



"Working to improve statewide preparedness and response to chemical emergencies and to improve public awareness of potential chemical hazards."

Ohio State Emergency Response Commission

Emergency Planning and Community Right-to-Know  
P.O. Box 163669, 1800 WaterMark Drive  
Columbus, Ohio 43216-3669

George V. Voinovich  
Governor

June 30, 1995

Roland Lickus, Chief  
State & Local Government Affairs  
U.S. Nuclear Regulatory Commission  
Region III  
801 Warrenville Road  
Lisle, Illinois 60532-4351

Dear Mr. Lickus:

Enclosed, you will find a copy of the SERC minutes from the June 16, 1995 meeting.

Also, Wayne Slawinski, a member of your staff has requested that I include the minutes from the SERC Executive Committee meeting which was held February 27, and a copy of the SERC meeting minutes from April 12.

Please share the enclosed with Mr. Slawinski. If I can be of further assistance you may reach me at (614) 644-2260.

Sincerely,

*Linda J. Fields*  
Linda J. Fields  
SERC Secretary

enclosure

9/39

## PUBLIC NOTICE

## DESIGNATION OF ADDITIONAL PLANNING FACILITY

## CUYAHOGA COUNTY

The State Emergency Response Commission (SERC) is hereby announcing its intention to issue an order to require Advanced Medical Systems, Incorporated (AMS) of 1020 London Rd., Cleveland, Ohio to be subject to the emergency planning requirements of Sections 3750.04 and 3750.05 of the Ohio Revised Code. In response to the Cuyahoga County Local Emergency Planning Committee's (LEPC) request, the Commission evaluated the facility's size, nature of operations, and its proximity to the community. It is believed that designation as an additional planning facility will enable the LEPC to conduct a risk analysis and develop a site specific emergency response plan for AMS. The LEPC has developed site specific emergency response plans for 305 facilities possessing "extremely hazardous substances" within Cuyahoga County as required by Sections 3750.04 and 3750.05 of the Revised Code. AMS was found to possess cobalt 60 in non-sealed sources. Cobalt 60 is not one of the 360 listed chemicals designated as "extremely hazardous substances." Therefore, to bring this facility under the emergency planning requirements of the Emergency Planning and Community Right-to-Know Act, Chapter 3750 of the Revised Code, the SERC must issue an order designating AMS as an additional planning facility.

Section 3750.05 requires the SERC to seek written public comment on its intent to issue such an order. Comments are to be submitted to:

State Emergency Response Commission  
c/o Ohio EPA/DERR  
1800 WaterMark Dr.  
Columbus, Ohio 43215-1099

Written comments must be received within 45 days of the date of this notice. The SERC will vote on whether to issue an order designating AMS as an additional planning facility after the end of the comment period.



# Advanced Medical Systems, Inc.

1020 London Road  
Cleveland, OH 44110  
(216) 692-3270

DOROTHY

June 30, 1995

Mr. James Caldwell  
Nuclear Materials Inspection, Section 2  
United States Nuclear Regulatory Commission  
801 Warrenville Road  
Lisle, Illinois 60523-4351

Re: Advanced Medical Systems, Inc., License No. 34-19089-01

Dear Mr. Caldwell:

As follow-up to our telephone call of June 30, 1995, the purpose of this letter is to confirm our meeting with you and other representatives of the USNRC at the Advanced Medical Systems, Inc. (AMS) facility on London Road. The meeting will take place on Friday, July 7, 1995. At that time, we invite you to observe the excavation, sampling and analysis procedures that will be implemented during remediation of the contaminated discharge line. We will also take the opportunity to discuss the type and extent of the remaining questions you have on our outstanding Amendment requests. From this face-to-face discussion and from your first-hand observation of the contamination status of the foundation drainage system, we anticipate that we will then be able to provide you with a single submittal of supplementary information to expedite your approval of the outstanding requests. In the meantime, if I can answer any questions or provide you with additional information, please call me at (216) 692-3270. I am looking forward to seeing you on July 7th.

Sincerely,

Robert Meschter, RSO

cc: D. Cesar  
D. A. Miller, Esq., Stavole & Miller

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REGION II

6-30-95

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## Update on AMS Licensing Issues as of 7/3/95

### 1. Basement and ground water processing project

Amendment 32. was issued on March 17, 1995 to authorize AMS to process contaminated basement and ground water to 200 pCi/L and store it in special storage bladders in the facilities warehouse area. This process included water stored outside the facility in above ground tanks..

Amendment 32. also authorized AMS to excavate around the outside underdrain system, remediate or replace it, reconnect the underdrain system to a sump pit, analyze the ground water until it consistently revealed no detectable non-soluble cobalt-60 and less than 200 Pci/L soluble cobalt-60, grout in the contaminated manhole and lateral on AMS property, develop a subsurface monitoring system to assess contamination migration from the facility, and to remediate the London Road interceptor in the vicinity of the abandoned lateral.

This amendment was important because it required AMS to maintain a positive hydrostatic pressure from outside to inside the facility's basement.

