



# Advanced Medical Systems, Inc.

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

*Amis File*

December 14, 1995

Kevin G. Null, Licensing Reviewer  
United States Nuclear Regulatory Commission  
Region 3  
801 Warrenville Road  
Lisle, IL 60532-4351

Re: License No. 43-19089-01  
Docket No. 030-16055

Dear Kevin:

In response to your December 5, 1995 letter requesting evidence that the treasurer is authorized to represent the company to sign the Standby Trust Agreement, enclosed is a Certified Resolution of Advanced Medical Systems, Inc. which indicates that the treasurer of the corporation is authorized on behalf of the corporation to execute the Standby Trust Agreement.

If you have any questions or require additional information, please do not hesitate to contact me.

Sincerely,

DAVID CESAR  
Vice President and Treasurer

DC:sb

Enclosure

\*:\ebdc\NULL.1et

*E1126*  
RECEIVED  
DEC 18 1995  
REGION III

DEC 18 1995

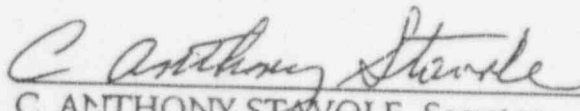
CERTIFIED RESOLUTION  
OF  
ADVANCED MEDICAL SYSTEMS, INC.

RESOLVED, that the Treasurer of the Corporation is hereby authorized, on behalf of the Corporation, to execute the Standby Trust Agreement (As Modified and Restated) between the Corporation and Bank One Ohio Trust Company N.A., as Trustee.

RESOLVED FURTHER, that a copy of the aforesaid Standby Trust Agreement (As Modified and Restated) of the 5th day of July, 1995 be kept in the corporate file.

CERTIFICATE OF SECRETARY

C. ANTHONY STAVOLE, Secretary of Advanced Medical Systems, Inc., hereby certifies that the foregoing is a true and accurate copy of Resolution duly adopted by the Board of Directors of the Corporation, as of the 5th day of July, 1995, in which all members consented; and that said Resolutions remain in effect, unchanged to the present date.

  
C. ANTHONY STAVOLE, Secretary

Mike Vehn - Inspection  
Leon Ball - Licensing

12/15/1995

# AMS/NRC CONFERENCE CALL

10.00 A.M. (Eastern Time) Friday, December 15, 1995

## Agenda

60 Negotiations for disposal conference.

2100 sources (13874 curies) shipped  
2100 sources (21000 curies) being prepared for shipment.

Inventory Reduction

Emergency Plan (Training and Drill)

License Renewal Application (Status)

Amendment to License Condition 14 (physical inventory)

Long-term Integrity of Collapsible Storage Containers

Reduction in Contamination Levels in Restricted Areas

Off-site Disposal of Packaged Waste

Water Treatment/Sewer Remediation Project

a. Discharge of Water from Foundation Drains

b. Disposition of Excavated Soils

c. Long-term Surveillance Plan for Abandoned Lateral

d. Stabilization of Water in the WHUT Room

9. Other Issues of Mutual Interest

Waste holdup Tank room directly below the hot cell. At one time >1000R. AMS looking at ways of removing water or water absorption material.

2. Increase in radiation.

E1127

AMS/NRC CONFERENCE CALL

10:00 A.M. (Eastern Time) Friday, December 15, 1995

Agenda

1. Inventory Reduction
2. Emergency Plan (Training and Drill) - Dr. & Dr. Ltr.
3. License Renewal Application (Status) - Waiting for ISPS
4. Amendment to License Condition 14 (physical inventory)
5. Long-term Integrity of Collapsible Storage Containers
6. Reduction in Contamination Levels in Restricted Areas
7. Off-site Disposal of Packaged Waste
8. Water Treatment/Sewer Remediation Project
  - a. Discharge of Water from Foundation Drains - 100 gal/L or less in dump
  - b. Disposition of Excavated Soils - 4 ft x 4 ft treated material (only 1/2 ton outside)
  - c. Long-term Surveillance Plan for Abandoned Lateral (not possible in bladders)
  - d. Stabilization of Water in the WHUI Room
9. Other Issues of Mutual Interest

S.T.A. - waiting for response to Dr. Ltr.

Concept D.P. - in H.O. for review

E1128

EP - AAS units for NRE contracts  
- For suggestion from Roland - put in EP dot let that we are reviewing  
S. district comments on EP. - See Mike Weber

a) Inv. Reflection -

2 sources sent to NPI  
to the 3876 ~~at~~ CI

next  
NAC to  
1000 CI  
{ 1 in T. Master -  
1 in container → shipping container

To put the schedule of the solution

We don't need more of details they are  
shipping to, we just want to see progress.

3) Revised Appl. for renewal. - NRE units for  
ISD review. - will send 15 of 19 ISDs after  
NRE approval. \*tie down minimum # of procedures as possible.

4) C/C 14 - AAS to request amendment  
will address this with their response to  
the procedures.

5) Collapsible containers - will provide us  
with information that falls on O.H. for  
(+ will not describe, etc.)

→ via manufacturer info. These H.S. are  
designed to avoid other hazardous materials.

