

99-251

6



RESPONSE TO FREEDOM OF INFORMATION ACT (FOIA) / PRIVACY ACT (PA) REQUEST

RESPONSE TYPE FINAL PARTIAL

REQUESTER

Mr. Jason P. Perdion

DATE

MAR 02 2000

PART I. -- INFORMATION RELEASED

- No additional agency records subject to the request have been located.
- Requested records are available through another public distribution program. See Comments section.
- APPENDICES Agency records subject to the request that are identified in the listed appendices are already available for public inspection and copying at the NRC Public Document Room.
- APPENDICES **J, K** Agency records subject to the request that are identified in the listed appendices are being made available for public inspection and copying at the NRC Public Document Room.
- Enclosed is information on how you may obtain access to and the charges for copying records located at the NRC Public Document Room, 2120 L Street, NW, Washington, DC.
- APPENDICES **J, K** Agency records subject to the request are enclosed.
- Records subject to the request that contain information originated by or of interest to another Federal agency have been referred to that agency (see comments section) for a disclosure determination and direct response to you.
- We are continuing to process your request.
- See Comments.

PART I.A -- FEES

- AMOUNT * You will be billed by NRC for the amount listed. None. Minimum fee threshold not met.
 - \$ **306.13** You will receive a refund for the amount listed. Fees waived.
- * See comments for details

PART I.B -- INFORMATION NOT LOCATED OR WITHHELD FROM DISCLOSURE

- No agency records subject to the request have been located.
- Certain information in the requested records is being withheld from disclosure pursuant to the exemptions described in and for the reasons stated in Part II.
- This determination may be appealed within 30 days by writing to the FOIA/PA Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. Clearly state on the envelope and in the letter that it is a "FOIA/PA Appeal."

PART I.C COMMENTS (Use attached Comments continuation page if required)

The actual fees for processing your request are:

17 hrs. professional search @ \$36.93 per hr. = \$627.81
 14 hrs. clerical search @ \$18.00 per hr. = \$252.00
 20 minutes SES review @ \$69.44 per hr. = \$23.20
 20 hrs. professional review @ \$36.93 per hr. = \$738.60
 7.5 hrs. clerical review @ \$18.00 per hr. = \$135.00
 Duplication of 1,528 pages @ \$0.20 per page = \$305.60
 Total = \$2,082.21
 (LESS ADVANCE PAYMENT OF \$2,388.34 = \$306.13)

SIGNATURE - FREEDOM OF INFORMATION ACT AND PRIVACY ACT OFFICER

Carol Ann Reed *Carol Ann Reed (for)*

RESPONSE TO FREEDOM OF INFORMATION ACT (FOIA) / PRIVACY ACT (PA) REQUEST

99-251

MAR 02 2000

PART II.A -- APPLICABLE EXEMPTIONS

APPENDICES
K

Records subject to the request that are described in the enclosed Appendices are being withheld in their entirety or in part under the Exemption No.(s) of the PA and/or the FOIA as indicated below (5 U.S.C. 552a and/or 5 U.S.C. 552(b)).

Exemption 1: The withheld information is properly classified pursuant to Executive Order 12958.

Exemption 2: The withheld information relates solely to the internal personnel rules and procedures of NRC.

Exemption 3: The withheld information is specifically exempted from public disclosure by statute indicated.

Sections 141-145 of the Atomic Energy Act, which prohibits the disclosure of Restricted Data or Formerly Restricted Data (42 U.S.C. 2161-2165).

Section 147 of the Atomic Energy Act, which prohibits the disclosure of Unclassified Safeguards Information (42 U.S.C. 2167).

41 U.S.C., Section 253(b), subsection (m)(1), prohibits the disclosure of contractor proposals in the possession and control of an executive agency to any person under section 552 of Title 5, U.S.C. (the FOIA), except when incorporated into the contract between the agency and the submitter of the proposal.

Exemption 4: The withheld information is a trade secret or commercial or financial information that is being withheld for the reason(s) indicated.

The information is considered to be confidential business (proprietary) information.

The information is considered to be proprietary because it concerns a licensee's or applicant's physical protection or material control and accounting program for special nuclear material pursuant to 10 CFR 2.790(d)(1).

The information was submitted by a foreign source and received in confidence pursuant to 10 CFR 2.790(d)(2).

Exemption 5: The withheld information consists of interagency or intraagency records that are not available through discovery during litigation. Applicable privileges:

Deliberative process: Disclosure of predecisional information would tend to inhibit the open and frank exchange of ideas essential to the deliberative process. Where records are withheld in their entirety, the facts are inextricably intertwined with the predecisional information. There also are no reasonably segregable factual portions because the release of the facts would permit an indirect inquiry into the predecisional process of the agency.

Attorney work-product privilege. (Documents prepared by an attorney in contemplation of litigation)

Attorney-client privilege. (Confidential communications between an attorney and his/her client)

Exemption 6: The withheld information is exempted from public disclosure because its disclosure would result in a clearly unwarranted invasion of personal privacy.

Exemption 7: The withheld information consists of records compiled for law enforcement purposes and is being withheld for the reason(s) indicated.

(A) Disclosure could reasonably be expected to interfere with an enforcement proceeding (e.g., it would reveal the scope, direction, and focus of enforcement efforts, and thus could possibly allow recipients to take action to shield potential wrongdoing or a violation of NRC requirements from investigators).

(C) Disclosure would constitute an unwarranted invasion of personal privacy.

(D) The information consists of names of individuals and other information the disclosure of which could reasonably be expected to reveal identities of confidential sources.

(E) Disclosure would reveal techniques and procedures for law enforcement investigations or prosecutions, or guidelines that could reasonably be expected to risk circumvention of the law.

(F) Disclosure could reasonably be expected to endanger the life or physical safety of an individual.

OTHER (Specify)

PART II.B -- DENYING OFFICIALS

Pursuant to 10 CFR 9.25(g), 9.25(h), and/or 9.65(b) of the U.S. Nuclear Regulatory Commission regulations, it has been determined that the information withheld is exempt from production or disclosure, and that its production or disclosure is contrary to the public interest. The person responsible for the denial are those officials identified below as denying officials and the FOIA/PA Officer for any denials that may be appealed to the Executive Director for Operations (EDO).

DENYING OFFICIAL	TITLE/OFFICE	RECORDS DENIED	APPELLATE OFFICIAL EDO SECY IG
James E. Dyer	Regional Administrator, RIII	Appendix K	<input checked="" type="checkbox"/>

Appeal must be made in writing within 30 days of receipt of this response. Appeals should be mailed to the FOIA/Privacy Act Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, for action by the appropriate appellate official(s). You should clearly state on the envelope and letter that it is a "FOIA/PA Appeal."

**APPENDIX J
RECORDS BEING RELEASED IN THEIR ENTIRETY**

<u>NO.</u>	<u>DATE</u>	<u>DESCRIPTION/(PAGE COUNT)</u>
1.	4/14/97	Regional Technical Assistance Request Form, To D Cool from J Madera (7 pages)
2.	11/4/97	Letter to M Weber from S Haddock (2 pages)

**APPENDIX K
RECORDS WITHHELD IN PART**

<u>NO.</u>	<u>DATE</u>	<u>DESCRIPTION/(PAGE COUNT)/EXEMPTION</u>
1.	6/10/96	Letter to C Pederson from D Cesar, Advanced Medical Systems, Inc. (2 pages) (Release); 6/10/96 Building Recovery Project (28 pages) (Release) Appendices B and C Withheld (15 pages) EX. 4

REGIONAL TECHNICAL ASSISTANCE REQUEST FORM

Date 4/14/97

To Donald A. Cool, Director
Division of Industrial and Medical Nuclear Safety, NMSS

From John R. Madera, Chief
Nuclear Materials Safety Inspection Branch 1, Region III

■ Licensee: Advanced Medical Systems, License No. 3419089-01

■ Control No. 397891

■ Letter dated 2/20/97 from AMS to RIII (response to NRC's 2/7/97 "denial letter")

■ Problem/Issue: AMS' license renewal package includes a DFP, which includes two cost estimates, one based on DECON (\$3.1M) and the other on SAFSTOR (\$460k). The DFP also includes many reasons (based on ALARA and financial considerations) why SAFSTOR is AMS' preferred methodology for eventually decommissioning its facility. Based on the information presented in the DFP, AMS has indicated that it wishes to base its cost estimate on SAFSTOR rather than DECON.

By letter dated 2/7/97, NRC denied AMS' request. In the letter, NRC indicated that the cost estimate must be based on the amount of material AMS currently possesses, including contamination, therefore, the cost estimate must be based on what it would cost to decommission the AMS site today, as opposed to 20+ years from today.

By letter dated 2/20/97, AMS took issue with NRC's 2/7/97 letter. However, AMS didn't address the question about the basis for a cost estimate, it merely argued that SAFSTOR is preferred to DECON as a decommissioning methodology for the AMS facility.

Thus, there are two topics being discussed here: (1) the cost estimate to decommission the facility today, and (2) the decommissioning methodology to be used at the time of eventual decommissioning.

The DFP is only concerned with the first topic- the cost estimate to decommission the facility today. It is totally irrelevant, as far as the cost estimate is concerned, if AMS eventually uses SAFSTOR or DECON or whatever as its decommissioning methodology. Therefore, most of AMS' reasoning (based on the GEIS) contained in its 2/20/97 letter is totally irrelevant to the issue of the cost estimate.

RIII proposes sending AMS a letter (attached is a very rough first draft) which states that the cost estimate must be based on the amount of material AMS currently possesses, including contamination; therefore, the cost estimate must be based on what it would cost to decommission the AMS site today, as opposed to 20 years from today. The letter will also point out that, at the time of decommissioning, NRC may or may not allow AMS to use some variation of SAFSTOR as its decommissioning methodology.

■ Action Required: Please review AMS' 2/20/97 letter, the above comments, and the attached letter and provide your recommendations.

Headquarters Reviewer _____
Regional Reviewer M Weber
Reviewer Code S2
Reviewer Phone No (630) 8299825 Fax No (630) 515-1259
Request Needed by 4/28/97

Stephen J. Haddock
Radiation Safety Officer
Advanced Medical Systems, Inc.
1020 London Road
Cleveland, OH 44110

Dear Mr. Haddock:

This is in response to your February 20, 1997 letter addressed to Ms. Cynthia D. Pederson of this office. Your letter was in response to our February 7, 1997 letter, which discussed AMS' Decommissioning Funding Plan's Cost Estimate, among other topics.

