

From: Kevin G. Null (KGN), RIII
To: MLZ m30127, OGC
Date: Friday, February 10, 1995 7:01 am
Subject: Question and Comment -Reply -Reply -Forw

Forwarded mail received from: JAG

Marian,

In response to the attached message from Jack Grobe -

I reviewed the AMS Emergency Plan to see if they elicited any comments from outside agencies, in particular the Cuyahoga County Local Emergency Planning Committee (LEPC).

It appears that they asked for and received comments from two agencies - 1) the Chief of Fire Prevention for the City of Cleveland (who suggested some changes that were incorporated and expressed interest in a joint exercise), and 2) the Ohio Emergency MGMT. Agency (who also had some comments that were incorporated). No evidence that they gave the LEPC an opportunity to review and comment.

FYI - the following agencies were provided a copy of the Emerg. Plan:

1. NRC - Region IIII
2. Division of Fire
Dept of Public Health
3. Cleveland City Police Dept.
4. Ohio Emergency MGMT. Agency, Inc.
5. University Hosp. of Cleveland

If I can be of further assistance, please let me know.

Kevin Null

CC: JAG

Files: m0:MESSAGE, m1:MESSAGE

B/S4

STATUS OF AMS ISSUES

WATER ISSUES

- Close teamwork within NRC attacking this project. NMSS and OGC are together with us.
- Maintaining a "stable" situation with groundwater and infiltration. Commitments tied down in CAL.
- Public meeting with licensee Monday (2/6) - discussed water plans and remediation plans. Participants - RIII, NMSS, AMS, NEORSD, Cleveland, Plain Dealer. Meeting went well.
- Plans under final review in RIII and NMSS. Calling licensee today with minor questions. Confirmatory Order will be in HQ for review next week.
- Water processing may begin as soon as 2/20.
- Close coordination with OEPA. Initial water processing to tanks OK. Discharge to sewers will require their review.
- Jim Williams (Ohio governor's liaison with NRC) will be briefed Monday at 1:00

RENEWAL ISSUES

- DFP in NMSS under review. Licensee proposed \$1.8M. Probably a little low. WHUT Room still an issue. Will expedite DFP (30 to 60 days).
- License renewal under review in RIII. Senior staff dedicated to the project. Complex renewal will probably take 90 days to close.
- Four hearing requests were filed (Subpart L). Two or three will likely be admitted.

B/SS

February 10, 1995

Mr. John A. Grobe
Nuclear Materials Inspection Section 2
United States Nuclear Regulatory Commission
801 Warrenville Road
Lisle, IL 60523-4351

RE: Treatment of Water at the London Road Facility (License No. 34-19089-01)

Dear Mr. Grobe:

Thank you very much for meeting with representatives of Advanced Medical Systems, Inc. (AMS) on February 6, 1995 to discuss the referenced item as well as other matters. AMS appreciates your attention to and assistance with the water clean-up project as we are all looking forward to timely and successful project completion.

During the February 6th meeting, four key issues associated with the current conditions at the AMS facility were reviewed. The purpose of this letter is to follow up on those discussions, provide additional information where possible, and re-confirm our commitments.

Benchmark Elevations at the AMS Facility

During the week of January 30, 1995, Quality Environmental Solutions, Inc. (QES) surveyed the location and elevation of various ground-water control points. A letter report of findings is included as Attachment 1. Beginning Tuesday, February 7, 1995, the AMS Radiation Safety Officer began reporting all water levels based upon the revised elevations.

Control of Ground Water

During the week of January 30, 1995, QES supervised the installation of three monitoring wells, sampled soil and ground water, and conducted an aquifer pumping test. Attachment 1 contains a summary of these activities. As was discussed in the February 6, 1995 meeting, the hydraulic conditions at the AMS property are not conducive to installation of a pumping well "upgradient" from AMS in order to intercept and divert ground water before it reaches the AMS building as proposed in the letter to you dated January 27, 1995. Therefore, AMS intends to excavate down to the location where the four-inch sewer discharge line from the AMS building intercepts the footer drains and the manhole. The four-inch line will be sealed with a grouting composition, the contamination status of the footer

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February 10, 1995

drains will be determined and the footer drains will be re-connected to the drainage system so that water may be pumped from below the building through the newly-installed sump. Once this action is complete, the water that is beneath the AMS facility will be pumped and treated as necessary to remove WCO pursuant to the release criteria provided by the USNRC on February 1, 1995. Treated water that meets the release criteria will be discharged.