- 6.) ~~Plan~~ in Contain in destroyed Areas  
AAS proposes - reduce ~~the~~ extent of restricted areas as  
reducing Contamin. level in a rest. area. <sup>AAS</sup> will provide  
description of areas above & below 40,000 dpm.  
AAS will submit their plan in response to  
this item in the DFI.

- \*  
7.) Off-site Disposal of Phys. Waste.  
Financial problems + AEAHA considerations

- 8.) Water Treatment / Sewer Remediation Project

ADVANCED MEDICAL SYSTEMS, INC.  
NORTHEAST OHIO REGIONAL SEWER DISTRICT

STRATEGY PLAN

Task No. 1 - Resolve Facility Water Issues

Lead - Region III

Support - IMNS/NMSS

Task completion date: OPEN

Current Status

- \* Isolated or replaced facility underdrain system
- \* Amendment #37, authorized evaporator installation
- \* Amendment #38, authorized evaporator operation
- \* Amendment #39, deleted milestone dates from subitems 19 D., E., F., requiring written notification and explanation of further extensions
- \* evaporator never procured, AMS attempting other routes of disposing of 100,000 gallons of processed water stored in building in 4 bladders

Pending Completion

- \* Implement long term groundwater control; presently collecting water for analysis
- \* Dispose of processed water stored in "bladders," disposition placed in lower priority (3 to 5 year completion schedule) in Strategic Plan of 10/11/95
- \* Remediate city sewer interceptor and connect new manhole/lateral to interceptor



## Task No. 2 - Evaluate Facility Structural Integrity and Reduce Inventory and Decontaminate Facility

### Sub-Task A - Complete Structural Integrity Assessment

Lead - Region III

Support - IMNS/NMSS

Sub-task completion date: COMPLETED

- \* Assessment initiated by NRC civil engineer in October 1994 before foundation water problems existed
- \* Re-assessment upon completion of water processing in July 1995
- \* Analytical assessment write-up of building integrity conditions written 11/1/95 by civil engineer to be incorporated in RIII report

### Sub-Task B - Reduce Inventory and Decontaminate Facility

Lead - Region III

Support - IMNS/NMSS, OGC

Sub-task completion date: Late 1996

- \* DFI of 9/27/95 requested milestones for removal of stuck plug, inventory reduction program, decontamination of facility rooms
- \* AMS' Strategic Plan of 10/11/95 indicated intermediate priority for inventory reduction and recovery of hot cell use (1 to 3 yr), lower priority for decontamination (3 to 5 yrs)
- \* NRC response to AMS response to DFI states we expect inventory reduction program to be completed within 12 months of license renewal
- \* Two sealed source (3867 and 1000 Ci) have been shipped
- \* Contractor to mill-out the stuck floor plug in the hot cell indicated as lower priority (3 to 5 yr)



## Task No. 3 - Develop Contingency Plan to Address Situation Where AMS Abandons the Facility

Lead - IMNS/NMSS

Support - OGC & Region III

Task Completion date: November 1995

In the event that AMS were to abandon the facility, NRC needs a contingency plan that addresses the actions identified below.

### Actions that must be taken to address proposed situation:

#### Immediate Actions:

- \* Order licensee to take responsibility for actions
- \* Verify that the facility is secure and in a safe shutdown condition.
  - Maintain ADT security services
  - Maintain ventilation and emergency electrical back-up systems
  - Maintain contractor control of basement water
  - Maintain operation and testing of radiological monitoring systems
- \* Consider other federal options such as Superfund (EPA).

#### Short term actions:

- \* Order payment of decommissioning funds into standby trust (currently irrevocable standby letter of credit for \$1.8 million from Bank One, Cleveland)
- \* Work with Trustee to hire contractor for -- Immediate security and maintenance needs and submittal of decommissioning plan
- \* In the event AMS were to file for bankruptcy protection, file a notice of claim in bankruptcy proceeding and/or monitor proceeding.

#### Long term actions:

- \* Review and approve decommissioning plan
- \* Monitor progress of decommissioning and use of funds

## Task No. 4 - Complete Review and Issue License Renewal

### Sub-Task A - Review Safety Program

Lead - Region III

Support - N/A

Sub-task completion date: February 1996

- \* Review completed and deficiency letter issued 4/17/95.
- \* Review license response to deficiency letter. Response due 6/1/95.
- \* AMS resubmitted renewal application dated 10/27/95; RIII review initiated a deficiency letter dated 12/5/95 requesting copies of procedures referenced in application for review

### Sub-Task B - Review Emergency Plan

Lead - Region III

Support - IMNS/NMSS

Sub-task completion date: February 1996

- \* NMSS review completed 4/13/95, deficiency letter issued 6/7/95
- \* Licensee solicited comments from several offsite response organizations
- \* Emergency plan resubmitted by AMS 9/21/95
- \* Region continues to work with State Emergency Response Commission and County/City emergency planning committees to resolve concerns
- \* IMNS's review/comments of Emergency Plan sent to RIII 12/6/95