In your letter, you listed many reasons, based on ALARA and financial considerations, why SAFSTOR is AMS' preferred methodology for eventually decommissioning its facility. You also provided supporting information from the Final Generic Environmental Impact Statement on Decommissioning of Nuclear Facilities (NUREG-0586, August, 1988) for your position.

Please note that the purpose of our February 7, 1997 letter was to discuss the Cost Estimate for decommissioning the AMS facility, rather than to address the methodology AMS will eventually use to decommissioning its facility.

As we stated in our February 7, 1997 letter, AMS' estimate of financial assurance for purposes of decommissioning must be based on quantities of byproduct material currently possessed by AMS, including quantities in radiological contamination, and what it would cost to decommission the entire facility at the present time. This is true even if NRC eventually approves a decommissioning plan for AMS which includes some type of long-term storage. Therefore, as we stated in our letter, the NRC does not find it acceptable for AMS to have a decommissioning cost estimate premised upon long-term storage.

In your letter, you also indicated that AMS plans to submit a revision to its Conceptual Decommissioning Plan which is based on a more refined characterization of residual activity. In accordance with the above statements, NRC requests that AMS submit a revised Decommissioning Funding Plan with a Cost Estimate based on immediate dismantlement.

If you have any questions or require clarification on any of the information stated above, you may contact John R. Mader, of my staff at (630) 829-9834.

Sincerely,

Roy J. Caniano, Acting Director
Division of Nuclear Materials Safety

License No. 34-19089-01
Docket No. 030-16055

cc: D.A. Miller, Esq.-Stavole & Miller
C. D. Berger, C.H.P.-IEM

Advanced Medical Systems, Inc.

1020 London Road
Cleveland, Ohio 44110
(216) 692-3270
Fax (216) 692-3269

OPTIONAL FORM NO. 10
FAX TRANSMITTAL

To: Joe DeGiro	From: M. Weber
Dist. Agency	Phone #
Fax #	Fax #

NEN 7540-GT-917-7368 5049-101 GENERAL SERVICES ADMINISTRATION

February 20, 1997

Ms Cynthia D. Pederson, Director
Division of Nuclear Materials Safety
U. S. Nuclear Regulatory Commission
801 Warrenville Road
Lisle, Illinois 60532-4351

Re: Advanced Medical Systems, Inc. Decommissioning Funding Plan

Dear Ms. Pederson:

Advanced Medical Systems, Inc. (AMS) is in receipt of your letter dated February 7, 1997 regarding our Decommissioning Funding Plan (DFP). In that letter there were a number of statements that appear to be in error or that require additional clarification before we can proceed. The purpose of this letter is to identify and discuss those statements and to confirm the commitment you asked of us in the February 7th letter.

Item 1, Paragraph 2: "AMS has proposed a DFP with a cost estimate based on the SAFSTOR decommissioning option, which essentially places all material in secure storage for an extended period (up to 60 years) of decay until decommissioning activities are implemented." In the "Conceptual Decommissioning Plan for the London Road Facility", Revision 1, August 29, 1996 (CDP), AMS stated on Page 17, lines 26 and 27 that a 20-year safe storage period was deemed sufficient, not the "up to 60 years" period referenced by the USNRC.

Item 1, Paragraph 3: "NRC has carefully considered AMS's request and concludes that SAFSTOR is unacceptable for the protection of public health and safety in establishing financial assurance for materials licensees with the type of byproduct materials possessed by AMS and the radiological contamination present at the AMS facility. In the Final Generic Environmental Impact Statement on Decommissioning of Nuclear Facilities (NUREG-0586, August, 1988), SAFSTOR is, in fact, shown to be an acceptable decommissioning alternative for "short lived radionuclides" at power reactors as well as for materials licensees (see page 14-9, Section 14.3.1.2, attached) wherein it states that "for some of the materials facilities, SAFSTOR may be an acceptable and desirable decommissioning alternative" for short-lived radionuclides. On page G-12 of the GEIS (attached), a short-lived radionuclide is defined as "those radioactive isotopes with half-lives less than about 10 years". Since the ⁶⁰Co at AMS, a materials licensee, has a radiological half life of approximately five (5) years, the GEIS is supportive of SAFSTOR as an acceptable decommissioning option for AMS. Contrary to the USNRC's statement, if the facility is made secure against intrusion as recommended in Section 14.3.1.2, SAFSTOR for AMS is acceptable for the protection of the public health and safety, including the safety of those individuals likely to most impacted by the choice of

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Attachment 2

decommissioning options - decommissioning worker - AMS is in fact going beyond the requirement by the sealing of residual radioactivity within a secured facility

Item 1, Paragraph 3: "AMS's estimate of financial assurance for purposes of decommissioning must be based on quantities of byproduct material currently possessed by AMS, including quantities in radiological contamination, and what it would cost to decommission the entire facility at the present time. Contrary to the USNRC's statement, the cost estimate for decommissioning given in Revision 1 of the CDM is, in fact, based on the quantities of byproduct material that are currently possessed by AMS. This means that Revision 1 assumed that all of the sealed sources and all of the low-level radioactive waste at the facility had, in fact, been disposed of. The CDM estimate includes the cost of placing the building into a safe storage mode, the cost of continuing surveillance, and the cost of final decommissioning at the end of the 20-year safe storage period. Because an ALARA analysis demonstrated that the preferred decommissioning alternative for AMS is SAFSTOR, the present value of the decommissioning cost for the London Road facility, including contingency, would be \$460,080. This estimate includes those "quantities in radiological contamination" referenced in the USNRC's statement (see Table 2 of the Plan). The cost to decommission the facility immediately (e.g., the DECON option in the CDM) would be \$3,149,974.

Item 1, Paragraph 4: "A careful reading of [the GEIS] shows that the intention of the GEIS is to allow the use of a safe storage period for a few days to a few months, not a period of years or decades for materials licensees." AMS takes exception to this interpretation of the intent of the GEIS since the sentence referenced by the USNRC (sentence two of Section 14.3.2.2) is a descriptive phrase, rather than a phrase of limitation. In the section of the GEIS that defines and describes the decommissioning alternatives being evaluated (Section 2.4.3), and in the section that describes how these alternatives apply to non-fuel cycle materials licensees (Section 14.3.1.2 and the first sentence in Section 14.3.2.2), it is clear that a variable safe storage period of up to 60 years presents negligible environmental impact if the material in question has a half-life of less than 10 years.^{1,2,3} For other types of (e.g., light water reactors where the primary source of external exposure is ⁶⁰Co) with radiological constituents that are identical to AMS, SAFSTOR is not only acceptable but encouraged for reasons of radiation protection and waste minimization (see Section 6.3.2). AMS maintains that the sentence referenced by the USNRC (sentence two of Section 14.3.2.2) is only applicable to manufacturers of sealed sources with half-lives on the order of minutes to days but does not exclude all the other radionuclides meeting the definition of "short-lived".

¹ On page 2-9, Section 2.4.3 of the GEIS (attached), it states that SAFSTOR consists of a short period of preparation for safe storage, a variable safe storage period of up to 60 years for continuing care, and a short period of deferred decontamination.

² Section 14.3.1.2, paragraph 2, it states that SAFSTOR is an acceptable and desirable decommissioning alternative for materials licensees that possess relatively short-lived radionuclides. (A short-lived radionuclide is defined, on page G-12 of the GEIS, as one with a half-life of less than about 10 years.)

³ Section 14.3.2.2, sentence one, states that SAFSTOR is a reasonable alternative for decommissioning (sealed source and radiochemical manufacturers) if the isotopes involved at a particular facility are short-lived and if the facility has no other immediate planned usage.

Item 1, Paragraph 4: "This policy [safe storage period of a few days to a few months, not a period of years or decades for materials licensees] is set forth in the Statements of Consideration issued with the 1988 decommissioning regulation (reference 53FR24018, June 27, 1988). AMS has reviewed the referenced Statements of Consideration and has found that (1) it appears to be applicable to 10 CFR 30 licensees; (2) that SAFSTOR defined as the alternative in which the nuclear facility is placed and maintained in a condition that allows the nuclear facility to be safely stored and subsequently decontaminated to levels that permit release for unrestricted use, is an approved decommissioning alternative; and (3) that 60 year SAFSTOR is acceptable to the USNRC.

Item 2, Paragraph 1: "AMS' CDP also contains a three million-dollar cost estimate using the DECON methodology. In light of the fact that AMS has successfully disposed of a very large quantity of sealed sources and bulk cobalt-60, and as committed to in Task 11 of the Building Recovery Project (BRP) dated June 10, 1996, we request that AMS resubmit its DFP. The DFP should be revised in its entirety taking into account all radioactive material remaining at the AMS facility." AMS assumes from this statement that the USNRC wants AMS to submit a cost estimate for DECON that excludes the sealed sources and bulk material. This, in fact, was done in Revision 1 of the CDP, which was based upon successful disposal of all of the sealed sources, with the exception of those thought to be under the stuck plug of the hot cell, and all of the low-level radioactive waste at the facility. The cost estimate for the DECON option based upon these assumptions is \$3,149,974.⁴ The principal reason for the high cost is that, due to the high exposure rates in the Hot Cell and the WHUT Room (e.g., in excess of 400 R per hour), equipment dismantlement and packaging would have to be performed remotely. While AMS intends to submit Revision 2 of the CDP based upon a more refined characterization of residual radioactivity (e.g., excluding the stuck plug inventory) as soon as the waste is disposed of, it is not likely that there will be any significant decrease in the cost estimate.⁵

Item 3, Paragraph 1: "After a careful review of the April 11, 1996 letter signed by AMS's consultant, Mr. David Jones, Registered Hydrogeologist, the NRC agrees that it is unlikely there is significant contamination of the soil beneath the floors of the basement or WHUT rooms." That letter was signed by Mr. Donald E Jones.

