



Northeast Ohio Regional Sewer District

3826 Euclid Avenue • Cleveland, Ohio 44115-2504

216 • 881 • 6600

FAX: 216 • 881 • 9709

January 13, 1995

Mr. John Grobe, Chief
Nuclear Materials Inspection Section 2
U. S. Nuclear Regulatory Commission
Region III
801 Warrenville Road
Lisle, Illinois 60532-4351

Re: Excavation at 1020 London Road

Dear Mr. Grobe:

Upon my return to Cleveland, I learned that there were excavation activities ongoing at 1020 London Road. It appeared that the footers along the building's southeast wall were being dug up with a backhoe. This work had apparently begun earlier this week.

At the time these activities were observed, the AMS Radiation Safety Officer was not present. The trenches, which are now covered over with boards or planks, appeared to be approximately four (4) feet deep.

I wanted to bring this to your attention, inasmuch as these activities were not mentioned during our January 11, 1995 meeting, nor do they appear to be contemplated by any of the documentation you have provided to us.

Please call me if you have any questions about the foregoing.

Very truly yours,

Lawrence K. English
Lawrence K. English
Assistant General Counsel

9702040254 970127
PDR FOIA
ENGLISH96-444 PDR

The mission of the Northeast Ohio Regional Sewer District is to enhance public health and welfare through the efficient, cost-effective conveyance and treatment of wastewater. This is accomplished by an organization dedicated to professionalism, fairness and consistency that anticipates and responds to the changing environmental needs of the community.

January 13, 1994⁵

ADVANCED MEDICAL SYSTEMS, INC.

STATUS OF WORK ITEMS

Inspection Issues

Status of Temporary Restraining Order regarding sewer discharges

- * TRO issued in federal court 12/14 which retains plug, but allows the discharge of all (non-contaminated) waters.

- * All roof water tanks have been discharged to sewers and have been removed from the property.

- * Two 3000 gallon tanks and one-third of a third tank have been filled from pumping the manhole during December. Two-thirds of the third tank and a fourth 3000 gallon tank remain available for future pumping after a thaw or rain.

- * Manhole water level is being monitored every day and has been slowly decreasing. Examples of the level on certain days over the last month are listed below:

12/12	53 inches	(high)
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Pumping to Tanks

12/28	30 inches
-------	-----------

12/30	27 inches
-------	-----------

1/4	28 inches
-----	-----------

1/6	26 inches
-----	-----------

1/10	25 inches
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1/13	Empty after pumping and no influx through piping.
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- * Basement water level is being monitored at the foot of the front stairwell on a daily basis. Water level is approximately two inches and has increased approximately 1/4 inch over the past two weeks.

WHUT room analysis complete and will be forwarded to us by 1/31 with revised renewal package and Decommissioning Financial Assurance Plan.

Front plug milling - Alaron and its subcontractor, a Chicago based engineering firm who is familiar with nuclear work, has provided its proposal to mill out front plug (two month time line after they start work). SEG will also be sending a proposal. After the SEG proposal is received, the contract will be awarded (expect 1 to 2 weeks).

GE 500 cask with 12,000 Ci of contaminated non-leak tested sources in limbo - bolted and stored in overpack in secured warehouse. SEG and Alaron are making proposals for repackaging and shipment. Alaron proposal is in. SEG proposal is still pending. This is a lower priority for AMS and the contractors than the front plug milling operation. J. L. Shepard remains interested in the material.

Hot cell radiological conditions:

Hot cell general area - 12 R/hr

Front plug general area - 18 R/hr

Several hot spots ranging from 10s of R/hr up to 200 R/hr

B/12

Contamination into the millions of dpm per 100 cm²

SEG will be submitting by 1/31 a proposal to develop scenario for emergency drill. Expect the drill could be accomplished during the second calendar quarter (not third quarter as stated in NOV response).