### Sub-Task C - Review Decommissioning Plan and Cost Estimate

Lead - Region III

Support - DWM/NMSS

Sub-task completion date: February 1996

- \* Review completed and deficiency letter issued 3/29/95
- \* AMS 5/30/95 response deemed inadequate, cost estimate too low
- \* Letter requesting re-evaluation of cost per cubic foot for waste disposal and site characterization dated 8/17/95
- \* Reply from AMS requested by 9/16/95 to continue review of license renewal application
- \* "Conceptual Decommissioning Funding Plan" submitted 10/20/95, using a form of SAFSTOR with a 50 year safe storage period as basis for cost estimates
- \* Cost estimates - \$3.3M for DECON, \$0.9 for SAFESTOR
- \* Review by DWM and subsequent letter to RIII indicate SAFESTOR not appropriate for material licensee, agency policy that storage not a

substitute for offsite disposal

## Sub-Task D - Review Decommissioning Financial Instruments

Lead - Region III

Support - DWM/NMSS

Sub-task completion date: February 1996

- \* Review completed and deficiency letter issued 3/13/95.
- \* Licensee response dated 3/31/95, forwarded to DWM/NMSS for review on 4/14/95
- \* Deficiency letter to AMS dated 6/28/95 suggesting new Standby Trust Agreement as per Reg Guide 3.66 or modify original 11/92 submission.
- \* AMS submitted Standby Trust Agreement, sent for contractor review on 8/23/95, expected return in 45 days
- \* RIII letter 12/5/95 requested validation that signer of the Standby Trust was authorized representative of AMS
- \* RIII drafting response to the Conceptual Decommissioning Funding Plan

## Task No. 5 - Conduct License Renewal Hearing-Subpart L

Lead - OGC

Support - Region III, IMNS/NMSS

Task completion date: OPEN

Presiding Officer has been assigned and parties have been established.

- \* Hearing file filed on April 12, 1995
- \* Presiding officer to issue a schedule for the submission of written presentation
- \* Staff prepare presentation for license renewal hearing. Date for hearing not established.
- \* 8/23/95 Presiding Officer issued Memorandum and Order
  - a. permit LEPC to participate as an interested government party
  - b. grant Village of Newburgh Heights petition to participate as interested municipality
  - c. hold proceedings in abeyance until license renewal application has been reviewed and completed

## Task No. 6 - Respond to 10 CFR 2.206 Requests from NEORSD

### Sub-Task A - First Petition dated March 3, 1993

Lead - IMNS/NMSS

Support - OGC

Task completion date: OPEN

Petition Request: 1) AMS assume cost of cleanup of NEORSD  
2) AMS decontaminate sewer connecting London Road facility with public sewer and continue decontamination to extent sampling indicates is necessary

Acknowledgement of Petition: Published in FR on April 13, 1993

Status of Director's Decision:

NMSS forwarded draft Director's Decision to OGC for review on December 28, 1994. OGC drafting Commission options paper.

Options paper addresses the scope of responsibility of licensees for offsite contamination as a result of licensed activities, notwithstanding apparent compliance with applicable release limits during the period of those licensed activities, which results in a level of offsite contamination of another person's property that must be controlled and/or remediated.

Supplemental Correspondence with NEORSD that is being handled under Petition 1

Letter from NEORSD dated September 13, 1994

Request: 1) Pursuant to 10 CFR 2.206, NRC commence enforcement action against AMS, pursuant to NRC authority under 10 CFR 20.601 (Violations), for violation of 10 CFR 20.401(c)(3) (Records of surveys, radiation monitoring, and disposal); NEORSD believes disposal records are grossly inaccurate

2) NRC commence enforcement action against AMS on violation of 10 CFR 20.303(a) (Disposal by release into sanitary sewerage systems), which requires that all material discharged be readily soluble or dispersible

Letter from NEORSD dated October 13, 1994

Request : 1) In addition to the enforcement actions requested on September 13, 1994, the NRC also commence an enforcement action against AMS for violation of 10 CFR 20.2003 (discharges that are not readily soluble)

## Sub-Task B - Second Petition dated August 19, 1994

Lead - IMNS/NMSS

Support - OGC

Task completion date: CLOSED - June 16, 1994

Petition Request: AMS provide adequate financial assurance to cover public liability pursuant to section 170 of the Atomic Energy Act of 1954, as amended

Acknowledgement of Petition: Published in FR on December 6, 1993

Status of Director's Decision:

Director's Decision signed June 16, 1994, published in FR on June 24, 1994; Petition denied on the grounds that section 170 of the AEA (Price-Anderson) did not apply to this material licensee; NRC policy is not to apply Price-Anderson to specific material licensees.