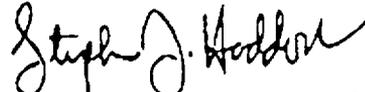
Item 3, Paragraph 2: "Please confirm that AMS will adjust its cost estimate for decommissioning if, in the future, significant contamination of soil under the basement and WHUT room floors is discovered, and that the cost adjustment will be submitted to NRC for review." In the next revision of the CDP, AMS will include the statement that if heretofore undiscovered residual radioactivity is identified, the Plan will be modified accordingly and submitted to the USNRC for review. As necessary, adjustments to the DFP will be made once USNRC approval of the modified CDP is received.

⁴ It is important to note that in an August 29, 1995 meeting with the USNRC, AMS made it clear that it could not fund a DFP of this magnitude. This position was re-iterated in the June 10, 1996 proposal for the Building Recovery Project.

⁵ Revision 2 will include the costs associated with both the SAFSTOR and DECON options.

Your assistance in clarifying and resolving these issues would be greatly appreciated. Please call me at (216) 692-3270 to discuss them further. AMS intends to forward Revision 2 of the CDP to you in the very near future. In that document, we will provide additional support and justification for the SAFSTOR option as the preferred decommissioning method for the Loudon Road facility.

Sincerely,



Stephen J. Haddock, R.S.O.

cc: E. Svigel
D. Miller - Stavole & Miller
C. Berger - IEM

Advanced Medical Systems, Inc.

1020 London Road
Cleveland, Ohio 44110
(216) 692-3270
Fax (216) 692-3269

6555

November 4, 1997

Mr. Michael Weber
U. S. Nuclear Regulatory Commission
801 Warrenville Road
Lisle, Illinois 60532-4351

Re: Remedial Alternative for the London Road Interceptor and Request for Action on May 15, 1995 Amendment Application (USNRC License No. 34-19089)

Dear Mr. Weber:

On October 1, 1997, Advanced Medical Systems, Inc. (AMS) forwarded to Mr. Carl J. Paperiello (Office of Nuclear Material Safety and Safeguards, U. S. Nuclear Regulatory Commission), a response to the USNRC's September 3, 1997 Demand for Information regarding remediation of the London Road Interceptor at the outfall of AMS's lateral connection. In Attachment 3 of that letter, AMS presented an action plan for evaluating the type and extent of contamination in the Interceptor, for selecting a preferred alternative for its remediation, and for preparing an appropriate work plan for USNRC review.

Since October 1, 1997, AMS has determined that no remedial action in this area is required pursuant to "Guidelines for Decontamination of Facilities and Equipment Prior to Release for Unrestricted Use or Termination of Licenses for Byproduct, Source or Special Nuclear Material" (USNRC Division of Industrial and Medical Nuclear Safety, Washington, D.C., August, 1987). Enclosed is Report No. 94009/G-3157 that contains the justification for our determination.

AMS hereby requests action on our May 15, 1995 application to amend License No. 34-19089-01 to delete the requirement to remediate the Interceptor. A favorable response is justified in light of existing regulatory guidance and the fact that the residual materials currently in the Interceptor pose insignificant (if any) radiological risks to sewer district workers and members of the general public. All other alternatives present greater radiological and non-radiological hazards to workers, and cannot be justified from the USNRC's requirement to maintain radiation doses as low as is reasonably achievable (10 CFR 20.1003 and 20.1101(b)). Timely USNRC action on our 1995 amendment application would be greatly appreciated.

//

Sincerely,

Stephen J. Haddock, R.S.O.

Leaf

cc: E. Svigel
C. A. Stavole, Esq. - Stavole & Miller
C. D. Berger, C.H.P. - IEM

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* Item # 3 on the list
will be signed are in file

210012



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Remedial Alternative for the London Road Interceptor in the Vicinity of AMS

Submitted to:

Advanced Medical Systems, Inc.
1020 London Road
Cleveland, Ohio 44110
(216) 692-3270

by:

Integrated Environmental Management, Inc.
9040 Executive Park Drive, Suite 205
Knoxville, Tennessee 37923
(423) 531-9140

Report No. 94009/G-3157
November 4, 1997

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Advanced Medical Systems, Inc.

121 North Eagle Street • Geneva, Ohio 44024
(216) 466-8005 FAX (216) 466-8829

June 10, 1996

Ms. Cynthia D. Pederson, Director
Division of Nuclear Materials Safety
U.S. Nuclear Regulatory Commission
801 Warrenville Road
Lisle, Illinois 60532-4351

RE: Building Recovery Project
Advanced Medical Systems, Inc. (License No. 34-19089-01)

Dear Ms. Pederson:

The purpose of this letter is to solicit the USNRC's authorization to proceed on a comprehensive Building Recovery Project at the Advanced Medical Systems, Inc. (AMS) facility on London Road. This project is subsequent to and consistent with the AMS "Strategic Plan for the London Road Facility" (Revision 2, March 26, 1996), and demonstrates our desire to honor our previous regulatory commitments in a proactive and well-managed fashion.

Enclosed are one (1) bound and one (1) unbound copy of Report No. 94009/G-6125, "Building Recovery Project Proposal". We believe the project described therein presents a viable and timely means of resolving the issues raised in the Strategic Plan in regard to the sealed sources, the bulk cobalt, the solid waste, the radiological stability of the WHUT Room, the hydrological stability of the basement, and decommissioning funding issues for the recovered building that concern both AMS and the USNRC. In addition, the physical inventory question, emergency plan issues, on-going and pending licensing issues, and long-range strategic planning (e.g., after the Building Recovery Project is complete) are also addressed.

Included in our proposal is a brief description of the AMS facility and its planned operations, the reason why AMS wishes to implement the Building Recovery Project, a description of the Project's twelve-point scope of work, a proposed project schedule, and the proposed mechanism whereby the project will be funded. As you will see during your review of our proposal, we are asking the USNRC to release a portion of the funds AMS has committed for decommissioning the London Road facility to support the commercial disposal costs. Once the project is complete, there will be significantly reduced radiological risk at the facility, license commitment will more accurately reflect AMS's on-going operational activities, compliance costs will be lower, routine personnel exposures will be lower, and AMS will be subject to reduced regulatory scrutiny.

Your prompt attention to this matter is crucial since the Building Recovery Project Proposal is possible only because AMS was presented with a "window of opportunity" from a waste broker (e.g., the broker's contract will be valid for a specified time period only).¹ If USNRC authorization to proceed is delayed beyond that time limit, AMS may no longer be in a position to initiate the project.

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Information in this document and related
to procedures at the Bureau of Information
is classified as CONFIDENTIAL
DATE 99-051

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Ms. Cynthia D. Pederson

Page 2

June 10, 1996

It is also important that all twelve of the tasks described in the proposal be permitted to go forward, since our final goals will only be achieved when the entire project is complete.² If USNRC concurrence on only a portion of our proposal is forthcoming, it is not likely that AMS will be able to initiate the project.

USNRC License No. 34-19089-01 is currently under timely renewal. Therefore, we are assuming that the Building Recovery Project, once authorized, is to be performed under the provisions of that license and its associated radiation safety program. However, since AMS wishes to institute significant changes in the radiation protection program in order to improve its applicability and auditability, timely USNRC action on our November 9, 1995, revised license renewal application would simplify the process. In any event, immediately upon your acceptance of our proposal and our execution of a contract with the waste broker, AMS will submit a request to amend our existing license to permit disposal of the sources and solid waste, and a time line for completing the rest of the twelve-point program.

If you have any questions or if I can provide you with additional information, please call me at 216/466-8005. I am looking forward to your timely response and acceptance of our proposal.

Sincerely,



DAVID CESAR
Vice President and Treasurer

DC/ca

Attachments

cc: Robert Meschter, RSO
Dwight Miller, Esq., Stavole & Miller
Carol Berger, C.H.P., IBM
Mike Weber, USNRC Region III

¹ We will transmit this data to the USNRC as soon as AMS and the broker have completed contract negotiations.

² For example, if AMS were authorized to dispose of its sealed sources but not all of its solid waste, it would not be possible to decontaminate the basement. If the basement cannot be decontaminated, any incursion of water into the area will require another financially-devastating clean-up effort. If such an event occurred, AMS could not possibly fund it.

BUILDING RECOVERY PROJECT

A Proposal to

U. S. Nuclear Regulatory Commission
801 Warrenville Road
Lisle, Illinois 60532-4351

from

Advanced Medical Systems, Inc.
1020 London Road
Cleveland, Ohio 44110
(216) 692-3270

Report No. 94009/G-6125
June 10, 1996

TABLE OF CONTENTS

INTRODUCTION	1
FACILITY STATUS	2
PROPOSAL	3
Statement of the Problem	3
Proposed Solution	4
PROJECT SCOPE	5
PROJECT SCHEDULE	7
FUNDING PROPOSAL	8
Description of Existing Decommissioning Funds	8
Legal Argument for Release of Existing Decommissioning Funds	9
Proposed Project Funding Plan	10
TABLES	11
Table 1 - Work Duration	12
Table 2 - Allocation of Costs	13
APPENDICES	14
Appendix A - Task Descriptions for the Building Recovery Project	15
Task 1: Disposal of Sealed Sources and Bulk Cobalt	15
Task 2: Disposal of Dry Solid Waste	16
Task 3: Radiological Stabilization of Basement	17
Task 4: Hydrological Stabilization of Basement	19
Task 5: Modify Conceptual Decommissioning Plan and Decommissioning Funding Plan	20
Task 6: Free-release Remainder of Building	21
Task 7: Request Exemption from Physical Inventory Requirements	21
Task 8: Request Exemption from Emergency Plan Requirements	22
Task 9: Request Extension of Safe Storage Period for WHUT Room	23
Task 10: Request Reduction in License Limit	24
Task 11: Submit Long-Range Strategic Plan	24
Task 12: Perform Routine Operations and Meet Regulatory Commitments	25
Appendix B - Profit/Loss Statement and Balance Sheet for AMS	26
Appendix C - Chem Nuclear Systems, Inc. Contract Description	27

INTRODUCTION

Advanced Medical Systems, Inc. (AMS) is currently facing a number of extenuating regulatory, legal and financial circumstances that are hindering its efforts to remain a viable business entity. To obtain relief from these circumstances, AMS proposes to perform a Building Recovery Project.