Processing and Discharge of Water

On February 3, 1995, you were provided with the procedures that AMS intends to implement in order to process and discharge the water currently at the AMS facility. As was discussed in the February 6, 1995 meeting, the pumping, treating, sampling, discharge, and remediation activities must be carefully scheduled and managed. Therefore, Attachment 2 contains the implementation plan for these activities. AMS, of course, reserves the right to modify this schedule as additional information is obtained, and if other influences outside of our control prevent a particular step from occurring. AMS will notify the USNRC immediately when the need for a schedule change becomes apparent.

Please note that the pumping and treatment will not begin with the water currently in the basement of the AMS facility. Instead, the schedule calls for treatment/discharge of the water in the following order: (1) water currently in tanks, (2) water currently in the sump, manhole, and lateral, (3) water in the basement, and (4) water generated during excavation and remediation of the sewer lines. The reasons for this are two-fold. First, our water treatment contractor, Diversified Technologies Systems, Inc. (DTS) strongly recommends that the treatment proceed from the "least contaminated" to the "most contaminated" (see Attachment 3) in order to maximize equipment and process efficiency. Second, it is preferable to leave the water in the basement until the pressure on the walls of the building has been relieved. Once the water in the vicinity of the

1
It is likely that the footer drains in the immediate vicinity of the four-inch line are contaminated since water with elevated cobalt concentrations has been backing up into the drains since the Northeast Ohio Regional Sewer District installed the compression plug into the lateral. Therefore, these sections will be either decontaminated or removed prior to re-connection.

February 10, 1995

manhole has been removed, the footer drains will be immediately disconnected. This will maintain external pressure and inhibit "reverse flow" of the more highly-contaminated water from the basement during remediation of the sewer line and the lateral.

Selection of the Remedial Alternative for the Lateral
AMS maintains that, from a radiological safety, good practice, and common sense standpoint, remedial Option C, described in the report entitled "'ALARA' Analysis for Remediation of the AMS Lateral Connection to the Sewer System", is the preferred option for dealing with the residual contamination in the existing lateral connection.

All available evidence tells us that the existing contamination within the piping is stable and immobile with respect to its surroundings (e.g., the ^{60}Co present in the area is contained within the lateral and not in the surrounding soil). As a means of confirmation, AMS will obtain soil samples in the immediate vicinity of the existing lateral. The results of this sampling effort, which will be reported to the USNRC, will demonstrate whether ^{60}Co has already migrated through the soil from "leaks" that may currently exist in the lateral.

If, as we suspect, there is no significant ^{60}Co activity outside of the lateral, "fixing" it in place by implementing Option 4 would guarantee that radiological conditions remain stable for the duration of the license (e.g., until facility decommissioning). It would also permit AMS to minimize the amount of solid waste that must be disposed of by taking advantage of radiological decay. To excavate the area at this time, even though the area currently

2
The majority of the water currently in the basement entered through the 32-inch standpipe, which is now sealed. Therefore, the only path for outward flow is through joints and cracks. Since inward seepage through this path has been slow even when the outside pressure was at its greatest, AMS is confident that "reverse flow" will not be a significant issue for the short period of time it will take to remediate the sewer line and the lateral.

1
The samples collected by hand auger, geoprobe, or drill rig will be field-screened. Screening results that exceed a pre-determined level will trigger shipment of the sample to a commercial analytical laboratory for analysis by gamma spectroscopy. A pre-set minimum number of samples will be sent to the laboratory regardless of the results of the field screening in order to validate the sensitivity of the measurement methodology.

Mr. John A. Grobe

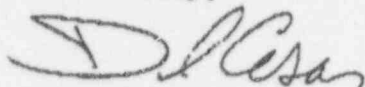
February 10, 1995

presents no radiological risk to workers or members of the general public, would guarantee mobilization and spread of contamination and provide no benefit.

In response to your concern about the fate of the lateral during facility decommissioning in the event that Option 4 is approved, AMS will immediately modify its decommissioning funding plan to incorporate the funds necessary (today's cost) to ensure eventual removal of residual contamination. Documentation to this effect will be forwarded to the USNRC.