## Sub-Task C - Third Petition dated August 19, 1994

Lead - IMNS/NMSS

Support - OGC

Task completion date: DEFERRED

Petition Request: NRC require AMS to install, maintain, and operate a radiation alarm system on all drains at 1020 London Road, Cleveland, Ohio (AMS facility) that lead to either sanitary or storm sewers

Acknowledgement of Petition: Published in FR on September 19, 1994

Status of Director's Decision:

NMSS forwarded draft Director's Decision to OGC for review on February 2, 1995;

Letter dated 11/9/95 sent to NEORSD indicating that consideration of this petition is deferred until the hearing under Part 2 Subpart L for AMS license renewal application is completed

Task No. 7 - Respond to 10 CFR 2.802 Requests from NEORSD  
Dated August 2, 1993

Lead - RES

Support - IMNS/NMSS

Task completion date: Late 1999

- Petition Request:
- 1) NRC amend regulations to require all licensees provide at least 24 hour notice to the appropriate sewage treatment plant before releasing radioactive material to the sanitary sewer
  - 2) NRC exempt materials that enter the sanitary waste stream from the requirement regarding NRC approval for incineration

Acknowledgement of Petition: Published in FR on October 20, 1993

Status of Rulemaking Decision:

In the ANPR signed February 18, 1994, and published in FR on February 25, 1994, entitled Disposal of Radioactive Material by Release into Sanitary Sewer Systems, it was noted that comments on the issue raised by this Petition for Rulemaking would be considered in any possible revision to NRC regulations. Prior to making revisions to the regulations, RES has proposed that a model be developed to evaluate the Part 20 sewer release limits (SECY-95-162 dated 6/20/95).



## Task No. 8 - Characterization/Remediation of NEORSD Facilities

*Southerly - SDMP  
Easterly - RTH*

Lead - DWM/NMSS

Support - Region III

Task completion date: March 1997

The current objective is to remediate cobalt-60 contamination so that the NEORSD sites can be eventually released for unrestricted use. To achieve this objective, we will utilize a process consistent with our treatment of other unlicensed SDMP sites. We expect that the NEORSD will propose a decay-in-storage approach as their remediation and waste disposal methods. As discussed with the NEORSD representatives on February 27, 1995, we would likely approve a decay-in-storage approach for controlling subsurface contamination at both the Southerly and Easterly Plant sites with adequate controls. If an appropriate radiological health and safety program is proposed, we do not plan to require an NRC license.

There is no immediate health and safety hazard at the Southerly and Easterly Plants because the contamination is below the surface and the NEORSD's program includes controls and monitoring for any subsurface excavations that could result in public or worker exposure.

### Sub-Task A: Approval of the Southerly Plant Site Characterization Report

Sub-task completion date: Completed

The NEORSD's response dated February 27, 1995, to the NRC comments on the site characterization report submitted by the NEORSD dated June 30, 1994; 9/19/95 additional responses reviewed and report approved in 9/28/95 letter, with a request for a schedule for submitting remediation/decommissioning plan within 30 days.

### Sub-Task B: Preparation of the Remediation Plan of Southerly Plant Including Waste Disposal Option(s) by the NEORSD

Sub-task completion date: March 1996

NRC is expecting in March 1996 submission of a remediation plan based on the final site characterization report, for NRC's review; expect a decay-in-storage approach to be proposed with appropriate radiological controls over the storage period. NEORSD would propose a schedule for "remediation" in their plan.

### Sub-Task C: Performance of Remediation and Final Survey of Southerly Plant by the NEORSD

Sub-task completion date: March 1997.

NEORSD will perform remediation of the site according to the remediation plan approved under Sub-Task B. Schedules for completion of the remediation would be proposed in the remediation plan. If NEORSD proposes to release site areas for unrestricted use, final surveys would be conducted and the data submitted to the NRC for review.

### Sub-Task D: Review of the Southerly Plant Final Survey Report

Sub-task completion date: June 1997

IF NEORSD proposes to release site areas for unrestricted use, NRC staff will review any final survey reports and perform confirmatory surveys, if needed.

### Sub-Task E: Review of Easterly Plant Health and Safety Plan

Sub-task completion date: June 1997

On March 16, 1995, NRC requested NEORSD to provide a description of the radiological controls to be put in place at the Easterly Plant. NEORSD is considering the NRC request. NRC staff would review this plan when it is submitted.

### Sub-Task F: Periodic Site Visits

Sub-task completion date: Ongoing

NRC inspection staff would conduct periodic site visits to assess the radiological control program implementation. It is expected that site visits would be made on about a five year frequency. NRC inspection staff last visited NEORSD Easterly and Southerly plants during the week of October 31 - November 4, 1994.

G:strtgy4.jed

# ADVANCED MEDICAL SYSTEMS, INC. NORTHEAST OHIO REGIONAL SEWER DISTRICT

## STRATEGY PLAN

Task Completion Date

### I. Near Term Operational Issues

Task No. 1 - Resolve Facility Water Issues	OPEN
Task No. 2 - Evaluate Facility Structural Integrity and Reduce Inventory and Decontaminate Facility	
A - Complete Structural Integrity Assessment	COMPLETED
B - Reduce Inventory and Decontaminate Facility	Late 1996
Task No. 3 - Develop Contingency Plan to Address Situation Where AMS Abandons the Facility	November 1995

### II. License Renewal Process

Task No. 4 - Complete Review and Issue License Renewal	
A - Review Safety Program	February 1996
B - Review Emergency Plan	February 1996
C - Review Decommissioning Plan and Cost Estimate	February 1996
D - Review Decommissioning Financial Instruments	February 1996
Task No. 5 - Conduct License Renewal Hearing-Subpart L	OPEN