Meeting with AMS to discuss 11/94, 12/94 and CAL response will be conducted 1/23.

NRC structural assessment of AMS ongoing. First site visit 10/12. No significant issues identified. Second site visit necessary and will be scheduled during January

10 CFR 2.206 Requests

- * March 1993 - AMS to Pay for Remediation - Stein has lead and is drafting Commission options paper.
- * August 1994 - Sewer Discharge Radiation Monitor - DeCicco drafting response - We are supporting.

Letter from Cuyahoga County regarding emergency preparedness. Preparing response for Grobe signature (concurrence uber alles).

Mayor of Cleveland Ad Hoc Task Force on Emergency Planning regarding AMS progressing. Grobe met with Task Force on 12/16. AMS, State, County and City met on 1/3. AMS performing inventory of dispersible material for emergency planning purposes (does not include WHUT room, hot cell or source garden). State will do dose projection.

Licensing Issues

Renewal submitted and was unacceptable. Response letter sent. Licensee agreed to resubmit by January 31, 1995.

Hearing requested by NEORSD. OGC attorneys assigned (Holler and Bordenick). Interfaces established and familiarization briefing conducted 1/12.

NEORSD and Effluent Issues

NEORDS/AMS Lawsuit - State lawsuit dismissed. Federal lawsuit likely to be filed. NRC/Region III involvement not defined at this time.

January 13, 1995

Advanced Medical Systems, Inc.
ATTN: Mr. David Cesar, Treasurer
121 N. Eagle Street
Geneva, OH 44041

Dear Mr. Cesar:

This confirms our plans to conduct a management meeting with you at 1:00 p.m. (CST) on January 23, 1995, in the NRC Region III Office, 801 Warrenville Road, Lisle, IL. The meeting will be open to public observation. The purpose of our meeting is to discuss:

- The findings of the special inspection documented in our report sent to you on November 7, 1994 (Inspection Report No. 030-16055/93003(DRSS))
- The findings of the special inspection documented in our report sent to you on December 6, 1994 (Inspection Report No. 030-16055/94003(DRSS))
- Your response dated December 28, 1994, to our Confirmatory Action Letter (CAL) No. RIII-94-08 issued December 15, 1994.

Regarding the findings of the inspections, this meeting provides you the opportunity to point out any errors in our inspection reports and present any actions you plan or have taken regarding the findings of those inspections.

Regarding your response to the CAL, we have several questions about the actions you have proposed. In particular, we question whether the radioactive contamination in the sewage piping exiting your facility should be removed or fixed in place, as you propose. We also have several other questions that were presented to your attorney during a conference call on January 6, 1995.

We will gladly discuss any questions you may have concerning this meeting.

Sincerely,

John A. Grobe, Chief
Nuclear Materials Inspection
Section 2

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

See Attached Distribution

B/13

4501190081-2PP

Distribution

cc w/enclosure:

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

Lisa Mehringer
City of Cleveland Law Department
601 Lakeside Avenue Room 106
Cleveland, OH 44114

Robert E. Owen, Administrator
Radiological Health Program
Department of Health
246 North High Street, 3rd Floor
P.O. Box 118
Columbus, OH 43266

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

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

January 13, 1995

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Section 2

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Docket No. 030-16055

See Attached Distribution

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

OFFICE	RIII	RIII	RIII		
NAME	Slawinski:dp	Berson	Grobe		
DATE	01/13/95	01/13/95	01/13/95		

4501190081 OPP

Distribution

cc w/enclosure:

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

Lisa Mehringer
City of Cleveland Law Department
601 Lakeside Avenue Room 106
Cleveland, OH 44114

Robert E. Owen, Administrator
Radiological Health Program
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246 North High Street, 3rd Floor
P.O. Box 118
Columbus, OH 43266

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

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

bcc w/enclosure:

Mike Stein, OGC
Cyndi G. Jones, NMSS
John A. Grobe, RIII
PUBLIC IE07

E-mail:

Mike Stein (MHS)
Steve Lewis (SHL)
Jack Goldberg (JRG)
Carl Papperiello (CJP1)
Fred Combs (FCC)
Bill Brach (EWB)
Cyndi Jones (CGJ)
Joe DeCicco (JXD1)
Tim Johnson (TCJ)
Josie Piccone (JMP1)
Bill Axelson (WLA)
Jim Caldwell (JLC1)
Jack Grobe (JAG)
Wayne Slawinski (WJS2)
John Madera (JRM4)
Kevin Null (KGN)

Date: January 17, 1995

PRELIMINARY NOTIFICATION OF EVENT OR UNUSUAL OCCURRENCE PNO-III-94-84B

This preliminary notification constitutes EARLY notice of events of POSSIBLE safety or public interest significance. The information is as initially received without verification or evaluation, and is basically all that is known by the Region III staff on this date.

Facility

Advanced Medical Systems
1020 London Road
Cleveland, Ohio

Licensee Emergency Classification

General Emergency
Site Area Emergency
Alert

Unusual Event

License No. 34-19089-01

X Not Applicable

Subject: SUSPENSION OF WASTE WATER SERVICE (SECOND UPDATE)

A Temporary Restraining Order (TRO) was issued by the United States District Court, Northern District of Ohio, to Advanced Medical Systems (AMS) on December 14, 1994, permitting the Northeast Ohio Regional Sewer District (NEORS) to maintain the plugs in the public sewers from the licensee's London Road facility. The NEORS had previously issued an order to AMS to cease all discharges. The District Court Judge stated the TRO was being issued because the NEORS Code of Regulations would otherwise be violated.

The sewer district's action was based on samples of waste water from the licensee's facility collected by the sewer district on nine occasions from July 5 through October 10, 1994. The NEORS reported that five of those samples contained measurable concentrations of cobalt-60 ranging from 14 to 306 picocuries per liter of waste water.

The licensee has complied with this TRO. The installation of plugs in the sewers has rendered the facility foundation drainage system non-functional. As documented in a Confirmatory Action Letter issued by Region III on December 15, 1994, the licensee is taking action to minimize the build up of hydrostatic pressure on the facility foundation by pumping ground water from an on site contaminated manhole into above ground tanks.

On January 16, 1995, the licensee reported to Region III that approximately 3 1/2 inches of rain fell in Cleveland resulting in a significant increase in ground water level and intrusion of ground water into the contaminated AMS basement. On January 17, 1995, the level of water in the AMS basement stabilized at approximately 18 inches. The licensee's civil/structural engineer has evaluated the situation and has concluded that there is no significant risk to the facility foundation. The licensee continues efforts to reduce ground water hydrostatic pressure on the foundation and is in contact with a contractor to evaluate options for dealing with the contaminated basement water.

NRC Region III (Chicago) inspection staff and management will be evaluating the situation at the facility on January 18, 1995.

The State of Ohio has been informed of this situation. The information in this preliminary notification has been reviewed with licensee management.

B/14

9501250034 JRP

Region III received notification of this event at 4:00 p.m. (CST) on January 16, 1995. This information is current as of 1:00 p.m. (CST) on January 17, 1995.

CONTACT:

Jack Grobe
708/829-9806



Northeast Ohio Regional Sewer District

26 Euclid Avenue • Cleveland, Ohio 44115-2504

216 • 881 • 6600

FAX: 216 • 881 • 9709

January 19, 1995

Mr. John Grobe, Chief
Nuclear Materials Inspection Section 2
U.S. Nuclear Regulatory Commission
Region III
801 Warrenville Road
Lisle, Illinois 60532-4351

Re: Meeting of January 11, 1995

Dear Mr. Grobe:

Thank you again for your hospitality on January 11, 1995. While the weather did not allow the intended meeting to take place, I believe that the discussions that did take place were nonetheless informative.