The proposal described herein presents a viable and timely means of resolving outstanding issues raised in the "Strategic Plan for the London Road Facility",¹ with particular emphasis on the sealed sources, the bulk cobalt, the solid waste, the radiological stability of the WHUT Room, the hydrological stability of the basement, and decommissioning funding issues for the recovered building. In addition, the physical inventory question, emergency planning issues, on-going and pending licensing issues, and long-range strategic planning (e.g., after the Building Recovery Project is complete) are also addressed.

This proposal contains a brief description of the AMS facility and its planned operations, the reason why AMS wishes to implement the Building Recovery Project, a description of the Project's 12-point scope of work, a proposed project schedule, and a proposed mechanism for funding the project. AMS is prepared to implement the project described herein immediately upon U. S. Nuclear Regulatory Commission (USNRC) authorization to proceed, and upon execution of a waste disposal contract.

¹ "Strategic Plan for the London Road Facility", Report No. 94039/C-3113, Revision 2, March 26, 1996.

FACILITY STATUS

At one time, AMS manufactured and fabricated sealed sources of ^{60}Co for use in teletherapy and radiography machines manufactured by AMS. However, since 1989, the only operations being performed by AMS involve machine assembly, including source exchanges and sales. The sealed sources used in these machines are purchased from another firm.

At this time, and under the provisions of U. S. Nuclear Regulatory Commission (USNRC) license No. 34-19089-01, AMS possesses approximately 55,000 curies of ^{60}Co .² The majority of this is in the form of doubly-encapsulated sealed sources or screw-top bulk containers. The remainder consists of approximately 40 curies of radioactive material in a potentially dispersible form. This material, which consists primarily of dry solid waste, carbon granules and ion exchange resins, is stored in sealed 55-gallon drums or B-25 (steel) boxes in the basement of the building, in the isotope shop warehouse, or in the high level waste storage area (first floor).

² AMS is also licensed to possess depleted uranium (nickel plated) for use as shielding material. The current inventory of depleted uranium is approximately 2,700 kilograms.

PROPOSAL

Statement of the Problem

As part of its license compliance efforts, AMS is committed to completing a number of tasks ranging from license renewal to effecting significant reductions in the existing radionuclide inventory. These tasks are described in greater detail in the "Strategic Plan for the London Road Facility" (Strategic Plan).³ Timely completion of these activities is critical since they will ultimately result in streamlined routine operations, recovery of needed building/facility capabilities, and reduced regulatory demands on the operating staff because of a smaller and more controllable inventory. However, AMS's ability to proceed quickly toward closure has been hampered by a lack of financial means, personnel limitations and other issues.

In addition to its severe regulatory burden, AMS is also faced with a complicated legal issue, the impact of which is that the London Road facility does not have direct access to the regional sewer system. Even though a comprehensive sewer remediation effort was completed in 1995, and even though no detectable radioactivity has been identified in storm and ground water pumped from the remediated foundation drainage system since that time, AMS must nonetheless pump storm water that collects around the foundation of the building into hold-up tanks, sample the tanked water for the presence of radioactivity, and hold the water for an additional four days until the regional sewer district has had an opportunity to confirm the results of the sampling.^{4,5}

Water management activities at the London Road facility have become a financial and strategic nightmare. AMS is at the mercy of local weather conditions, and must bear the on-going and exorbitant costs of having samples analyzed at a commercial analytical laboratory prior to discharging any water. Furthermore, if the pumping system should fail, for any reason, or if a significant rainfall event exceeds available tank space or pumping capacity, water incursion into the basement of the building is likely. Although AMS recovered once from such an event (e.g., the 1995 basement flood), the financial impact was devastating and the company is unable to bear the cost of a repeat occurrence.

³ "Strategic Plan for the London Road Facility". Revision 3, April 24, 1996.

⁴ As of the date of this letter, over 140,000 gallons of radiologically benign water has been pumped out of the remediated foundation drainage system.

⁵ Cobalt-60 was identified in two 3,000-gallon hatch tanks when they were first put into service. However, the source of this material was the tanks themselves, which were used as process tanks during the water treatment project. The residual ⁶⁰Co found in the tanks after the foundation drain water was transferred to it was removed by filtration. All subsequent batches of foundation drain water held in these tanks have been negative for the presence of ⁶⁰Co.

Since 1994 AMS has had steady sales with a positive gross profit. This indicates that the manufacturing of its C-9 units and the selling of sealed sources is a profitable line of business given this sales volume. But when the cost of regulatory compliance, water management, and ancillary issues are factored in, AMS regularly posts net losses.

After recovering from the 1995 basement flood, AMS's cash reserves were exhausted, rendering it unable to aggressively pursue the higher priority items listed in the Strategic Plan.⁶ Consequently, the viability of AMS as a business entity is being threatened.

Proposed Solution

In order to survive as a going business concern, AMS must reduce the cost of regulatory compliance, streamline its regulatory obligations, reduce its current level of storm water management activities, and eliminate the likelihood of another financially-devastating basement flood. To accomplish this, AMS proposes to implement a comprehensive Building Recovery Project, to be partially funded by the release of a portion of its existing financial assurance instruments.

Because the result of the project will be a much smaller radioactive materials inventory and significantly reduced building surface contamination at the London Road facility, the cost of regulatory compliance will match the current scope of operations and will be in line with projected cash flow. Also, AMS employees will cease to incur unnecessary radiation exposures by simply performing routine tasks and surveillance activities. In addition, emergency response obligations will be minimized because the facility will be reduced to possessing only non-dispersible sources of radioactivity. Finally, while awaiting a legal solution to the sewer discharge issue, a more streamlined water management program will be possible, and the radiological and financial impact of an inadvertent water incursion into the basement of the building will be minimized.

⁶ Unfortunately, alternative sources of funding are not available. Corporations related to AMS are not in a position to render the financial assistance that AMS needs to meet its commitments. Third-party funding from commercial banks or other lending institutions is simply not an option in light of the company's net losses and the contingent liability posed by the pending lawsuit with the regional sewer district.

PROJECT SCOPE

The proposed Building Recovery Project consists of 12 specific tasks. The following is the listing of these activities:

1. Dispose of all accessible sealed ^{60}Co sources and all canisters of bulk ^{60}Co at a commercial low level waste burial ground.
2. Dispose of dry solid waste currently stored in the facility basement and in the high-level waste storage through a commercial low-level waste broker.
3. Stabilize the radiological conditions in the basement and WHUT Room in order to reduce the impact of water incursion.
4. Remedy the hydrological condition of the facility in regard to ground/surface water in order to reduce the probability of water incursion.
5. Revise the AMS Conceptual Decommissioning Plan to reflect actual site circumstances after points (1) through (4) are complete, to include a comprehensive estimate of the cost of decommissioning (today's value), followed by submission of a new Decommissioning Funding Plan.
6. Free-release (for unrestricted use) the remainder of the London Road building, with the exception of the WHUT Room, the Hot Cell, the ventilation system, and an ancillary work area.
7. Submit a request for exemption from the physical inventory requirement for the sealed sources that remain in the "stuck plug" of the Hot Cell.
8. Submit a request for exemption from the Emergency Plan requirements of 10 CFR 20.32(i) based upon the lack of dispersible activity at the London road facility.
9. Submit a request to extend the safe storage period for decontamination of the WHUT Room based upon considerations of personnel exposure and waste volume.
10. Submit a request to reduce the ^{60}Co license limit from the October 30, 1995 request of 93,110 curies to 10,000 curies.
11. Submit long-range strategic plan to address the issues that will remain outstanding when the Building Recovery Project is complete (e.g., removal of the "stuck plug" in the

* The order of this listing is not necessarily the order of performance or the order of importance

Hot Cell; completion of the physical inventory; eventual decontamination of the Hot Cell, WH/IT Room, and ventilation system prior to decommissioning; and submission of a Decommissioning Funding Plan that accurately reflects the radiological condition of the London Road facility.)

12. Throughout the term of the Building Recovery Project, continue to perform routine operations and meet all commitments made to the USNRC pursuant to license requirements and ancillary communications (e.g., revised Strategic Plan due July 12, 1996; response to Sixwacker inspection report due June 12, 1996; response to Question 2 of the USNRC's comments on the Emergency Plan due June 12, 1996; response to structural issues in December 6, 1996 request for additional information in regard to the Demand for Information due June 12, 1996).

Appendix A contains a description of why each task must be performed, the approach AMS proposes to use to complete each task, a listing of task responsibilities, and a description of deliverables, if any, associated with each task.

PROJECT SCHEDULE

The scheduled completion date for the 12 points in the Building Recovery Project will depend upon the date that USNRC authorization to proceed is given, and the date the contract with the waste broker is executed. A date specific time line will be submitted, along with an application to amend License No. 34-19089-01 to permit disposal of the sources and solid waste pursuant to Appendix A, immediately upon USNRC approval of this proposal and AMS execution of the broker's contract. However, for the purposes of USNRC review of this proposal, and barring unforeseen interferences or circumstances that are beyond AMS control, AMS intends to adhere to the date-independent schedule for completion of each of the 12 points in the scope of work that is shown in Table 1.

FUNDING PROPOSAL

The sales of the AMS C-9 teletherapy units and scaled sources that are manufactured by others have been promising, although the future sales picture is unpredictable. Nonetheless, once the cost of regulatory compliance becomes consistent with the scope of these operations (e.g., once the Building Recovery Project is complete), AMS will be in a better financial position to address the longer-term provisions of the Strategic Plan.

In the meantime, one of the highest priority items in the AMS Strategic Plan is reduction in the inventory of radioactive materials at the London Road site. However, AMS does not have sufficient cash at this time to enter into a contract arrangement with the disposal site and waste broker.* (Appendix B contains a profit/loss statement and a balance sheet for AMS.) In addition, because of the lawsuit between AMS and the regional sewer district, the lack of net company profitability, and a financially-overwhelming corporate regulatory obligation, third-party funding of Task 1 and Task 2 of the Building Recovery Project is impossible. Therefore, to ensure timely completion of all 12 of the project tasks, AMS proposes that a portion of our existing financial assurance for decommissioning be released for the sole purpose of funding the commercial disposal costs and broker fees.