Please forward your written approval of these outstanding items to Dwight Miller, Esq., Stavole & Miller, 55 Public Square, 1604 Illuminating Building, Cleveland, Ohio 44113. However, feel free to contact me at (216) 466-4671 if you have any questions or if I can provide you with additional information. Thank you in advance for your assistance and your prompt attention to this matter. AMS is looking forward to timely and successful completion of this project.

Sincerely,



DAVID CESAR
Treasurer

DC/mz

cc: D.A. Miller, Esq.
H. Billingsley, Esq.

Please recall that the ALARA report did not address the radiological and the cost impact of the water that would be generated during removal of the lateral.

NOT A
DRAFT
2-10-55

ATTACHMENT 1 - QES ACTIVITIES DURING THE WEEK OF JANUARY 30, 1995

February 3, 1995

Mr. Dwight A. Miller
Attorney At Law
STAVOLE & MILLER
1604 Illuminating Building
55 Public Square
Cleveland, Ohio 44113

Dear Mr. Miller:

The purpose of this letter is to describe the Quality Environmental Solutions, Inc. (QES) activities at the AMS facility during the week of January 30, 1995. During the week, QES Associates supervised the installation of three monitoring wells, sampled soil and ground water, conducted an aquifer pumping test, and surveyed the location and elevation of various ground-water control points. Following is a summary of the activities and results:

- The three wells were drilled to an approximate depth of 15 to 18 feet. The lithology noted during drilling consisted of approximately eight feet of silty sand and clay over shale bedrock. The unconsolidated material was saturated below a depth of about five feet. The shale was dry.
- Monitoring well MW-1 was located approximately 40 feet south of the sump. MW-2 was located approximately 30 feet south of the warehouse. MW-3 was located 20 feet off of the front of the building, approximately 40 feet north of the manhole.
- In addition to the monitoring wells, two staff gauges were placed in the drainage swale to the southwest of the building, adjacent to the railroad tracks. The staff gauges are used to determine the elevation of the surface water so that it can be related to ground-water levels.
- Following the installation and development of the wells, a water sample was obtained and submitted via overnight courier to ARS for analysis. The results for MW-1, MW-2, and MW-3 were <8.18, <4.8, and <3.42 pCi/L, respectively. A soil sample from each boring was also submitted to the laboratory for analysis with all results <0.11 pCi/g.
- A pumping test was attempted on MW-2. The well was unable to sustain a pumping rate greater than about one or two gallons per minute.

Corporate Office
134 Holiday Court, Suite 306 • Annapolis, MD 21401 • (410) 841-5552

Mr. Dwight A. Miller
February 3, 1995
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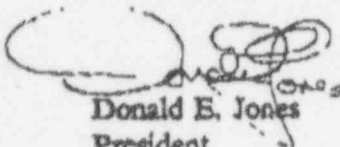
- Based on a benchmark elevation of 650.25 (feet above m.s.l.) at the manhole rim (based on the elevation data contained in the 1958 site plans), the water level elevations in the manhole, sump, monitoring wells, and staff gauges were determined. The February 2, 1995 water elevations were:

Manhole = 643.20
Sump = 643.28
MW-1 = 647.94
MW-2 = 648.94
MW-3 = 642.75
SG-1 = 649.67
SG-2 = 649.86

These data show ground water in the unconsolidated sediments to be flowing in a northerly direction from the drainage swale towards the AMS facility. Based on a basement floor elevation of 640.54 (from the 1958 site plan), the water elevation in the basement would be 642.37 (22 inches on February 2, 1995), or about 11 inches below the level outside of the building.

Please review this information and if you have any questions or comments, give me a call at (410) 841-5552.

Sincerely,
Quality Environmental Solutions, Inc.