### III. Petitions

Task No. 6 - Respond to 10 CFR 2.206 Requests from NEORSD	
A - First Petition dated March 3, 1993	OPEN
B - Second Petition dated August 19, 1994	CLOSED
C - Third Petition dated August 19, 1994	DEFERRED
Task No. 7 - Respond to 10 CFR 2.802 Requests from NEORSD Dated August 2, 1993	Late 1999

### IV. NEORSD Status

Task No. 8 - Characterization/Remediation of NEORSD Facilities	March 1997
A - Approval of the Southerly Plant Site Characterization Report	Completed
B - Preparation of the Remediation Plan Including Waste Disposal Option(s) by the NEORSD	March 1996
C - Performance of Remediation and Final Survey by the NEORSD	March 1997
D - Review of the Final Survey Report	June 1997
E - Review of Easterly Plant Health and Safety Plan	June 1997
F - Periodic Site Visits	Ongoing

RIII OUTSTANDING ACTIONS - AMS  
4/17/96

- EP - RIII received AMS' revised Emergency Plan - 9/28/95
  - RIII mailed deficiency letter - 2/28/96
  - RIII rec'd AMS' response - 3/26/96
  - RIII sent AMS' response to NMSS for review - 3/27/96
  - Current status: RIII waiting for NMSS' response - 4/17/96
- Renewal Application - RIII received AMS' application - 11/3/95
  - RIII mailed "preliminary deficiency letter" asking for rad protection procedures referenced (but not included) in renewal package - 12/5/95
  - Current Status: RIII rec'd letters dated 12/28/96, 1/5/96, 2/13/96, 3/13/96 with ALL requested procedures.
- English letter re: tank 880 - NRC promised full results in 2/26/96 ltr
  - Current status: RIII waiting for OK from OGC and NMSS - 4/17/96

RIII "COMPLETED" ITEMS

- Meschter letter re: release of tank 880
  - Current status: RIII mailed letter - 4/17/96
- AMS letter dated 10/17/95 re: grouting of 4" line, etc., received 10/26/95
  - Current status: RIII mailed Amendment No. 41 - 4/16/96
- \*● DFP - RIII received AMS' "Conceptual Decommissioning Plan" - 10/30/95
  - Current status: RIII mailed deficiency letter - 3/20/96
- Meschter letter re: tank 880 - NRC promised full results in 2/22/96 ltr
  - Current status: RIII mailed letter - 3/19/96
- \*● Ohio DOH letter dated 1/30/96 re: LLW (dirt from excavation project) at AMS
  - Current status: RIII mailed response letter - 3/18/96
- \*● NRC structural integrity inspection
  - RIII rec'd report from NMSS - 12/22/95
  - Current Status: RIII mailed letter w/ report - 3/12/96
- NEORSD faxes dated 1/31/96, 2/1,5,7,12/96 re: AMS tanks 877, 222 & 880
  - Current status: RIII mailed response letter - 2/26/96
- \*● TAR re: AMS' analysis procedures
  - Current status: RIII sent to NMSS - 2/23/96
- NEORSD letter dated 12/21/95 to EDO re: Inspection Report 95005
  - Current status: RIII mailed response letter - 2/1/96
- Surveillance Plan - RIII received Plan - 9/5/95
  - Current Status: RIII amended license (to include Plan) - 1/16/96

- \*● Financial Assurance (\$1.8M) - received by RIII in 1/95
  - Current status: RIII mailed letter - 1/8/96
- NEORS D letter dated 11/13/95 re: grouting of 4" line, etc., rec'd 11/17/95
  - Current status: RIII mailed response letter - 12/20/95
- NEORS D letter dated 11/14/95 re: 3000 gallon discharge, received 11/17/95
  - Current status: RIII mailed response letter - 12/14/95
- English response - RIII received English's letter - 10/9/95
  - Current status: RIII mailed response letter - 12/13/95
- \*● DFI letter - RIII received AMS' response - 10/19/95
  - Current status: RIII mailed response letter - 12/7/95
- Inspection Report covering 4/3/95-11/3/95 inspection
  - Current status: RIII mailed report - 12/4/95
- Kalstrom response - RIII received Kalstrom's letters - 8/23/95 and 9/29/95
  - Current status: RIII mailed response letter - 11/20/95
- \* still an open item

*Copy for Legg  
original to CP*

ADVANCED MEDICAL SYSTEMS, INC.  
NORTHEAST OHIO REGIONAL SEWER DISTRICT

STRATEGY PLAN

Task No. 1 - Resolve Facility Water Issues

Lead - Region III  
Support - IMNS/NMSS

Task completion date: OPEN

Current Status

- \* Isolated or replaced facility underdrain system
- \* Amendment #37, authorized evaporator installation
- \* Amendment #38, authorized evaporator operation
- \* Amendment #39, deleted milestone dates from subitems 19 D., E., F., requiring written notification and explanation of further extensions
- \* evaporator never procured, AMS attempting other routes of disposing of 100,000 gallons of processed water stored in building in 4 bladders