### 2. Renewal application

Deficiency letter mailed 4/17/95. Licensee given 45 days to respond. Response due June 1, 1995. Licensee FAXED a letter on 5/31 requesting an extension on their response to 6/16. Extension granted via letter dated June 7, 1995. Revised due date is June 16, 1995. Response received 6/16 and is currently being reviewed.

### 3. DFP/Cost Estimate

Deficiency letter mailed March 30, 1995. Licensee was given 30 days to respond. They requested an additional 30 days. Response due May 30, 1995 and received June 2, 1995. Licensee response inadequate; therefore, a TAR was submitted to HQ on 6/15/95 requesting contractor assistance. Per 6/26 telecall with Lou Bykoski, expect response to the Region NLT 7/18. *Response received 7/18. Drafting det. 14.*

### 4. Financial Instrument and Standby Trust Agreement (STA)

Technical Assistance Request submitted to HQ for contractor review on 4/14/95. A telephone call was made to HQ re: status. Was informed the package is in hands of contractor. HQ will do what they can to push through. Following HQ review it must go through OGC for concurrence. This typically takes 10 to 14 days.

Called Lou Bykoski on 6/1 to check on status of contractor's review. Lou stated that their review is complete and he expects to receive their comments on 6/2. He will then forward to OGC for concurrence. As noted above, this typically takes 10 - 14 days.

Contractor comments received 6/19. A deficiency letter is in typing as of 6/22.

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Deficiency letter mailed 6/28. Modified and restated STA very poor and deficient. Contractor suggested AMS resubmit new STA in accordance with R.G. 3.66, or go back to original 11/92 STA and make modifications per our March 1995 letter. Licensee given 30 days to respond. - *dispute received 7/28*

*5.6.10*  
Amendment request to: 1) evaporate water in bladders, 2) install sampling device, 3) reconnect underdrain, and 4) discharge water to sewer with Co-60 < 200 pCi/liter. *By permit - allowed rec. in station to new bladder*

*copy*  
This action was submitted to HQ for technical assistance on 4/7/95. NMSS response received 6/6/95 and supplemented with information from Bob Shewmaker on 6/7/95. Deficiency letter regarding 3 of the 4 above requests (excluding the evaporator request) sent to AMS on 6/14/95. The licensee's response to the deficiency letter is due 7/14/95. A second TAR was sent to NMSS on 6/14/95, regarding the evaporator request.

*copy*  
Licensee's response to the deficiency letter was received 6/16/95. The response will be reviewed with assistance from Bob Shewmaker. HQ has completed their review of the evaporator issue. Their memo is going through concurrence.

6. Emergency Plan

Deficiency letter issued 6/7/95. Response due 7/7/95. Comments on AMS's emergency plan received in early June from two offsite response organizations. Comments from other response organizations expected within next few weeks. The Region will wait until AMS forwards all the comments it receives from offsite response organizations, before the region will review them for appropriateness. *within 30 days*

7. Amendment to change analytical labs

Was issued on May 18, 1995 via Amendment No. 33.

8. Amendment to increase the release criterion for treated water into the storage bladders from 200 to 1,000 pCi/L of water

Was issued on June 9, 1995 via Amendment No. 34

9. Amendment to extend due date of June 17 For Water Processing Project Completion as required by License Condition 19. of license

Amendment # 35 issued 6/16/95, tying-in interim milestone completion dates for various phases of the project. Amendment #35 requires that the activities required by License Condition # 19 be completed by 7/7/95, with the exception of remediation of the London Road interceptor.

10. Amendment Request to Allow the RSO to Make Minor Changes as the Water Processing Project Continues

Amendment # 36 was issued on June 21, 1995, authorizing the RSO to make minor changes to operations that are not considered to be safety

significant. AMS's request for this amendment received via letter dated 6/6/95, and supplemented by letter dated 6/14/95. Also issued in this amendment was authorization to re-connect a new manhole and lateral to the underdrain system. This does not allow connection to the sewer system, nor does it preclude them from requirement to continue to take water samples for cobalt-60 concentration.

11. Amendment no. 37 issued 6/27/95

Amendment 37 authorizes installation of water evaporator eqpt. per licensee's 3/22/95 and 6/18/95 letters. The amendment does not authorize operation of the device. This is specified in L/C no. 21. Cover letter described 5 additional areas the licensee must submit for our review and approval prior to receiving authorization to operate the evaporator. Also, cover letter states that we are currently reviewing AMS proposal to install a water sampling device in lateral, and soil sampling program as described in their 6/16 letter to us. This has been controlled in under C/N 98777 as additional info. to C/N 98334.

12. <sup>copy 12</sup> FAXED AMS response to our 6/14 letter to R. Shewmaker for assistance in review on 7/13. *for status.*

*Asked Bob to look at AMS response to his questions which were incorporated in our 6/14 deficiency letter (C/N 98777). ~~CC has received by~~ response & is under review.*

13. *AMS request for flexible dates on completion of L/C 19 D, E, & F operations. in typing as of 7/27.*

14. *Amend # 38 issued ~~on 7/27~~ 7/28 authorization to operate of the evaporator.*

15. *Amend # 39 in typing, rev. 13 above*