I have prepared the attached set of minutes to memorialize the discussions. Please let me know of any additions or modifications you would suggest. I am forwarding a copy of these minutes to the other participants as well, and invite their comments.

Very truly yours,

Lawrence K. English
Lawrence K. English
Assistant General Counsel

Enclosure

cc: Cynthia Jones, USNRC Washington DC
Joseph DeCicco, USNRC Washington DC
Angela Dauginas, USNRC Region III
Robert Staib, City of Cleveland

Legal (COVRMIN)

B/15

450320027 7PP

Minutes of Meeting of January 11, 1995
U.S. Nuclear Regulatory Commission
Lisle, Illinois

Attendees: John Grobe, U.S. NRC Region III
Cynthia Jones, U.S. NRC Washington, DC
Joseph E. DeCicco, U.S. NRC Washington, DC
Angela Dauginas, U.S. NRC Region III
Robert O. Staib, Cleveland Division of the Environment
Lawrence K. English, Northeast Ohio Regional Sewer District

An impromptu meeting took place on January 11, 1995, in the Public Documents Room at the U.S. NRC Region III headquarters in Lisle, Illinois. The meeting began at approximately 1:00 p.m.

It was explained by Mr. Grobe that although this meeting had been intended to be a discussion of the results of recent inspection findings and corrective actions, including the options for remediating sewage piping contamination, between NRC Region III and Advanced Medical Systems, Inc. (AMS), the representatives from AMS were not able to fly into Chicago because of weather conditions. Members of the City of Cleveland legal staff (Lisa Mehringer) and the Plain Dealer who had been invited to observe were similarly unable to attend. However, rather than waste the opportunity among those individuals who were able to get to Region III Headquarters, Mr. Grobe convened this informal meeting to discuss general concerns and status.

Mr. Grobe began by stating the NRC had a number of questions for AMS regarding the details of their responses to the issues raised in NRC's Confirmatory Action Letter (12/15/94), Radiological Survey and Sample Analysis (12/6/94), Notice of Violation (11/29/94) and Special Safety Inspection (11/7/94). Mr. Grobe stated that the actions to be taken, and the bases therefor, were included in those documents. As to specific responses by AMS, he would not comment, inasmuch as they were not his statements.

Not all responses were available at this meeting; for example, the AMS response to the 11/29/94 Notice of Violation had been received by NRC, but had yet to be disseminated to the AMS Distribution List that has been established. (This document was provided to Mr. Staib and Mr. English after the meeting, hence was not discussed in any detail. However, Mr. Grobe did state that it was not sufficiently detailed to be satisfactory to him.)

Mr. English asked about the 11/29/94 Notice of Violation. Specifically, how could decontamination-shower water that drained into the 200 gallon tank in the AMS basement have evaporated? Mr. Grobe explained that the "tank" was not sealed, that its top was open. It appears, then, that a better description for this receptacle would be "tub" or "pool". The impression that the 200 gallon tank is a sealed tank is thus false.

Mr. English questioned the 11/29/94 Notice of Violation discussion of the AMS "continuing problem" with a stuck toilet flush mechanism. Specifically questioned was the contrast between two statements: "[T]he problems were continuous, however, their severity could fluctuate day-to-day" and "[D]uring the second quarter of 1993, [] only 6000 ft³ (500 gallons/day) was used." A continuously running toilet that is not running for a calendar quarter appeared to be a contradiction in terms. Ms. Jones stated that it was discussed in detail in NRC correspondence, that their

calculations showed that the AMS explanation was plausible and that NRC was therefore satisfied. Mr. Grobe stated that no further investigation would take place on AMS' water use.