Description of Existing Decommissioning Funds

An Irrevocable Standby Letter of Credit No. SB300980, dated January 27, 1995, issued by Bank One, Cleveland, in the amount of \$1,800,000 currently serves as the AMS decommissioning funding instrument. This Letter of Credit is secured with the following:

- One-year CD with Bank One, Certificate No. 088-006-0292518, matures 07/22/96, principle amount at inception was \$250,000
- 180-day CD with Bank One, Certificate No. 086-006-0292517, matures 07/16/96, balance at last maturity, \$256,595.89
- 30-day CD with Bank One, Certificate No. 086-006-292516, matures 05/17/96, balance at last maturity, \$285,171.88
- Pledged assets of approximately \$1,(XX),(XX) in the form of negotiable securities and government bonds.

* Prior to shipment of the sources, AMS must pay all disposal charges. The remainder of the fees (e.g., broker fees, South Carolina disposal taxes, transportation) are payable upon service. However, the broker may withhold the performance of its services in the event it becomes insecure of payment.

Legal Argument for Release of Existing Decommissioning Funds

The USNRC has the duty to require certain of its licensees to promulgate and fund a decommissioning funding plan (DFP). This duty is contained at 10 CFR 30.35, et seq. Without question, AMS is one of those licensees required by 10 CFR 30.35(a) to promulgate such a plan.

Title 10 CFR 30.35(a) states as follows:

(a) Each applicant for a specific license authorizing the possession and use of unsealed byproduct material of half-life greater than 120 days and in quantities exceeding 10^4 times the applicable quantities set forth in appendix B to part 30 shall submit a decommissioning funding plan as described in paragraph (3) of this section. The decommissioning funding plan must also be submitted when a combination of isotopes is involved if R divided by 10^5 is greater than 1 (unity rule) where R is defined here as the sum of the ratios of the quantity of each isotope to the applicable value in appendix B to part 30.

The USNRC is also vested with considerable latitude in approving or disapproving particular provisions in a proposed plan. For instance, in 10 CFR 30.36(f)(2):

(f)(2) The Commission may approve an alternate schedule for submittal of a decommissioning plan required pursuant to paragraph (d) of this section if the commission determines that the alternative schedule is necessary to the effective conduct of decommissioning operations and presents no undue risk from radiation to the public health and safety and is otherwise in the public interest.

Also, in section 30.36(h)(5), it states:

(h)(5) Other site-specific factors which the Commission may consider appropriate on a case-by-case basis, which as the regulatory requirements of other government agencies, lawsuits, groundwater treatment activities, monitored natural groundwater restoration, actions that could result in more environmental harm than deferred cleanup, and other factors beyond the control of the licensee.

The code of Federal Regulations does not specifically refer to the USNRC's ability to release previously segregated funds for use in decommissioning in order to remove certain radioactive material from the building and place such material in storage. However, the Code does provide that the USNRC is to be the judge of the efficacy of the proposed DFP and to adjust the amount of segregated funds needed accordingly.

AMS has presently in excess of \$1,700,000 in cash deposits and negotiable securities committed for decommissioning funding. Removal of all accessible sealed radiation sources and all packaged radioactive waste in the London Road building, together with the other measures proposed herein, would drastically reduce the amount of funds necessary to insure that funds will be available to decommission the building at the termination of the AMS operating license.

In Task 11 of the Building Recovery Project, AMS has pledged to provide a new DFP. If adopted, the AMS Building Recovery Project would present no undue risk of radiation exposure of the public and is in the public interest since it would remove, from the AMS building, all sealed sources and all potentially dispersible radiation. Therefore, under the conditions set forth herein, the USNRC has the implied authority to reset the level of funds required by the DFP and to release those funds necessary to effect the disposal of the sealed sources and radioactive waste in accordance with this proposal.

Proposed Project Funding Plan

Appendix C contains a description of the contract that AMS proposes to enter into with Chem Nuclear Systems, Inc. (CNSI). That contract shows that CNSI will dispose of the AMS solid waste and sealed sources for a total cost of \$852,725. Although AMS is optimistic that the actual costs will be significantly less than this estimate, AMS requests the USNRC to release this amount from existing decommissioning funding in order to honor the CNSI contract at the rate/amount shown on individual CNSI invoices (to be forwarded to the USNRC and AMS by CNSI).⁹ The cost of the remainder of the Building Recovery Project will be borne by AMS through the use of operating funds. Table 2 shows the proposed allocation of project costs.

The remainder of the committed funds (e.g., those remaining after the CNSI invoices have been paid) will be sufficient to fund decommissioning of the "recovered" facility.¹⁰ Therefore, AMS does not intend to request the release of decommissioning funds for any purpose other than payment of CNSI invoices.

⁹ The CNSI proposal assumes that the unpackaged sealed sources at AMS will require two shipments. However, AMS is confident, due to the curie content and waste volume of these sources, that a single shipment will suffice. Therefore, a \$159,000 reduction in the total cost is likely. Also, since alternative DAW disposition methods (e.g., incineration, supercompaction) were not considered by CNSI in its estimate, AMS is optimistic that additional cost reductions are forthcoming when these alternatives are considered in the final contract.

¹⁰ Detailed cost estimates for two decommissioning options (e.g., DECON and SAFSTOR) and a revised Decommissioning Funding Plan are listed as deliverables for Task 5.

TABLES

Table 1 - Work Duration

Task No.	Scheduled Completion/Submission Period After Receipt of USNRC Authorization to Proceed (Years)				
	0.5	1	2	3	5 (Within Term of License)
1. Dispose of sources	X				
2. Dispose of waste	X	X			
3. Stabilize basement and WHUT Room			X		
4. Remedy hydrological conditions				X	
5. Revise Conceptual Decommissioning Plan and Decommissioning Funding Plan	X				
6. Pre-release bonding					X
7. Exemption from physical inventory requirement		X			
8. Exemption from Emergency Plan		X			
9. Extension of safe storage period for WHUT Room		X			
10. Reduce license limit		X			
11. Long-range strategic plan				X	
12. License stringency and regulatory conditions					

CM-60016

Task No.	Proposed Funding Mechanism	
1 - Disposal of sources	To be Paid out of Existing Decommissioning Funding	X
2 - Disposal of waste	To be Paid out of Existing Decommissioning Funding	X
3 - Stabilize basement and WHUT Room	To be Paid out of Existing Decommissioning Funding	X
4 - Kennedy hydrological conditions	To be Paid out of Existing Decommissioning Funding	X
5 - Revise Conceptual Decommissioning Plan and Decommissioning Funding Plan	To be Paid out of Existing Decommissioning Funding	X
6 - Free-release building	To be Paid out of Existing Decommissioning Funding	X
7 - Exemption from physical inventory requirements	To be Paid out of Existing Decommissioning Funding	X
8 - Exemption from Emergency Plan	To be Paid out of Existing Decommissioning Funding	X
9 - Extension of safe storage period for WHUT Room	To be Paid out of Existing Decommissioning Funding	X
10 - Reduce Release Limit	To be Paid out of Existing Decommissioning Funding	X
11 - Long-range strategic plan	To be Paid out of Existing Decommissioning Funding	X
12 - License compliance and regulatory commitments	To be Paid out of Existing Decommissioning Funding	X

Table 2 - Allocation of Costs

LOS ANGELES MEDICAL SYSTEMS, INC.
"BUILDING KNOWLEDGE BY DESIGN"
JUNE 17, 1986, 10:44 16

APPENDICES

Appendix A - Task Description for the Building Recovery Project

Appendix B - Profit/Loss Statement and Balance Sheet for AMS (Proprietary Information requested)

Appendix C - Chem Nuclear Systems, Inc. Contract Description (Proprietary Information requested)

ADVANCED MEDICAL SYSTEMS, INC.
"Building Recovery Project"
June 10, 1996, Page 15

Appendix A - Task Descriptions for the Building Recovery Project

Task 1: Disposal of Sealed Sources and Bulk Cobalt

Purpose

There are approximately 55,000 curies of sealed sources and bulk ⁶⁰Co metal in the AMS inventory. Since October of 1995, AMS has attempted to identify a domestic or foreign market for these sources. Although a number of potential users have been identified, their needs are for sources with significantly greater activity than is present in the AMS inventory. Therefore, AMS has not met with success in transferring the inventory to other users.

Other than those that currently exist in device heads, the sealed sources at AMS are of no operational value in that they are not a necessary part of current operations. To reduce the liabilities associated with their possession (e.g., increased emergency plan, decommissioning funding, surveillance, security and licensing requirements), in light of the fact that a third-party transfer is unlikely, AMS pursued other solutions to the inventory reduction problem.

After many conversations and levels of negotiation, it was determined that the relatively small volume but high activity of the sealed source inventory could provide a cost-mitigating factor for conventional disposal. This fact placed conventional disposal of the sources into the realm of financial possibility, but only if AMS is permitted to "tap" funds that are currently held by the USNRC for decommissioning funding.

Approach

For Task 1, the current inventory of unpackaged sealed sources and bulk cobalt, with the exception of those sources in the hot cell stuck plug (see Task 7), will be stabilized with a disposal site stabilization agent that has been approved by the State of South Carolina¹¹. This stabilization will be performed in the AMS hot cell by AMS and Chem Nuclear Systems, Inc. (CNSI) personnel inside of the shipping cask liners. Remote handling capabilities will be used to the greatest possible extent in order to minimize personnel exposures from handling and stabilization of the materials. Once the stabilization agent has cured adequately, the cask liner will be loaded by AMS and CNSI personnel into a lead shielded, Type B shipping cask(s) for shipment to the low-level radioactive material burial site in Barnwell, South Carolina.

AMS anticipates that the transfer will be accomplished in one or two shipments, based upon the type of Type B cask that is utilized. AMS also anticipates that the shipments will be highway route controlled, which will require notification of states through which they are transported.

Responsibilities

All permitting and licensing actions for this task will be handled by AMS or technical consultants to AMS, with the assistance of CNSI. CNSI will be responsible for "receiving" the stabilized materials, disposition of the sources in the transfer liner, overpacking the transfer liner, stabilization of sources in the liner, transport of sources to Barnwell, and off-loading the disposal liner into a Class "C" trench for disposal. AMS has assigned a project manager (R. Alan Duff, IEM) to coordinate the source loading/packaging. The movement of sources from storage areas into shipping containers will be performed by qualified AMS employees (S. Haddock and C. Reed). Project health physics and dose tracking will be performed by the AMS Radiation Safety Officer (R. Meschter). All CNSI shipments will be inspected and released by the

¹¹ Materials that are already packaged in AMS shipping casks (e.g., the GE-500 and the "Blue" casks) will be transported and disposed of "as is".

