

September 2, 1997

The Honorable Michael R. White
Mayor, City of Cleveland
Cleveland City Hall
Cleveland, Ohio 44114

Dear Mayor White:

I wish to thank you for providing us the opportunity to meet with your staff on July 30, 1997. I understand from my staff that it was an excellent meeting and was helpful to us in understanding the City of Cleveland's issues regarding Advanced Medical Systems, Inc. (AMS). We wish to cooperate with you in addressing these issues and are looking at our regulatory options.

One initiative resulting from the meeting that has been proposed to your staff is a quarterly Regulator's Meeting. These meetings would take place in the City of Cleveland and would convene several different regulators to address the issues surrounding AMS. The NRC has participated in such meetings before, and they were successful in resolving and coordinating similar issues. In addition to the City of Cleveland officials and NRC staff, the Federal and State regulators that would be invited to such meetings would include the Environmental Protection Agency, the Ohio Department of Health, and the Cuyahoga County Board of Health.

As discussed at the meeting with your staff, NRC's mandate is to protect public health and safety and the environment with regard to the commercial use of nuclear materials. Through an inspection and enforcement program, the NRC ensures that these facilities operate in compliance with safety standards. At this time, AMS appears to be in compliance with NRC's requirements. Given our mandate, we will be looking into the concerns raised by your staff and by City Councilmen Michael Polensek and Roosevelt Coats.

Also, following last month's meeting, Roy Caniano of my staff contacted Dr. Seymour Stein, President of AMS, to convey to him the issues discussed between your staff and the NRC. Subsequently, I was informed that the broken windows have been covered, the outdoor gate has been modified to further restrict unauthorized entry, and the exterior lighting has been improved. While those issues are not directly within NRC's jurisdiction, I am pleased that progress has been made in addressing these concerns.

Enclosed with this letter are results from various radiological surveys performed at AMS by NRC and others. The data that has been collected, to date, does not show any evidence of radioactive material endangering the public health and safety or the environment surrounding the AMS facility. In addition, as we discussed with your staff, radiation levels

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at the site boundary are at normal background levels. Hopefully, this information will assist in answering questions you or your staff may have regarding radiation emanating from the facility and existing contamination.

You are welcome to contact me directly with any further questions or concerns. I understand that members of your staff will be sending us a letter soon documenting areas of concern that remain with AMS. I look forward to facilitating the resolution of your concerns.

Sincerely,

Original signed by

A. Bill Beach
Regional Administrator

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

Enclosure: As stated

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contamination. As we discussed with your staff, radiation levels at the site boundary are at normal background levels.

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Sincerely,

A. Bill Beach
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cc w/encl:

Judith Zimomra, Executive Assistant to Mayor White
Joyce Dodrill, Assistant Director of Law
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Michael Polensek, City Councilman (Ward 11)
Roosevelt Coats, City Councilman (Ward 10)

OFF-SITE AND SITE BOUNDARY SURVEY RESULTS

- In 1985, Oak Ridge Associated Universities (ORAU), accompanied by NRC personnel, collected facility and environmental samples (on and off site). No detectable offsite cobalt-60 concentrations were found. (ORAU Final Report, Dec. 1985.)
- In 1993, in response to concerns from the Cleveland City Council, a special radiological survey was performed by NRC and Ohio Dept. of Health personnel at the residential, public, and commercial properties surrounding AMS. No detectable offsite cobalt-60 concentrations were found. The radiation levels along London Road and the railroad tracks were consistent with the normal local background of 0.015 millirem per hour (mrem/hr). At the brush line between the railroad tracks and the AMS property line, radiation levels ranged from 0.018-0.020 mrem/hr. These readings are below the then-current NRC requirements for unrestricted areas, which was 2 mrem/nr. (NRC inspection Report 99990003/93010 (DRSS))*
- In March 1995, NRC performed an unannounced inspection at AMS which included radiological surveys of the building and the grounds outside of the building. The radiation levels at the site boundary were all at background levels (approximately 0.02 mrem/hr). (NRC internal Memo to Files, March 15, 1995)
- In April 1996, NRC performed an unannounced inspection at AMS which included radiological surveys of the building and the grounds outside of the building. The radiation levels at the site boundary were all at background levels (approximately 0.02 mrem/hr). (NRC Inspection Report 03016055/96001(DNMS))
- In May 1997, prior to the first 1997 waste shipment, NRC performed an inspection at AMS which included radiological surveys of the building and the grounds outside of the building. The radiation levels at the site boundary were all at background levels (approximately 0.02 mrem/hr). (NRC Inspection Report 03016055/97003 (DNMS))
- In July 1997, prior to the second 1997 waste shipment, NRC performed an unannounced inspection at AMS which included radiological surveys of the building and the grounds outside of the building. The radiation levels at the site boundary were all at background levels (approximately 0.02 mrem/hr). (NRC Inspection Report 03016055/97004 (DNMS))

**The City of Cleveland receives copies of all NRC inspection reports and letters mailed to AMS. We would be happy to forward additional copies to you if requested.*