Pending Completion

- \* Implement long term groundwater control; presently collecting water for analysis
- \* Dispose of processed water stored in "bladders," disposition placed in lower priority (3 to 5 year completion schedule) in Strategic Plan of 10/11/95
- \* Remediate city sewer interceptor and connect new manhole/lateral to interceptor



Task No. 2 - Evaluate Facility Structural Integrity and Reduce Inventory and Decontaminate Facility

Sub-Task A - Complete Structural Integrity Assessment

Lead - Region III

Support - IMNS/NMSS

Sub-task completion date: COMPLETED

- \* Assessment initiated by NRC civil engineer in October 1994 before foundation water problems existed
- \* Re-assessment upon completion of water processing in July 1995
- \* Analytical assessment write-up of building integrity conditions written 11/1/95 by civil engineer to be incorporated in RIII report

Sub-Task B - Reduce Inventory and Decontaminate Facility

Lead - Region III

Support - IMNS/NMSS, OGC

Sub-task completion date: Late 1996

- \* DFI of 9/27/95 requested milestones for removal of stuck plug, inventory reduction program, decontamination of facility rooms
- \* AMS' Strategic Plan of 10/11/95 indicated intermediate priority for inventory reduction and recovery of hot cell use (1 to 3 yr), lower priority for decontamination (3 to 5 yrs)
- \* NRC response to AMS response to DFI states we expect inventory reduction program to be completed within 12 months of license renewal
- \* Two sealed source (3867 and 1090 Ci) have been shipped
- \* Contractor to mill-out the stuck floor plug in the hot cell indicated as lower priority (3 to 5 yr)



Task No. 3 - Develop Contingency Plan to Address Situation Where  
AMS Abandons the Facility

Lead - IMNS/NMSS

Support - OGC & Region III

Task Completion date: November 1995

In the event that AMS were to abandon the facility, NRC needs a contingency plan that addresses the actions identified below.

Actions that must be taken to address proposed situation:

Immediate Actions:

- \* Order licensee to take responsibility for actions
- \* Verify that the facility is secure and in a safe shutdown condition.
  - Maintain ADT security services
  - Maintain ventilation and emergency electrical back-up systems
  - Maintain contractor control of basement water
  - Maintain operation and testing of radiological monitoring systems
- \* Consider other federal options such as Superfund (EPA).

Short term actions:

- \* Order payment of decommissioning funds into standby trust (currently irrevocable standby letter of credit for \$1.8 million from Bank One, Cleveland)
- \* Work with Trustee to hire contractor for -- Immediate security and maintenance needs and submittal of decommissioning plan
- \* In the event AMS were to file for bankruptcy protection, file a notice of claim in bankruptcy proceeding and/or monitor proceeding.

Long term actions:

- \* Review and approve decommissioning plan
- \* Monitor progress of decommissioning and use of funds

## Task No. 4 - Complete Review and Issue License Renewal

### Sub-Task A - Review Safety Program

Lead - Region III

Support - N/A

Sub-task completion date: February 1996

- \* Review completed and deficiency letter issued 4/17/95.
- \* Review license response to deficiency letter. Response due 6/1/95.
- \* AMS resubmitted renewal application dated 10/27/95; RIII review initiated a deficiency letter dated 12/5/95 requesting copies of procedures referenced in application for review

### Sub-Task B - Review Emergency Plan

Lead - Region III

Support - IMNS/NMSS

Sub-task completion date: February 1996

- \* NMSS review completed 4/13/95, deficiency letter issued 6/7/95
- \* Licensee solicited comments from several offsite response organizations
- \* Emergency plan resubmitted by AMS 5/21/95
- \* Region continues to work with State Emergency Response Commission and County/City emergency planning committees to resolve concerns
- \* IMNS's review/comments of Emergency Plan sent to RIII 12/6/95 .

### Sub-Task C - Review Decommissioning Plan and Cost

Estimate

Lead - Region III

Support - DWM/NMSS

Sub-task completion date: February 1996

- \* Review completed and deficiency letter issued 3/29/95
- \* AMS 5/30/95 response deemed inadequate, cost estimate too low
- \* Letter requesting re-evaluation of cost per cubic foot for waste disposal and site characterization dated 8/17/95
- \* Reply from AMS requested by 9/16/95 to continue review of license renewal application
- \* "Conceptual Decommissioning Funding Plan" submitted 10/20/95, using a form of SAFSTOR with a 50 year safe storage period as basis for cost estimates
- \* Cost estimates - \$3.3M for DECON, \$0.9 for SAFESTOR
- \* Review by DWM and subsequent letter to RIII indicate SAFESTOR not appropriate for material licensee, agency policy that storage not a

substitute for offsite disposal

## Sub-Task D - Review Decommissioning Financial Instruments

Lead - Region III  
Support - DWM/NMSS

Sub-task completion date: February 1996

- \* Review completed and deficiency letter issued 3/13/95.
- \* Licensee response dated 3/31/95, forwarded to DWM/NMSS for review on 4/14/95
- \* Deficiency letter to AMS dated 6/28/95 suggesting new Standby Trust Agreement as per Reg Guide 3.66 or modify original 11/92 submission
- \* AMS submitted Standby Trust Agreement, sent for contractor review on 8/23/95, expected return in 45 days
- \* RIII letter 12/5/95 requested validation that signer of the Standby Trust was authorized representative of AMS
- \* RIII drafting response to the Conceptual Decommissioning Funding Plan

## Task No. 5 - Conduct License Renewal Hearing-Subpart L

Lead - OGC

Support - Region III, IMNS/NMSS

Task completion date: OPEN

Presiding Officer has been assigned and parties have been established.