ADVANCED MEDICAL SYSTEMS, INC.
"Building Recovery Project"
June 10, 1996, Page 16

1 project manager prior to departure from the London Road facility. The radioactive materials inventory
2 will be debited by the RSO. All documentation associated with this task will be maintained by the RSO.

3 CNSI will periodically forward invoices for services to AMS, who will forward a copy to the USNRC.
4 AMS will then request that the USNRC release sufficient decommissioning funds to honor the invoice.

5 **Deliverable**

6 Once the sources are accepted at the Barnwell site, a Certificate of Disposal will be returned to AMS. The
7 certificate will be maintained in the AMS record keeping system pursuant to RSP-004, "Radiation
8 Protection Records".

9 **Task 2: Disposal of Dry Solid Waste**

10 **Purpose**

11 In addition to the sealed sources and the bulk cobalt, there are approximately 2,500 cubic feet of dry solid
12 radioactive waste (containing approximately 25 curies of ⁶⁰Co at the London Road facility). Some of these
13 materials are located in the facility basement, and others are contained within the high level waste storage
14 area and the isotope shop warehouse. Like the sources and bulk cobalt, this material serves no purpose
15 at AMS and, in fact, presents a number of operational disadvantages such as increased demands for
16 surveillance and accountability actions, increased potential for facility contamination, and increased
17 personnel exposures. Therefore, as part of the contract with CNSI, AMS has negotiated for disposal of
18 the dry solid waste at the Barnwell facility. However, successful execution of this contract is dependent
19 upon whether AMS is permitted to "tap" its resources currently held by the USNRC for decommissioning
20 funding.

21 **Approach**

22 A final inventory of the materials to be disposed of (e.g., type, form, packaging, activity) will be prepared
23 and forwarded to CNSI. Shortly before CNSI arrives at the London Road facility to effect the solid waste
24 shipment, the packaged materials will be staged. All materials will be packaged in the appropriate shipping
25 containers (Type A, Type B, or industrial packaging). Depending upon exposure rates, overpacks may
26 be used. AMS intends to dispose of the low-level radioactive waste at the Barnwell facility.

27 It remains a possibility that not all of the low-level waste materials at the London Road facility can be
28 properly characterized and/or packaged prior to CNSI's arrival on site. Therefore, some waste materials
29 may be left on site for storage until other wastes can be consolidated with them. These wastes will be
30 shipped for disposal at some future date.

31 **Responsibilities**

32 AMS has assigned a project manager to coordinate waste characterization, packaging and loading activities
33 (A. Duff, IEM). An inventory of the materials to be disposed of will be prepared by AMS, and the waste
34 will be packaged. Handling of the packaged waste between the AMS staging areas, the transport vehicle,
35 and the Barnwell facility will be performed by CNSI. Project health physics and dose tracking will be
36 performed by the AMS Radiation Safety Officer (R. Meschter). All CNSI shipments will be inspected and
37 released by the project manager prior to departure from the London Road facility. The radioactive
38 materials inventory debited by the RSO shortly thereafter. All documentation associated with this task will
39 be maintained by the RSO.

40 CNSI will periodically forward invoices for services to AMS, who will forward a copy to the USNRC.
41 AMS will then request that the USNRC release sufficient decommissioning funds to honor the invoice.

ADVANCED MEDICAL SYSTEMS, INC.
"Building Recovery Project"
June 10, 1996, Page 17

1 **Deliverable**

2 Once the materials are accepted at the Barnwell site, the Certificate of Disposal will be returned to AMS.
3 There it will be maintained in the AMS record keeping system pursuant to RSP-004, "Radiation Protection
4 Records".

5 **Task 3: Radiological Stabilization of Basement**

6 **Purpose**

7 As a result of technically-indefensible legal action taken by the Northeast Ohio Regional Sewer District
8 (NEORS), the AMS facility on London Road does not have a direct connection between the building and
9 the regional sewer system for the discharge of sanitary waste, rain water from the building's roof drains
10 or storm water that surrounds the building. Even after completion of an extensive sewer remediation
11 project that involved installation of a new foundation drainage system and a new manhole, the free-flow
12 of water away from the building is still not possible for a variety of legal and regulatory reasons. As of
13 the date of this proposal, AMS is bound by court order and USNRC license requirements to pump water
14 from the foundation drains into hold-up tanks, sample the tanks for the presence of radioactivity, notify the
15 NEORS of pending discharge of each tank, and await the results of a NEORS confirmatory sampling
16 effort prior to discharge. As a result, a major portion of the daily activities performed by the AMS staff
17 at the London Road facility involves water management.

18 As of the date of this letter, over 180,000 gallons of water have been pumped, sampled and discharged
19 from the remediated foundation drainage system. To date, no detectable ⁶⁰Co has been identified.
20 Furthermore, in an April 12, 1996 letter from Robert Meschter (AMS) to John Madera (USNRC Region
21 III), AMS demonstrated that the soils upon which the London Road building was constructed have the same
22 radiological character now as they did before the 1995 flood. Therefore, barring a failure in the function
23 of the remediated foundation drainage system, the probability of contaminated water inadvertently entering
24 the regional sewer system is remote, at best.

25 Because of the delay associated with discharge of each tank (e.g., typically five days), coupled with the
26 increased precipitation AMS has experienced during the spring and early summer months, temporary
27 limitations in tank storage capacity can occur. If a spring or summer storm should occur such that the tank
28 or pumping capacity is exceeded, AMS has one of two options: (1) it must discharge the pumped water
29 directly into the street without sampling and in violation of the court order, or (2) it must cease pumping
30 the water out of the manhole. If pumping ceases, (e.g., if the foundation drainage system is rendered non-
31 functional), the storm water that accumulates around the building will enter the building basement, come
32 in contact with the contents of the WHUT Room and the stored waste, and become contaminated. This
33 water cannot be discharged until the radioactivity is removed.

34 The financial and radiological impacts associated with foundation drain failure or impaired tank capacity
35 would be similar to those suffered during the financially devastating flood event of 1995. This occurrence
36 forced AMS to implement an expensive water treatment and sewer remediation program, costing in excess
37 of \$1M, only to be forced to store the treated water on site.¹⁷ It also drained the corporation of almost all
38 of its cash reserves, rendering it unable to bear the cost of another water clean-up project if such an event
39 should be required. Thus it is imperative that the basement of the London Road facility be converted into
40 a radiologically benign environment such that potential water incursion will result in negligible regulatory
41 or financial harm.

¹⁷ As of the date of this report, the treated water from the 1995 project continues to be stored in the AMS warehouse
in collapsible storage tanks.

ADVANCED MEDICAL SYSTEMS, INC.
"Building Recovery Project"
June 10, 1996, Page 18

Approach

The basement of the AMS facility currently contains two primary sources of transferrable radioactivity. These are the basement itself, which exhibits removable activity of approximately 10,000 dpm per 100 cm² and the WHUT Room,¹³ which is hydraulically-connected to the remainder of the basement and contains approximately 40 curies of ⁶⁰Co in the form of residual surface contamination, residual Hot Cell waste in the tanks, and contaminated water.¹⁴ In order to ensure that a future water incursions into the basement does not produce a large volume of contaminated water, this step of Building Recovery Project is to decontaminate the basement to levels that are below the AMS release criteria, and to stabilize the WHUT Room such that no water may enter or exit.

A proposal from Pentek, Inc. (Coraopolis, Pennsylvania) has been received wherein a dustless decontamination methodology for the concrete floors and walls of the AMS basement will be used. Pentek will provide a decontamination crew of trained operators, and all equipment and accessories for decontamination of approximately 3,500 square feet of concrete surface. (The scabbling depth is anticipated to be less than 1/8-inch, however arrangements for additional effort at "hot spots" and slab anomalies has been included in the contract.) The release criteria for the basement will be: 1,000 dpm/100 cm² removable activity and 5,000 dpm/100 cm² total (fixed plus removable) activity.¹⁵ The waste generated as part of this effort (e.g., approximately 10 drums of loose powder) will be incorporated into the WHUT Room stabilization effort, described as follows.

A proposal has been received from MS Technology, Inc. (Oak Ridge, Tennessee) to provide an engineering design for stabilization of the radioactive materials in the WHUT Room. The purpose of the project is to ensure that liquids do not enter or exit the WHUT Room for the duration of its safe storage period. The design must address any standing water or void spaces that currently exists in the WHUT Room and incorporation of the waste generated from the Pentek work. However, all stabilizing materials used for this task must be readily removable during eventual building decommissioning. The work for this sub-task will be performed under the supervision of a registered Professional Engineer (PE). Once the design has been received and reviewed by AMS, a copy will be forwarded to the USNRC for final approval.

Immediately after the basement has been decontaminated and the WHUT Room has been stabilized, a final status survey, pursuant to the methodologies described in NUREG/CR-5849, "Manual for Conducting Radiological Surveys in Support of License Termination" will be performed and documented. A copy of the survey report will be provided to the USNRC.

¹³ The WHUT room, located directly beneath the Hot Cell, collected waste from the hot cell via a floor drain. It was designed to hold liquid wastes generated in the hot cell and in the isotope area. It contains a 100-gallon tank for waste water from a cell sink and floor drain; a 500-gallon tank for overflow from the smaller tank and liquid waste from the showers, sinks and drains in the laboratory, and a two-column ion exchange system. The surfaces of the WHUT Room are unpainted poured concrete. A small dike is located at its entrance to prevent the migration of liquids to other areas of the basement in the event of a spill. The various pipes and conduit that originally penetrated the walls have been removed and sealed with lead rope, lead wool, concrete and silicone. No light or power exists in the room, and there is no floor drain.

¹⁴ Integrated Environmental Management Report No. 94009/G-2104, "Evaluation of the WHUT Room Source Term", June 16, 1995.

¹⁵ U. S. Nuclear Regulatory Commission, Regulatory Guide 1.86.