Donald E. Jones
President

ATTACHMENT 2 - IMPLEMENTATION PLAN

Item	Order of Implementation
Obtain Permits for Treatment System from the Ohio EPA	1
Purchase and calibrate in-house gamma spectroscopy for quick screening	2
Mobilize project manager, and treatment contractor to the AMS site, and notify analytical laboratory of pending sample receipt schedule	3
Provide training in radiological protection to all on-site personnel pursuant to AMS license requirements.	4
Provide personnel dosimetry for all on-site personnel pursuant to AMS license requirements.	4
Treat water that exists in above-ground storage tanks.	5
Obtain confirmatory sampling results from treated water.	6
Discharge water that meets the release criteria.	7
Process water that currently exists in the manhole, the lateral, and the sump into an above-ground storage tank.	8
When the manhole and surrounding piping have been de-watered, excavate soils in the vicinity of the four-inch line and the footer drains, disconnect the footer drains from the sump, grout in the four-inch line, and grout in the lateral connection to the interceptor.	9
Obtain and analyze soil and water samples during excavation activities.	9
Process water that currently exists in the basement of the AMS facility into an above-ground storage tank.	10
Evaluate the contamination status of the footer drains, decontaminate or remove as necessary, and reconnect to the sump.	10
Process water that currently exists beneath the AMS facility by pumping from the sump into an above-ground storage tank.	11
Install a new lateral connection to the NORSD interceptor.	12
Purchase and install a composite sampler and flow gauge into the new lateral connection.	13
Connect the footer drainage system to the new lateral connection and process all water into an above-ground storage tank until it is determined that no detectable cobalt is present.	14
De-mobilize the treatment contractor and project manager.	15
Complete a remediation report.	15
Forward a copy of the remediation report to the USNRC.	16

NOT A DRAFT

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2-10-51

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ATTACHMENT 3 - DTS RECOMMENDATION ON PUMPING ORDER



DIVERSIFIED TECHNOLOGIES SERVICES, INC.

2680 Westcott Blvd. Knoxville, TN 37931 • 615-539-9000 • Fax 615-539-9001

February 7, 1995
P-422-DTS, Addendum 3

Ms. Carol Berger
Integrated Environmental
Management, Inc.
1680 East Gude Dr, Suite 305
Rockville, MD 20850

Subj : Waste Water Processing Methodology
Ref 1 : Telecon, Berger to Jensen, 2/7/95
Ref 2 : Proposal P-422-DTS, dated 1/27/95

Dear Ms. Berger:

As we discussed during the referenced telecon, Diversified recommends a logical and methodical approach to processing the accumulated waste water at the AMS facility in Ohio. Adopting standard Health Physics/Radiation Protection decontamination procedure of working from cleanest-to-dirtiest and from smallest-to-largest, we suggest the following steps:

1. The cleanest of the 3,000 gallon tanks will be processed first. If a isolated clean tank is available, the water will be processed in a single pass to this (portable) tank for sampling and release. If no clean tank is available, the water will be treated on a batch basis by recirculation the first 3,000 gallon tank until it is deemed clean by sampling and analysis.
2. The first empty 3,000 gallon tank will now become the sample tank to which the second 3,000 gallon tank is processed.
3. The third 3,000 gallon tank can then be processed to either the 1st or 2nd 3,000 gallon tank for sampling. Should sampling show that the water requires additional processing, the water can be shuffled between the 3,000 gallons tanks as needed to accommodate processing.
4. The 20,000 gallon tank will then be processed to one or more of the 3,000 gallons tanks which are now acting as sample/release tanks. In the event that one of the 3,000 sample tank requires reprocessing, the problem water will be isolated in a small, controllable batch.

Note: Since the water in the exterior tanks is relative clean, processing can be completed rapidly — freeing up tank space should rain or other water incursion require capturing additional water.

5. The ±20,000 gallons of contaminated water from the basement of the facility will then be processed to the 3,000 gallon sample tanks in an orderly manner until free standing water is eliminated from the basement. Again, any water from the basement found to exceed release limits during sample can be easily reprocessed in the discrete 3,000 gallon batches.

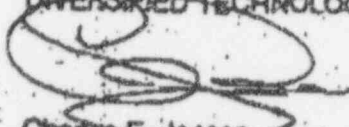
Ms. Carol Berger
February 7, 1995
Page 2

The preceding systematic approach to processing will permit the bulk of the cleanest water to be processed while the processing system is relatively clean. The more highly contaminated water in the basement will not have the opportunity to cross contaminate the relatively clean water in the exterior tanks.

Though other approaches may be technically feasible, we believe the systematic steps discussed above incorporates good Health Physics practices while making optimum use of the facility's present tankage.

Should any questions arise or if I may be of further assistance, please contact me at 615-539-9000 or 615-539-9001 by fax.