Mr. English asked why the photographs in Appendix 3 of the 12/6/94 Radiological Survey and Sample Analysis did not include the photographs showing radiation tape in the AMS manhole. The NRC staff present did not appear aware of the photographs; Mr. Grobe commented that he did recall Mike Kurth saying that he thought he saw something like a plastic doll in some of the pictures. Several color copies of the radiation tape were then shown to the NRC staff by Mr. English. Both Mr. Grobe and Ms. Jones quickly assured Mr. English that these kinds of tape were used to mark off restricted areas but were not likely to be radioactively contaminated in and of themselves. Mr. English stated that his concern was more with how they got there. Mr. Grobe suggested that they were probably flushed down the AMS toilet. He also stated that NRC would not investigate the radiation tape in the manhole further.

Mr. English asked whether a response to the 12/22/94 NRC letter regarding the insufficiency of AMS' Application for Renewal of License had been received early. (The response is not due until thirty days after 12/22/94.) Mr. Grobe said that no response was due or expected until the end of January 1995.

Mr. English asked whether an updated Emergency Plan had been received. Mr. Grobe said that John Madera had given permission to AMS to include the updated Emergency Plan as part of the renewal package.

Mr. English asked whether a Decommissioning Fund Plan (DFP) had been received yet. (The DFP should have been received by the NRC by December 1, 1994, according to 10 CFR 30.36. While AMS failed to meet this deadline, they represented that the DFP would be submitted by December 31, 1994. AMS also failed to meet this representation.) Mr. Grobe said that Mr. Madera had agreed that the DFP would also be contained in the renewal package.

Mr. Staib asked what was meant by the phrase "apparent violation" as used in the Radiological Survey and Sample Analysis (12/6/94). Mr. Grobe explained that it was NRC policy to make a record of findings, including any apparent violations, as a follow-up to any inspection. In the event an apparent violation is found, however, it is not labeled an actual violation until the NRC has met with the licensee to discuss the findings. In this case, the originally planned meeting was to discuss the 12/6/94 findings. The apparent violations contained therein would each be made formal violations.

Mr. English asked about the status of the discussion of the results of recent inspection findings and corrective actions, including the options for remediating sewage piping contamination; i.e., the intended topics of the scheduled meeting. Mr. Grobe said that AMS had been investigating Insituform lining of the lateral connection between the AMS facility and the London Road interceptor. Insituform lining involves putting a resin-impregnated secondary liner within the existing lateral, and curing it in place.

This method would potentially isolate the existing lateral, but would also leave the existing contamination in place at London Road. Mr. Grobe stated that AMS has been requested to provide data comparing the Insituform process to removal of the contaminated pipe. Mr. Grobe did not disclose which method of dealing with the existing contamination was his preferred option, only

that there did not appear to be sufficient information to warrant a choice of the Insituform process and that the NRC had requested to see the basis for AMS' preference.

Mr. English stated that the District would like to see on an ongoing basis any correspondence or other documentation of the options that are being considered to ensure that any list of options is in fact reasonably exhaustive and accurately reflects the area conditions. The District did not want to be put in the position of being informed after the fact that AMS and the NRC had agreed on the best of three options considered when there may be a fourth, fifth or sixth alternative available.

This concern was based on the prior stated position of AMS that only two practical alternatives existed for dealing with the water collecting around the 1020 London Road foundation: (1) Pulling out the compression plug, or (2) Having the building buckle. The obvious third alternative of putting in a sump pump to preclude the buildup of water in the manhole was obvious to all but AMS, apparently. Mr. Grobe agreed that pumping out the manhole had indeed removed any potential structural threat, and reiterated that there was a standing Distribution List which would include both AMS proposals and NRC responses. He also stated that any remediation effort would involve interfacing with the District. However, he went on, while the District may be knowledgeable about sewers and sewer connections, the NRC has superior expertise in remediating contaminated areas.

Ms. Jones emphasized that the comparative cost, cost-effectiveness and man-Rem exposure would be examined for any methods proposed. Her impression was that the Insituform slip-lining of the AMS lateral did not really remove the problem of the contaminated pipe in the ground, but only deferred it. It was not clear to her that this was a long-term solution. Mr. Grobe agreed that it did not appear to address the actual remediation question.