ADVANCED MEDICAL SYSTEMS, INC.
"Building Recovery Project"
June 10, 1996, Page 19

Responsibilities

AMS will obtain the engineering design for the WHUT Room stabilization from a registered Professional Engineer and forward it to the USNRC for final approval. AMS will assign a project manager for the basement decontamination and the WHUT Room stabilization (R. Alan Duff, IEM). The WHUT Room stabilization and decontamination effort will be performed by AMS personnel and Pentek, with the assistance of a registered Professional Engineer. The final status survey of the basement will be performed by the project manager and AMS. Project health physics and dose tracking will be performed by the AMS Radiation Safety Officer (R. Mecshter). All documentation associated with this task will be maintained by the RSO.

Deliverable

At the completion of this task, the final status survey report will be generated. A copy of the survey will be forwarded to the USNRC, along with a request for performance of a confirmatory survey and release of the basement for unrestricted use.

Task 4: Hydrological Stabilization of Basement

Purpose

After the 1995 basement flood, questions were raised in regard to the structural integrity of the building. In subsequent inspections by the USNRC and a registered Professional Engineer under contract to AMS, it was determined that there was no apparent damage to the building or its ability to contain its inventory of licensed radioactive materials. However, there is no guarantee that a future flood event will have a similar outcome.

Task 3 (above) of the Building Recovery Project is to stabilize the radiological conditions in the basement of the AMS facility such that the radiological impact of water into the basement is minimized or eliminated. Task 4 then will ensure that the probability for water incursion is minimized.

Approach

For this task, AMS will submit to the USNRC a formal request to free-release ground/surface water from the foundation drains. This request will be based upon the volume of clean water that has been pumped to date from the new foundation drainage system, a statement of the radiological stability of the basement, the WHUT Room, the abandoned lateral connection from the building to the sewer interceptor, and the abandoned drain tile located in the vicinity of the source garden, and a proposal for periodic confirmatory measurements during an interim period of mutually-agreeable duration.

Since the regional sewer system is a combined sanitary/storm system, it is possible, even after the new connection has been made, that a major storm could cause basement flooding. Should this unlikely event occur, the radiological impacts will be minimal because the basement of the building will have been released for unrestricted use (see Task 3).

Responsibilities

The request to free-release foundation drainage water will be prepared by AMS. Once the amended license has been received, AMS and its legal counsel will pursue the legal authority to free release this water.

Deliverable

A request to permit free-release of foundation drainage water, along with all supporting documentation, will be submitted to the USNRC. A copy of the court order to permitting free-release of the water will be submitted to the USNRC. Confirmatory sampling results from the discharge system will be made available at the AMS facility for review by the USNRC during future inspections.

ADVANCED MEDICAL SYSTEMS, INC.
"Building Recovery Project"
June 10, 1996, Page 20

Task 5: Modify Conceptual Decommissioning Plan and Decommissioning Funding Plan

Purpose

As part of the license renewal process, and pursuant to 10 CFR 30.36, AMS must provide the USNRC with a decommissioning funding plan. The current basis for the funding plan is the Conceptual Decommissioning Plan for the London Road Facility (Revision 0) which was submitted to the USNRC on October 20, 1995. On March 20, 1996, AMS received comments on the Plan from the USNRC, responses to which were returned on April 12, 1996. To date, the USNRC has taken no additional action on this Plan.

The approach and cost estimate contained within Revision 0 of the Plan were designed to accommodate on-going possession of up to 93,100 curies of ⁶⁰Co in a building with a variety of radiologically-restricted areas and potentially-significant dispersible activity. Once the Building Recovery Project is complete, the abbreviated quantity of items to be decommissioned will demand lesser funds for eventual decommissioning. Therefore, a revision to the Plan will be required.

Because the USNRC has not yet made a decision as to the appropriate decommissioning methodology for the London Road Facility (e.g., DECON vs SAFSTOR), all applicable technologies will be evaluated in Revision 1 of the Plan. The goal will be to optimize cost, waste generated for eventual disposal, and the magnitude of personnel exposures. However, Revision 1 will also contain a clear description of the preferred methodology and a detailed cost estimate for implementing that methodology.

Once the USNRC has approved the Conceptual Decommissioning Plan, AMS will submit a revised Decommissioning Funding Plan wherein new decommissioning financial assurance instruments will be included. If, as anticipated, the net value of the current letter of credit is reduced, a new letter of credit will be submitted.

Approach

The key components of Revision 0 of the Conceptual Decommissioning Plan are the description of items to be decommissioned, the methodology by which decommissioning will be implemented at the time of license termination, and the decommissioning cost estimate. For the revised Plan, the only items remaining to be decommissioned after the Building Recovery Project is complete will be the Hot Cell, the stabilized WHUT Room, the Hot Cell ventilation system, a small section of abandoned drain tiles, and the abandoned lateral connection from the building to the regional sewer system. Thus, the "items to be decommissioned" section of the Plan will be modified accordingly in Revision 1.

Although an ALARA analysis will be presented for both the DECON and SAFSTOR decommissioning alternatives, AMS anticipates that the preferred decommissioning alternative in Revision 1 will remain SAFSTOR, since this alternative clearly satisfies the requirements for protecting the public while minimizing initial commitments of time, labor, money, occupational radiation exposure, and waste disposal.¹⁶ Modifications to the facility would be limited to those which ensure the security of the building against intruders, and ensure containment of the licensed inventory. Finally, a revised cost estimate for the preferred alternative, presented in the same format as Appendix F of USNRC Regulatory Guide 3.66, "Standard Format and Content of Financial Assurance Mechanisms Required for Decommissioning Under 10 CFR Parts 30, 40, 70 and 72" (June, 1990), will be prepared.

¹⁶ As a result of radioactive decay of this material, reductions in personnel exposure and simplifications in the complexity of operations will be achieved by deferring major decontamination efforts for 50 years. Also, because much of the residual radioactivity present in the facility will have decayed to background levels after the storage period, the volume of material that must be packaged for disposal, if any, will be significantly reduced.

ADVANCED MEDICAL SYSTEMS, INC.
"Building Recovery Project"
June 10, 1996, Page 21

Responsibilities

Revision 1 of the Conceptual Decommissioning Plan for the London Road Facility will be prepared by AMS and forwarded to the USNRC for review/comment. Once approved, the Plan will be funded by the corporation to the level of the decommissioning cost estimate shown therein.

Deliverable

AMS will submit to the USNRC Revision 1 of the Conceptual Decommissioning Plan for the London Road Facility, and a Decommissioning Funding Plan that contains a new letter of credit. The scheduled delivery date of these items is subject to timely USNRC approvals, but is anticipated within six (6) months after authorization to proceed on the Building Recovery Project is given.

Task 6: Free-release Remainder of Building

Purpose

Because only sealed sources will be handled at the AMS facility after the Building Recovery Project is complete, it is in the best interest of AMS to release the remainder of the building, with the exception of the Hot Cell and the WHUT Room, for unrestricted use. This action will reduce the cost of on-going surveillance and will ensure that personnel are not unnecessarily exposed to radioactive materials. Furthermore, full-facility decontamination will reduce/eliminate the potential for re-contamination of the basement and will permit the corporation to pursue other (non-radiological) uses for the building.

Approach

Prior to the start of work, a plan of action will be developed. This will begin with performing an initial "scoping" survey, using wide area detectors, for the purpose prioritizing activities and securing the necessary supplies and resources. It is likely that work will proceed from "least contaminated" to "most contaminated" areas of the facility. However, throughout the project, close attention will be paid to waste minimization since all waste generated during this task must be packaged for eventual off-site shipment.

Immediately after the remainder of the building has been decontaminated, a final status survey, pursuant to the methodologies described in NUREG/CR-5849, "Manual for Conducting Radiological Surveys in Support of License Termination" will be performed and documented. A copy of the survey report will be provided to the USNRC, along with a request to release the building for unrestricted use.

Responsibilities

Project management, surveys, decontamination, and waste packaging will be performed by AMS personnel. The final status survey of the building will also be performed by AMS personnel. Project health physics and dose tracking will be performed by the AMS Radiation Safety Officer (R. Meschter). All documentation associated with this task will be maintained by the RSO.

Deliverable

At the completion of this task, the final status survey report will be forwarded to the USNRC, along with a request for performance of a confirmatory survey and release of the building, with the exception of the WHUT Room, Hot Cell and ventilation system, for unrestricted use.

Task 7: Request Exemption from Physical Inventory Requirements

Purpose

Approximately 3,000 curies of ⁶⁰Co in the form of doubly-encapsulated sealed sources are currently located in a storage well in the Hot Cell. Because the well plug has become lodged in the well, these sources cannot be removed and included in the inventory reduction efforts (Task 1) without incurring significant damage to the Hot Cell's capabilities. Since the integrity of the Hot Cell is necessary to support on-going

ADVANCED MEDICAL SYSTEMS, INC.
"Building Recovery Project"
June 10, 1996, Page 22

1 licensed operations, the Building Recovery Project does not include removal of the "stuck plug" and
2 extraction of the sources contained therein.¹⁷

3 Provision 14(c) of USNRC license No. 34-19089-01 states that "A physical inventory of all radioactive
4 material possessed under this license will be conducted on or before June 1, 1993. Thereafter, a physical
5 inventory of all radioactive material possessed under this license will be completed within 60 months of
6 the previous physical inventory". Since the physical inventory of the remaining sealed cannot be
7 performed until the stuck plug is removed, AMS will submit an amendment application requesting deferral
8 of the physical inventory requirement for these sources until after plug removal. Supporting information
9 for this amendment will be a copy of the inventory log showing the disposition of all sealed sources
10 between June 10, 1996 and the end of the Building Recovery Project, that were at the London Road
11 facility, the number and location of sealed sources that remain at the London Road facility after the
12 Building Recovery Project is complete, and documentation to show that additional sources *do not exist* in
13 any other location of the building. This information will show that all sealed source (e.g., those that can
14 be physically inventoried and those that are sealed within the stuck plug of the Hot Cell) are "accounted
15 for" and under the control of the AMS Radiation Safety Officer.

16 Approach

17 Immediately after Tasks 1 through 4 of the Building Recovery Project are complete, AMS will submit an
18 application to amend Provision 14(c) of License No. 34-19089-01 requesting an exemption from
19 performing a physical inventory of the sources in the stuck plug until the plug is removed. Included in the
20 application will be an accounting of the sealed source status for the year prior to the application, a summary
21 of surveillance information confirming that "unaccounted for" sources do not exist at the facility, and a
22 commitment to complete the physical inventory once the stuck plug is removed.