Sincerely,
DIVERSIFIED TECHNOLOGIES



Charles E. Jensen
Vice President, Operations

February 13, 1995

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE PRESIDING OFFICER

In the Matter of)	
)	Docket No. 30-16055-ML-REN
ADVANCED MEDICAL SYSTEMS,)	
INC.)	ASLBP No. 95-707-02-ML-REN
(Cleveland, Ohio))	
)	(Material License
)	No. 34-19089-01)

NRC STAFF'S RESPONSE TO REQUEST FOR HEARING

INTRODUCTION

The staff of the Nuclear Regulatory Commission (Staff) hereby responds, pursuant to 10 C.F.R. § 2.1205, to the request for hearing filed by the Cuyahoga County Local Emergency Planning Committee (LEPC) with respect to the license renewal application for Material License No. 34-19089-01 filed by Advanced Medical Systems (AMS or Licensee). For the reasons set forth below, the Staff is unable to determine whether the LEPC has established the requisite standing to either request a hearing or to intervene in this proceeding should a hearing be held. The LEPC, however, should be permitted to participate in any hearing which may be held in this proceeding.

BACKGROUND

On November 29, 1994, the Licensee filed a timely "Application for Renewal" (Renewal Application) of its Material License No. 34-19089-01. This license authorizes possession of radioactive materials, including Cobalt-60, at the Licensee's facility located

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at 1020 London Road, Cleveland, Ohio. Subsequently, three requests for hearing on the Renewal Application were filed.¹ The Staff responded to these three requests on February 6, 1995, indicating that two of the three hearing requests should be granted and notifying the Presiding Officer of the Staff's desire to be a party to the proceeding.² "NRC Staff Notice of Participation and Response to Requests for Hearing," (Staff's Response).

By letter dated January 27, 1995, the LEPC requested that a "public hearing be held prior to the NRC acting upon the AMS renewal application." Letter to Executive Director for Operations, U.S. Nuclear Regulatory Commission from Michael S. Kalstrom, Secretary, Cuyahoga County LEPC at 1 (LEPC Request). The LEPC stated that its request was filed, as required by 10 C.F.R. § 2.1205, within 30 days of the LEPC obtaining actual knowledge of the pending Renewal Application. *Id.* at 3. The LEPC further requested that if its request for a hearing is determined to be untimely, it be permitted to intervene in the event that a hearing is granted in response to the Northeast Ohio Regional Sewer District's request for a hearing. *Id.* at 1.

¹ The three requests were filed by the Northeast Ohio Regional Sewer District (NEORSD), the City of Cleveland (City), and the Earth Day Coalition (EDC).

² The Staff did not oppose the hearing requests filed by the NEORSD and the City, but did oppose, on the basis of lack of standing, the EDC's request.

DISCUSSION

Any person whose interest may be affected by a proceeding for the grant, transfer, renewal, or licensee-initiated amendment of a license subject to 10 C.F.R. Part 2, Subpart L may file a request for a hearing. 10 C.F.R. § 2.1205(a). A request for a hearing filed by a person, other than the applicant, must describe in detail: the interest of the requestor in the proceeding; how that interest may be affected by the results of the proceeding; the requestor's areas of concern about the licensing activity that is the subject matter of the proceeding; and the circumstances establishing that the request for a hearing is timely in accordance with 10 C.F.R. § 2.1205(c). 10 C.F.R. § 2.1205(d).

In ruling on a request for a hearing filed under 10 C.F.R. § 2.1205(c), the Presiding Officer shall determine whether the specified areas of concern are "germane" to the subject matter of the proceeding. 10 C.F.R. § 2.1205(g). The Presiding Officer shall consider, among other factors, the nature of the requestor's right under the Atomic Energy Act to be made a party to the proceeding; the nature and extent of the requestor's property, financial, or other interest in the proceeding; and the possible effect of any order that may be entered in the proceeding upon the requestor's interests. 10 C.F.R. § 2.1205(g).

The Presiding Officer also shall determine whether the requestor meets the judicial standards for standing. With respect to standing, the rule in 10 C.F.R. § 2.1205(g) "is simply a restatement of long-standing Commission requirements that a prospective intervenor, who believes that his or her interests may be affected by a proceeding, must, as if in a court of law, show 'a concrete and particularized injury that is fairly traceable

to the challenged action." *Babcock and Wilcox Company* (Pennsylvania Nuclear Services Operations, Parks Township, Pennsylvania), LBP-94-4, 39 NRC 47, 49 (1994), citing *Transnuclear, Inc.* (Export of 93.15% Enriched Uranium), CLI-94-01, 39 NRC 1, 5 (1994).