- \* Hearing file filed on April 12, 1995
- \* Presiding officer to issue a schedule for the submission of written presentation
- \* Staff prepare presentation for license renewal hearing. Date for hearing not established.
- \* 8/23/95 Presiding Officer issued Memorandum and Order
  - a. permit LEPC to participate as an interested government party
  - b. grant Village of Newburgh Heights petition to participate as interested municipality
  - c. hold proceedings in abeyance until license renewal application has been reviewed and completed

# Task No. 6 - Respond to 10 CFR 2.206 Requests from NEORSD

## Sub-Task A - First Petition dated March 3, 1993

Lead - IMNS/NMSS

Support - OGC

Task completion date: OPEN

Petition Request: 1) AMS assume cost of cleanup of NEORSD  
2) AMS decontaminate sewer connecting London Road facility with public sewer and continue decontamination to extent sampling indicates is necessary

Acknowledgement of Petition: Published in FR on April 13, 1993

### Status of Director's Decision:

NMSS forwarded draft Director's Decision to OGC for review on December 28, 1994. OGC drafting Commission options paper.

Options paper addresses the scope of responsibility of licensees for offsite contamination as a result of licensed activities, notwithstanding apparent compliance with applicable release limits during the period of those licensed activities, which results in a level of offsite contamination of another person's property that must be controlled and/or remediated.

### Supplemental Correspondence with NEORSD that is being handled under Petition 1

Letter from NEORSD dated September 13, 1994

Request: 1) Pursuant to 10 CFR 2.206, NRC commence enforcement action against AMS, pursuant to NRC authority under 10 CFR 20.601 (Violations), for violation of 10 CFR 20.401(c)(3)(Records of surveys, radiation monitoring, and disposal); NEORSD believes disposal records are grossly inaccurate

2) NRC commence enforcement action against AMS on violation of 10 CFR 20.303(a) (Disposal by release into sanitary sewerage systems), which requires that all material discharged be readily soluble or dispersible

Letter from NEORSD dated October 13, 1994

Request : 1) In addition to the enforcement actions requested on September 13, 1994, the NRC also commence an enforcement action against AMS for violation of 10 CFR 20.2003 (discharges that are not readily soluble)

#### Sub-Task B - Second Petition dated August 19, 1994

Lead - IMNS/NMSS  
Support - OGC

Task completion date: CLOSED - June 16, 1994

Petition Request: AMS provide adequate financial assurance to cover public liability pursuant to section 170 of the Atomic Energy Act of 1954, as amended

Acknowledgement of Petition: Published in FR on December 6, 1993

#### Status of Director's Decision:

Director's Decision signed June 16, 1994, published in FR on June 24, 1994; Petition denied on the grounds that section 170 of the AEA (Price-Anderson) did not apply to this material licensee; NRC policy is not to apply Price-Anderson to specific material licensees.

#### Sub-Task C - Third Petition dated August 19, 1994

Lead - IMNS/NMSS  
Support - OGC

Task completion date: **DEFERRED**

Petition Request: NRC require AMS to install, maintain, and operate a radiation alarm system on all drains at 1020 London Road, Cleveland, Ohio (AMS facility) that lead to either sanitary or storm sewers

Acknowledgement of Petition: Published in FR on September 19, 1994

#### Status of Director's Decision:

NMSS forwarded draft Director's Decision to OGC for review on February 2, 1995;  
Letter dated 11/9/95 sent to NEORSD indicating that consideration of this petition is deferred until the hearing under Part 2 Subpart L for AMS license renewal application is completed

Task No. 7 - Respond to 10 CFR 2.802 Requests from NEORSD      Dated August

t 2.  
1993

Lead - RES  
Support - IMNS/NMSS

Task completion date: Late 1999

- Petition Request:
- 1) NRC amend regulations to require all licensees provide at least 24 hour notice to the appropriate sewage treatment plant before releasing radioactive material to the sanitary sewer
  - 2) NRC exempt materials that enter the sanitary waste stream from the requirement regarding NRC approval for incineration

Acknowledgement of Petition: Published in FR on October 20, 1993

Status of Rulemaking Decision:

In the ANPR signed February 18, 1994, and published in FR on February 25, 1994, entitled Disposal of Radioactive Material by Release into Sanitary Sewer Systems, it was noted that comments on the issue raised by this Petition for Rulemaking would be considered in any possible revision to NRC regulations. Prior to making revisions to the regulations, RES has proposed that a model be developed to evaluate the Part 20 sewer release limits (SECY-95-162 dated 6/20/95).



