 days from the date of the Order in the absence of any request for a hearing or written approval of an extension of time in which to request a hearing. Since Mr. Siemaszko did request a hearing and activities related to the hearing are, in fact, pending, the Order has not yet become effective and will not become effective until completion of the hearing activities. Because Section V already states the conditions under which the Order would become effective, we do not believe that it is necessary to modify the Order to clarify the effective date.

Thank you for bringing your concern to my attention. If you have further questions regarding this matter, please feel to contact me.

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

Sincerely,

/RA/

Michael R. Johnson, Director  
Office of Enforcement

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