Based on the information provided by the LEPC in its request, the Staff is unable to determine whether the LEPC has standing to either be granted a hearing or to intervene in this proceeding. The LEPC stated that it is the agency with "primary responsibility for emergency planning within Cuyahoga County." LEPC's Request at 1. The LEPC further stated that it "will be seeking a variance from the Ohio State Emergency Planning Commission to formally add the AMS London Road facility to the list of facilities subject to LEPC jurisdiction." *Id.* It is unclear, from the LEPC's Request, what role the LEPC would play in any AMS emergency plan. Its authority over the Licensee is also unclear. Section 2.1211(b), however, permits a representative of an interested State, county, municipality or an agency thereof to participate in a proceeding under Part 2, Subpart L and to make written and oral presentations in accordance with 10 C.F.R. §§ 2.1233 and 2.1235 without requiring the representative to take a position. 10 C.F.R. § 2.1211(b). Section 2.1211(b) requires that such representative provide, with reasonable specificity, its areas of concern about the licensing activity that is the subject matter of the proceeding.

The Staff does not oppose permitting the LEPC to participate in this proceeding as an interested agency of Cuyahoga County, Ohio should a hearing be held. See 10 C.F.R. § 2.1211. The LEPC, in its request, stated that it is an agency of Cuyahoga

County. LEPC's Request at 1. The LEPC further identified an area of concern which is germane to this proceeding, the adequacy of the Licensee's emergency plan. *Id.* at 2.

The LEPC requests, however, that with respect to its area of concern, "any new plan that may be submitted by AMS be made available for review by all appropriate local agencies and any concerns identified by those agencies, including the LEPC, be fully addressed." LEPC's Request at 3. The LEPC's request with respect to the review of the Licensee's emergency plan is not an area of concern germane to the proceeding since the Commission's regulations already address this concern. Section 30.32(i)(4) of the Commission's regulations requires that a licensee allow the off-site response organizations expected to respond in case of an accident to comment on the licensee's emergency plan before submitting it to the NRC. Section 30.32(i)(4) further requires that a licensee provide any such comments to the NRC with the emergency plan. The LEPC does not assert that it is an agency that is expected to respond in case of an accident.³ Thus, to the extent that the LEPC's request indicates that it desires something more than that which is required by the Commission's regulations, the LEPC's request constitutes an impermissible attack on the Commission's regulations. Thus, absent a showing of special circumstances, the LEPC's request is outside the scope of this proceeding. 10 C.F.R. § 2.1239.

The LEPC further requests that a hearing be held *prior* to the NRC acting upon the Renewal Application. LEPC's Request at 1. Part 2, Subpart L of the Commission's

³ If the LEPC were an agency expected to respond in case of an emergency, then the LEPC would get the relief it desires by virtue of the Commission's regulation.

regulations does not require a hearing before the Staff may act upon a grant, renewal, transfer, or licensee-initiated amendment of a materials license. Section 2.1205(l) specifically provides:

[t]he filing or granting of a request for a hearing or petition for leave to intervene need not delay NRC staff action regarding an application for a licensing action covered by this subpart.

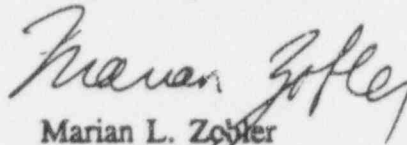
10 C.F.R. § 2.1205(l). See also *Informal Hearing Procedures for Materials Licensing Adjudications* (Final Rule), 54 Fed. Reg. 8269, 8273 (February 28, 1989) (The Commission "concluded that it would not require the completion of any requested hearing before the NRC staff could take the licensing action requested by the applicant."); *Babcock and Wilcox* (Apollo, Pennsylvania Fuel Fabrication Facility), LBP-92-31, 36 NRC 255, 261 *reconsideration denied* LBP-92-35, 36 NRC 355 (1992). Thus, the LEPC's request for a prior hearing should be denied.⁴

⁴ The Staff notes that if the Staff were to approve the Renewal Application, the LEPC could request a stay of that action pursuant to 10 C.F.R. § 2.1263. See *Babcock and Wilcox*, LBP-92-35, 36 NRC 355, 359 ("Although a hearing petition regarding a materials license amendment request generally can be filed as soon as an amendment application is submitted to the agency, a request for a stay relative to that amendment application is not appropriate until the Staff has taken action to grant the amendment request and to make the approved licensing action effective.").