## Task No. 8 - Characterization/Remediation of NEORSD Facilities

Lead - DWM/NMSS

Support - Region III

Task completion date: March 1997

The current objective is to remediate cobalt-60 contamination so that the NEORSD sites can be eventually released for unrestricted use. To achieve this objective, we will utilize a process consistent with our treatment of other unlicensed SDMP sites. We expect that the NEORSD will propose a decay-in-storage approach as their remediation and waste disposal methods. As discussed with the NEORSD representatives on February 27, 1995, we would likely approve a decay-in-storage approach for controlling subsurface contamination at both the Southerly and Easterly Plant sites with adequate controls. If an appropriate radiological health and safety program is proposed, we do not plan to require an NRC license.

There is no immediate health and safety hazard at the Southerly and Easterly Plants because the contamination is below the surface and the NEORSD's program includes controls and monitoring for any subsurface excavations that could result in public or worker exposure.

Sub-Task A: Approval of the Southerly Plant Site  
Characterization Report

Sub-task completion date: Completed

The NEORSD's response dated February 27, 1995, to the NRC comments on the site characterization report submitted by the NEORSD dated June 30, 1994; 9/19/95 additional responses reviewed and report approved in 9/28/95 letter, with a request for a schedule for submitting remediation/decommissioning plan within 30 days.

Sub-Task B: Preparation of the Remediation Plan of  
Southerly Plant Including Waste Disposal  
Option(s) by the NEORSD

Sub-task completion date: March 1996

NRC is expecting in March 1996 submission of a remediation plan based on the final site characterization report, for NRC's review; expect a decay-in-storage approach to be proposed with appropriate radiological controls over the storage period. NEORSD would propose a schedule for "remediation" in their plan.

Sub-Task C: Performance of Remediation and Final Survey  
of Southerly Plant by the NEORSD

Sub-task completion date: March 1997.

NEORSD will perform remediation of the site according to the remediation plan approved under Sub-Task B. Schedules for completion of the remediation would be proposed in the remediation plan. If NEORSD proposes to release site areas for unrestricted use, final surveys would be conducted and the data submitted to the NRC for review.

Sub-Task D: Review of the Southerly Plant Final Survey  
Report

Sub-task completion date: June 1997

IF NEORSD proposes to release site areas for unrestricted use, NRC staff will review any final survey reports and perform confirmatory surveys, if needed.

Sub-Task E: Review of Easterly Plant Health and Safety  
Plan

Sub-task completion date: June 1997

On March 16, 1995, NRC requested NEORSD to provide a description of the radiological controls to be put in place at the Easterly Plant. NEORSD is considering the NRC request. NRC staff would review this plan when it is submitted.

Sub-Task F: Periodic Site Visits

Sub-task completion date: Ongoing

NRC inspection staff would conduct periodic site visits to assess the radiological control program implementation. It is expected that site visits would be made on about a five year frequency. NRC inspection staff last visited NEORSD Easterly and Southerly plants during the week of October 31 - November 4, 1994.

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ADVANCED MEDICAL SYSTEMS, INC.  
NORTHEAST OHIO REGIONAL SEWER DISTRICT

STRATEGY PLAN

Task Completion Date

I. Near Term Operational Issues

- |   |               |
|---|---------------|
| Task No. 1 - Resolve Facility Water Issues  | OPEN          |
| Task No. 2 - Evaluate Facility Structural Integrity and Reduce Inventory and Decontaminate Facility |               |
| A - Complete Structural Integrity Assessment  | COMPLETED     |
| B - Reduce Inventory and Decontaminate Facility   | Late 1996     |
| Task No. 3 - Develop Contingency Plan to Address Situation Where AMS Abandons the Facility          | November 1995 |

II. License Renewal Process

- |  |               |
|--|---------------|
| Task No. 4 - Complete Review and Issue License Renewal |               |
| A - Review Safety Program                              | February 1996 |
| B - Review Emergency Plan                              | February 1996 |
| C - Review Decommissioning Plan and Cost Estimate      | February 1996 |
| D - Review Decommissioning Financial Instruments       | February 1996 |
| Task No. 5 - Conduct License Renewal Hearing-Subpart L | OPEN          |

III. Petitions

- |  |           |
|--|-----------|
| Task No. 6 - Respond to 10 CFR 2.206 Requests from NEORS                         |           |
| A - First Petition dated March 3, 1993   | OPEN      |
| B - Second Petition dated August 19, 1994  | CLOSED    |
| C - Third Petition dated August 19, 1994   | DEFERRED  |
| Task No. 7 - Respond to 10 CFR 2.802 Requests from NEORS<br>Dated August 2, 1993 | Late 1999 |

IV. NEORS Status

- |   |            |
|---|------------|
| Task No. 8 - Characterization/Remediation of NEORS Facilities                           | March 1997 |
| A - Approval of the Southerly Plant Site Characterization Report                        | Completed  |
| B - Preparation of the Remediation Plan Including Waste Disposal Option(s) by the NEORS | March 1996 |
| C - Performance of Remediation and Final Survey by the NEORS                            | March 1997 |
| D - Review of the Final Survey Report   | June 1997  |
| E - Review of Easterly Plant Health and Safety Plan                                     | June 1997  |
| F - Periodic Site Visits  | Ongoing    |