Ms. Jones described a remediation program at a Mallinckrodt facility in which all accessible contaminated sewer lines were physically removed, but certain pipes under the building were sliplined. In the case of AMS, the lateral was obviously not under the building, and could be removed. Ms. Jones went on to say, however, that since Cobalt-60 was relatively short-lived, it was conceivable that the slip-lined pipe could stay in the ground for the duration, since AMS would remain in operation at the facility for years to come.

Ms. Jones and Mr. Grobe were under the impression that the District would in any case be aware of the activities at 1020 London Road through the building permitting process. Mr. English explained that the District was not actually a part of any formal permitting process, and would thus only learn information informally from that route.

Mr. Staib asked about the present status of any containment efforts at AMS. Of greatest concern to the NRC, according to Mr. Grobe, were the matters covered by the Confirmatory Action Letter. The calendar set forth in the AMS 12/28/94 letter had already flopped.

Mr. Grobe explained that the contaminated water was being collected into tanks, that the building's structural integrity had been confirmed, and that long-term solutions to the sewer line contamination were being examined. The licensee was presently monitoring the manhole located on its property, and checking the level of water in its basement daily. The water level is stable or falling in the manhole, and has only risen 1/8 or 1/4 inch in the basement. Presently there is about 2 inches of water on the AMS basement floor. This was good news to Mr. Grobe, inasmuch as it

meant that hydraulic pressure is down and that there is no cause for concern about the building's integrity. If rain or sleet are on their way, he said, they have two more tanks on site.

Further, an NRC structural engineer had studied the 1020 London Road structure last fall. This study was merely to see how the building was holding up after 40 years, and was not related to any alleged structural integrity problems. For a 40-year old building it was in splendid shape, with no cracks in the basement at all. Mr. Grobe stated that he wished he could say the same for his own home. The structural engineer would be out at the 1020 London Road facility again this month, and would be writing a full report.

Mr. Grobe continued, stating that if the sewer were cleaned up, there would be no further contamination. When questioned by Mr. English about the contaminated sink traps, etc., within the building, Mr. Grobe clarified that were all of the present piping replaced, there would be no further contamination. Mr. Grobe was reminded by Mr. English of the photographs showing radiation tape in the AMS manhole, indicating that whatever the condition of the plumbing per se, AMS could flush anything down their toilets.

In addition, in the summer of 1994, the NRC had agreed with AMS in pleadings before the Sixth Circuit that the 1020 London Road facility was decontaminated, with the exception of the Waste Hold-up Tank (WHUT) Room and the Hot Cell. (Ms. Jones was not aware of the Sixth Circuit proceedings; Mr. English promised to send her copies thereof.) Assuming (without conceding) that the statements in those proceedings were true, it meant that any declaration that the facility was clean at one point in the past had little bearing on whether the plumbing would be clean in the future.

Ms. Jones inquired whether it would be acceptable to the District if the AMS facility were cleaned out and operated in compliance with NRC regulations on a going-forward basis. Mr. English stated that until very recently, it had been the official position of the NRC that AMS had been discharging within NRC guidelines. The assurance of operation in compliance with NRC regulations was therefore not very comforting. The District might be more interested if the NRC were to give written assurances to the District that whatever Cobalt was ever found on District property in the future (assuming it did not present a health issue) would not subject the District to NRC scrutiny because, hypothetically, only discharges within NRC regulations would have been received. Ms. Jones was skeptical about the prospects of such assurances being given.

Mr. Grobe stated that if, hypothetically, all of the piping in the London Road facility were cleaned or replaced, that he did not think that the NRC could require monitoring of AMS. Mr. English objected strongly to this statement. Mr. Grobe responded that AMS had promised to put in a continuous monitoring device in any case, so it was not really an issue. He pointed out, however, that AMS had yet to identify what kind of monitor they would install, or where.