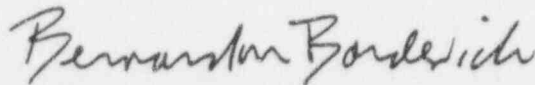
CONCLUSION

For the reasons set forth above, the LEPC has not established standing in this proceeding. In the event, however, that a Subpart L hearing is instituted, the LLPC should be permitted to participate as an interested County agency. The LEPC's request for a prior hearing, however, should be denied.

Respectfully submitted,



Marian L. Zoller
Counsel for NRC Staff



Bernard M. Bordenick
Counsel for NRC Staff

Dated at Rockville, Maryland
this 13th day of February, 1995

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE PRESIDING OFFICER

In the Matter of

ADVANCED MEDICAL SYSTEMS,
INC.
(Cleveland, Ohio)

)
) Docket No. 30-16055-ML-REN
)
) ASLBP No. 95-707-02-ML-REN
)
) (Material License
) No. 34-19089-01)

CERTIFICATE OF SERVICE

I hereby certify that copies of the "NRC STAFF'S RESPONSE TO REQUEST FOR HEARING" in the above-captioned matter have been served on the following by deposit in the United States mail, first class, as indicated by asterisk or through deposit in the Nuclear Regulatory Commission's internal mail system this 13th day of February, 1995:

Marshall E. Miller*
Presiding Officer
1920 South Creek Boulevard
Spruce Creek Fly-In
Daytona Beach, FL 32124

Dr. Harry Foreman*
Special Assistant
1564 Burton Avenue
St. Paul, MN 55108

Adjudicatory File (2)
Atomic Safety and Licensing Board
Mail Stop: T-3F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Office of Commission Appellate
Adjudication
Mail Stop: 16-G-15 OWFN
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Office of the Secretary
ATTN: Docketing and Service
Mail Stop: 16-G-15 OWFN
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Mr. Chris Trepal*
Earth Day Coalition
3606 Bridge Avenue
Cleveland, Ohio 44113

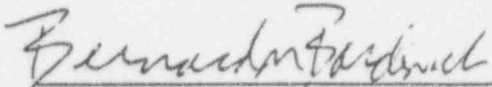
Sharon Sobol Jordan, Esq.*
Martha R. McCorkle, Esq.
Department of Land
City of Cleveland
Room 106-City Hall
601 Lakeside Avenue
Cleveland, Ohio 44114

Michael S. Kalstrom
Secretary
Cuyahoga County Local
Emergency Planning Committee
1255 Euclid Ave., Room 102
Cleveland, Ohio 44115

Atomic Safety and Licensing Board
Panel
Mail Stop: T-3F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Thomas E. Lenhart, Esq.*
Assistant General Counsel
Northeast Ohio Regional Sewer
District
3826 Euclid Avenue
Cleveland, Ohio 44115-2504

Henry E. Billingsley, II, Esq.*
Arter & Hadden
1100 Huntington Building
925 Euclid Avenue
Cleveland, Ohio 44115-1475


For: Marian L. Zobler
Counsel for NRC Staff

AMS WATER SAMPLES

On 2/13/95, seven 500 ml water samples were obtained from tank 880 at AMS.

- Four samples came from the top of the tank, while the water was being recirculated by a submersible pump (the pump had been operating for 24 hours prior to the sampling).
- Three samples came from the bottom outlet valve of the tank. These samples were obtained 1 hour after the submersible pump had been turned off. Prior to taking the samples, approx. 2 liters of water was drained from the bottom outlet valve and returned to the tank.

RESULTS OF RIII'S ANALYSIS:

Unfiltered Water

- Water sample #1: Co-60 concentration = 161 pCi/l
- Water sample #2: Co-60 concentration = 179 pCi/l

Filtered Water and Filter

- Water sample #2 after passing through 0.45 um filter:
Co-60 concentration < 20 pCi/l
- Filter from water sample #2: Co-60 activity is about 17 pCi

---> BASED ON THESE RESULTS, THE CO-60 IN TANK 880 IS NOT SOLUBLE.

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