



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION III
801 WARRENVILLE ROAD
LISLE, ILLINOIS 60532-4351

April 22, 1999

EA 99-054

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

SUBJECT: NRC INSPECTION AND NOTICE OF VIOLATION

Dear Mr. Haddock:

This refers to the safety inspection conducted from February 25 through April 5, 1999, of activities at your Cleveland, Ohio, facility. The purpose of the inspection was to determine whether activities authorized by your license were conducted safely and in accordance with NRC requirements. At the conclusion of the onsite inspection, the preliminary findings were discussed with you and Mr. Christopher Reed. Further discussions were held with you via telephone on April 5, 1999.

During the inspection, your conduct of licensed activities was generally characterized by safety conscious health physics practices. We are concerned, however, about one violation of NRC requirements that was identified. The NRC inspector identified that, due to a misunderstanding of the requirements of 10 CFR 30.36, you have failed to submit a decommissioning plan for the pile of contaminated soil which is stored in the back parking lot of Advanced Medical Systems, Inc. (AMS). This violation is cited in the enclosed Notice of Violation (Notice). Please note that you are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. The NRC will use your response, in part, to determine whether further enforcement action is necessary to ensure compliance with regulatory requirements.

In addition, the inspection revealed that elevated radiation levels of 0.5 - 0.7 millirem per hour were measured by AMS workers in a hole located next to a small tree growing outside the front entrance of the AMS building. These levels are below the NRC regulatory limit of 2 millirem in any one hour for an unrestricted area. The workers removed the tree and placed it in a B-25 box. The workers also filled the hole with gravel, posted it, and erected an additional fence in order to prevent access to the hole by members of the public. During our April 5, 1999 telephone call, you indicated that, in order to determine if there are contaminated areas near the surface of the ground in unrestricted areas of the AMS property, AMS will be performing additional surveys and taking additional soil samples primarily on the east side of the building, but also along the fence line around the facility. These surveys will be done using the "Multi-Agency Radiation Survey and Site Investigation Manual" methodology, and will be completed and the results submitted to NRC by May 28, 1999.

9904300082 990422
PDR ADDCK 03016055
C PDR

S. Haddock

-2-

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter, its enclosure, and your response will be placed in the NRC Public Document Room.

Sincerely,

/s/ R.J. Caniano for

Cynthia D. Pederson, Director
Division of Nuclear Materials Safety

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

Enclosure: Notice of Violation

See Attached Distribution

DOCUMENT NAME: G:\SEC\03016055.991

To receive a copy of this document, indicate in the box: "C" = Copy without enclosure "E" = Copy with enclosure "N" = No copy

OFFICE	RIII	<input checked="" type="checkbox"/> C	RIII	<input checked="" type="checkbox"/> C	RIII	<input checked="" type="checkbox"/> C	RIII	<input type="checkbox"/>
NAME	Weber/dp <i>W</i>		Wright <i>W</i>	Madera <i>M</i>	Clayton <i>C</i>		Pederson <i>P</i>	<i>P</i>
DATE	04/16/99		04/16/99		04/21/99		04/22/99	

OFFICIAL RECORD COPY

Distribution:

Joyce M. Dodrill
Assistant Director of Law
City of Cleveland
601 Lakeside Avenue
Cleveland, OH 44114-1077

Erwin J. Odeal
Executive Director
Northeast Ohio Regional
Sewer District
3826 Euclid Avenue
Cleveland, OH 44115

Michael D. Polensek
Office of the Council
601 Lakeside Avenue
Cleveland, OH 44114

Michael R. White, Mayor
City of Cleveland
601 Lakeside Avenue
Cleveland, OH 44114

Roosevelt Coates
Office of the Council
601 Lakeside Avenue
Cleveland, OH 44114

Roger Suppes, Chief
Department of Health
Bureau of Radiation Protection
P.O. Box 118
Columbus, OH 43266

Distribution:

Docket File w/encl
PUBLIC IE-07 w/encl
J. Goldberg, OGC w/encl
J. Lieberman, OE w/encl
D. Cool, NMSS w/encl
J. L. Caldwell, RIII w/encl
C. D. Pederson, RIII w/encl
RIII Enf. Coordinator w/encl
IEO (e-mail)
DOCDESK (e-mail)
MJP (e-mail)
Greens w/o encl

Florence Feinberg
Collinwood Village Homeowners
Association
928 Alhambra Road
Cleveland, OH 44110

Michael Kalstrom, Secretary
County of Cuyahoga
Cuyahoga Emergency Management
Assistance Center
1255 Euclid Avenue Room 102
Cleveland, OH 44115-1807

Erv Ball, Deputy Director
Cuyahoga County Board of Health
1375 Euclid Avenue Suite 524
Cleveland, OH 44115

Susan Chidakel
U.S. Nuclear Regulatory Commission
11555 Rockville Pike
Rockville, MD 20555

Robert Weisman
U.S. Nuclear Regulatory Commission
11555 Rockville Pike
Rockville, MD 20555

300030