23 Responsibilities

24 The amendment application will be submitted by the AMS Radiation Safety Officer.

25 Deliverable

26 An application to amend License No. 34-19089-01, along with supporting documentation, will be
27 forwarded to the USNRC.

28 **Task 8: Request Exemption from Emergency Plan Requirements**

29 Purpose

30 Title 10, Code of Federal Regulations, Section 30.32(i) requires submittal of an "Emergency Plan for
31 Responding to a Release" if the possession limit at the licensee's facility exceeds 5,000 curies of ⁶⁰Co. As
32 part of its license renewal efforts, an emergency plan was in fact, submitted by AMS to the USNRC for
33 review and comment. On June 7, 1995, after initial USNRC review of the plan, a letter of deficiency was
34 issued and additional information was requested. Because the magnitude of deficiencies was significant,
35 a revised Plan was submitted on September 22, 1995. This revision was consistent with the guidance
36 contained in USNRC Regulatory Guide 3.67 (1992), "Standard Format and Content for Emergency Plans
37 for Fuel Cycle and Materials Facilities". On February 28, 1996, the USNRC mailed comments on
38 Revision 0 of the Emergency Plan. The AMS response to those comments was forwarded on March 22,
39 1996. To date, the USNRC has taken no additional action on this issue.

17 This task will eventually be completed. Therefore, it will be included in the long range strategic plan for the facility, submittal of which is addressed in Task 11 of the Project

ADVANCED MEDICAL SYSTEMS, INC.
"Building Recovery Project"
June 10, 1996, Page 23

1 Included in the March 22, 1996 submittal were the AMS responses to comments received from the Ohio
2 Environmental Protection Agency, the Ohio Emergency Management Agency, the Cuyahoga Emergency
3 Management Assistance Center, the Ohio Department of Health, and the City of Cleveland Division of
4 Fire. These agencies were listed in the AMS emergency plan as "first responders". However, many of
5 these agencies were "less than cooperative" in providing a written commitment to respond and a listing of
6 services they would/could provide to AMS in the event of an emergency.

7 Task 10 of the building Recovery Project is for AMS to submit an amendment application to reduce the
8 maximum inventory to 10,000 curies. This limit will be sufficient for the sources contained within the
9 stuck plug of the Hot Cell, and the sources that will be brought to the facility for calibration, loading and
10 shipping to purchasers of teletherapy units. Without exception, the 10,000 curies will be comprised of only
11 non-dispersible materials. Therefore, an exemption from the emergency planning requirement of 10 CFR
12 30.32 will be solicited after Task 10 is complete.

13 Approach

14 Even after completion of the Building Recovery Project, the AMS license limit will exceed the 5,000 curie
15 exemption for submission of an emergency plan. However, as permitted in 10 CFR 30.32(i), AMS will
16 submit an evaluation showing that the maximum dose to a person offsite in the event of an emergency will
17 not exceed one (1) rem effective dose equivalent based upon the fact that the radioactive material inventory
18 is not subject to release during an accident because of its physical form and the way in which it is
19 packaged. The evaluation will contain sufficient hypothetical dose estimates to support the AMS position.

20 Responsibilities

21 The application for exemption from emergency plan requirements will be prepared by the AMS Radiation
22 Safety Officer.

23 Deliverable

24 An application for exemption from emergency plan requirements, including an evaluation of the maximum
25 dose to a person offsite in the event of an emergency, will be submitted to the USNRC.

26 Task 9: Request Extension of Safe Storage Period for WHUT Room

27 Purpose

28 In an October 20, 1988 letter from A. B. Davis (USNRC) to Dr. Seymour S. Stein (AMS), the USNRC
29 concurred with AMS's February 8, 1988 and July 6, 1988 request to delay decontamination of the WHUT
30 Room until personnel exposure rates are reduced significantly, stating that "isolation can be carried out
31 safely with some benefit in the reduction in occupational exposure and waste requiring disposal" (see page
32 1 of the October 20, 1988 letter). AMS continues to maintain that effective decontamination of the WHUT
33 Room will result in significant but unnecessary personnel exposures. Therefore, an extension of the safe
34 storage period for the WHUT Room for an additional license term (e.g., five years) will be requested.

35 Approach

36 AMS will perform an ALARA analysis comparing two WHUT Room decontamination options. Option
37 (1) will be immediate decontamination and option (2) will be delayed decontamination. The analysis will
38 emphasize short- and long-term personnel exposures, waste volume considerations, and cost

39 Responsibilities

40 The ALARA analysis will be performed by AMS. The report of findings, attached to a request to extend
41 the safe storage period for the term of the license, will be submitted to the USNRC by the AMS Radiation
42 Safety Officer.

ADVANCED MEDICAL SYSTEMS, INC.
"Building Recovery Project"
June 10, 1996, Page 24

1 **Deliverable**

2 The request to extend the WHUT Room safe storage period for an additional license term will be submitted
3 to the USNRC. Included will be a detailed description of radiological conditions in the WHUT Room and
4 the findings from the ALARA analysis, and a commitment to re-visit this issue during subsequent license
5 renewals.

6 **Task 10: Request Reduction in License Limit**

7 **Purpose**

8 At the completion of the Building Recovery Project, approximately 3,000 curies of residual radioactivity
9 will remain.¹⁸ In addition, and as part of its routine operations, AMS may also bring up to 6,000 curies
10 in the form of sealed sources to the facility for calibration, loading and shipping to purchasers of
11 teletherapy units. So that the scope of License No. 34-19089 reflects actual site activities and conditions
12 for the purpose of reducing regulatory liabilities, AMS will seek an amendment to License No. 34-19089-
13 01 to reduce the maximum possession limit.

14 **Approach**

15 Pursuant to 10 CFR 30.32, AMS will submit an application to amend License No. 34-19089-01 to permit
16 a maximum possession limit of 10,000 curies of ⁶⁰Co in the form of sealed sources and residual
17 contamination in the Hot Cell, ventilation system and WHUT Room. Included will be a description of the
18 intended use of the materials, and a copy of the AMS Radiation Protection Program Plan.

19 **Responsibilities**

20 The amendment application will be submitted by the AMS Radiation Safety Officer.

21 **Deliverable**

22 An application to amend the maximum license inventory to 10,000 curies of ⁶⁰Co, along with all supporting
23 documentation and amendment fees, will be submitted to the USNRC.

24 **Task 11: Submit Long-Range Strategic Plan**

25 **Purpose**

26 After completion of the Building Recovery Project, limited personnel and financial resources will still
27 render it impossible for AMS to complete the remaining activities in the "Strategic Plan for the London
28 Road Facility" in a single campaign. Therefore, to avoid unnecessary and negative financial impacts on
29 the company, yet ensure steady and well-managed progress toward completion, the remaining activities
30 will be prioritized based upon an activity's ability to improve the implementability of other activities,
31 AMS's ability to fund the activity in the near-, intermediate- and long-term, and on the cost/benefit
32 associated with the activity's timely completion. In general, high priority items will be scheduled for
33 completion within one year after the Building Recovery Project, intermediate priority items within one to
34 three years, and lower priority items within three to five years.

35 **Approach**

36 To ensure steady progress toward completing the outstanding activities, a revision to the "Strategic Plan
37 for the London Road Facility" will be prepared. As with the previous revisions, this document will contain
38 AMS's commitment to and schedule for completing such remaining items as the physical inventory of
39 sealed sources, WHUT Room decontamination, disposition of treated water in the collapsible storage tanks,
40 audit/assessment of the Radiation Protection Program, upgrade of Standard Operating Procedures,

¹⁸ With the exception of the contents of the WHUT Room and surface contamination in the Hot Cell and its ventilation system, the physical form of these materials will be doubly-encapsulated sealed sources.

ADVANCED MEDICAL SYSTEMS, INC.
"Building Recovery Project"
June 10, 1996, Page 25

1 housekeeping improvements, community relations, reconnection of sewer system to London Road
2 Interceptor, and any other items that may be identified by AMS or the USNRC.

3 Revision 0 of the Strategic Plan for the London Road Facility" was submitted to the USNRC on October
4 11, 1995. Included in Revision 0 was a commitment to provide quarterly updates on AMS's progress
5 toward meeting its goals. The last quarterly report, Revision 3 of the Plan, was submitted to the USNRC
6 on April 8, 1996. Therefore, Revision 4 of the Plan, due for submittal on July 15, 1996, will address,
7 primarily, activities performed during the Building Recovery Project. Revision 5 of the Plan, due for
8 submittal on October 15, 1996, will show the status of the Building Recovery Project, but will also address
9 the long-range plans for the facility.

10 **Responsibilities**

11 Revisions 4 and 5 of the Strategic Plan for the London Road Facility will be prepared by the AMS
12 Radiation Safety Officer.

13 **Deliverable**

14 Revisions 4 and 5 of the Strategic Plan for the London Road Facility will be submitted to the USNRC
15 pursuant to the Revision 0 schedule (e.g., July 15, 1996 and October 15, 1996, respectively).

16 ***Task 12: Perform Routine Operations and Meet Regulatory Commitments***

17 **Purpose**

18 As part of its continuing license obligations, AMS has committed to performing certain duties and
19 implementing certain specific actions in response to USNRC requests. To ensure that the Building
20 Resource Project does not inadvertently divert attention from timely response to previous regulatory
21 demands, and to avoid the need to solicit extensions in meeting those commitments, AMS intends to track
22 all outstanding regulatory and compliance issues along with the 11 tasks in the Building Recovery Project.

23 **Approach**

24 A task list for the Building Recovery Project, which includes the task description, responsible party(ies),
25 due date, and current status, was developed on May 10, 1996. Included in the task list are specific
26 regulatory commitments such as Radiation Safety Committee meetings, routine surveillance activities, and
27 responses to USNRC requests for information (e.g., the Shewmaker inspection report, the December 6,
28 1995 Demand for Information Letter). The task list is updated on a daily basis.

29 **Responsibilities**

30 Commitment tracking throughout the Building Recovery Project will be performed by the AMS Radiation
31 Safety Officer. Activities will be performed by specified individuals as shown on the task list for the
32 Building Recovery Project.

33 **Deliverable**

34 None. However, the USNRC may wish to review the task list as part of its routine inspections of the AMS
35 facility.