Mr. English objected to the apparent operating assumption that monitoring discharges from the AMS facility would merely confirm that their discharges did not contain Cobalt. A number of very recent samples had shown that Cobalt did indeed show up in AMS discharges, even though there were copious regulations prohibiting it. It appeared that in the event Cobalt was discovered in a continuous discharge from AMS, it would be too late to do anything to protect the District plants and personnel. Ms. Jones pointed out that in the past plants in the nuclear fuel cycle had been required to provide ongoing monitoring of solids and ash at wastewater treatment works.

Mr. Grobe stated that no amount of Cobalt was acceptable, and that quite a bit of attention and resources were being devoted to the matter. The seriousness with which they took the matter was reflected by the "several man-years" the Oak Ridge Associated Universities (ORAU) were said to have spent at the District's Southerly Plant.

Mr. English stated that, inasmuch as Cobalt was metallic in nature and that there were many pretreatment methods for metal removal, it was puzzling to him that pretreatment had never been among the alternatives discussed for dealing with AMS. Mr. English observed that if AMS had been a plating operation putting cadmium into the sewers, their service would have been cut off years ago.

Mr. Staib asked about the nature of the District's other enforcement activities and Ms. Jones inquired whether the District's pretreatment authority allowed it to actually close down companies. Mr. English explained that the District could not close down companies, nor could it even dictate special operations to a company. However, the District was obligated to take action to protect its personnel, facilities, and operations.

Accordingly, the District was able to curtail service to entities which discharged deleterious matter to District sewers, and to articulate concrete steps or conditions that a company would have to take before being allowed back into the system. Frequently this took the form of the installation of specific pretreatment equipment, and operations conducted in accordance with administrative orders. Whether the company took the actions or not was up to the company alone. Whether it discharged its wastes to the District's sewers or not, however, was determined by whether or not the actions were taken. It was further explained that ceasing a company's service was an unusual step, and was usually reserved for willful or repeat bad actors.

Mr. Staib asked what was AMS currently doing with its wastes. Mr. Grobe explained that right now there were no low-level radioactive waste (LLRW) facilities in the United States to which AMS had access. AMS was therefore using supercompaction for volume reduction, and was considering incineration. AMS was also shipping out old sources from its facility, and expected to have all its old sources gone by 1995. There was no formal requirement by the NRC that they ship off-site all of their old sources, Mr. Grobe said.

Mr. Staib asked about NRC testing of water taken from the AMS facility. Mr. Grobe stated that the NRC 12/16/94 report confirms that the roof water does not contain Cobalt. He also said that there was presently 20 inches of water in the AMS manhole, which is above the level of the lateral connection. Some kind of remote sampling would be necessary to test the water in the lateral.

Mr. Staib then referred to the District's Petition for Public Hearing on the AMS license renewal, and indicated that the City of Cleveland would be joining in that proceeding. He asked how that process would work, who might participate, and in what manner. Mr. Grobe stated that Hearing Counsel had been named at the NRC Office of General Counsel (Eugene Holler, (301) 415-1520), and that he was the best person to answer those questions. Mr. Grobe indicated that he had been through reactor hearings, but never a materials hearing. In any case, he believed it was a paper hearing, rather than an oral hearing. He did not know who gets to participate or at whose discretion.

Mr. Staib requested that the follow-up meeting to address the issues originally raised with AMS be held in Cleveland. Mr. Grobe indicated that there did not appear to be a neutral venue in the Cleveland area to hold the meeting.

The meeting ended at approximately 2:45 p.m. Roland M. Lickus, Chief, State and Government Affairs, introduced himself. He took Mr. Staib and Mr. English on a brief tour of the Instant Response Center at Region III. After this tour, during which Mr. Lickus told of a licensee who used Americium to change the color of diamonds, Mr. Staib and Mr. English left for Cleveland.