



Advanced Medical Systems, Inc.

1020 London Rd.
Cleveland, Ohio 44110
216-692-3270

July 21, 1995

Mr. James Caldwell
Nuclear Materials Inspection, Section 2
United States Nuclear Regulatory Commission
801 Warrenville Road
Lisle, Illinois 60523-4351

Re: Application to Amend USNRC License No. 34-19089-01

Dear Mr. Caldwell:

On June 21, 1995, Advanced Medical Systems, Inc. (AMS) was issued Amendment No. 36 to the referenced license number to permit treatment of contaminated water that currently exists in the basement of the London Road facility. In Item 19 of that amendment, AMS was directed to complete subitems "D" and "E" by July 7, 1995, and to begin item "F" by July 8, 1995. Because of delays in receiving the necessary permits and authorizations, and because the scope of excavation activities was not as expected, AMS was unable to meet this deadline. Pursuant to instructions provided by John Madera and Wayne Slawinski,¹ AMS kept the USNRC apprised of the status of this project by submitting revised milestones to reflect current conditions. These were contained in my letters to you dated June 29, 1995, July 12, 1995, and July 19, 1995.

In response to your request in our telephone call of July 18, 1995, AMS wishes to amend Item 19, subitems "D", "E" and "F" to permit greater flexibility in meeting the milestones without requiring submittal of continuous amendment applications in response to delays that are beyond our control. In the event that additional milestone changes are necessary, AMS will communicate the revised dates to the USNRC, along with the reason for the change, in written correspondence.

An amendment fee in the amount of \$680 is enclosed. If you have any questions, please contact me at (216) 692-3270.

Sincerely,

Robert Meschter, RSO

cc: D. Cesar
D. A. Miller, Esq., Stavole & Miller

¹ Telephone communication from J. Madera and W. Slawinski (USNRC) to C. Berger (Integrated Environmental Management, Inc.), June 13, 1995, 8:12 a.m. (EDT).

JUL 26 1995



Advanced Medical Systems, Inc.

1020 London Road
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(216) 692-3270

FAX MESSAGE

RETURN FAX #(216)692-3269

PAGE 1 OF 1

DATE: 7-26-95

TO: Mike Weber, USNRC

FROM: Robert Meschter, RSO

MESSAGE:

Letter Dated "April 10, 1995", AMS TO
J. CALDWELL, Clarifying Activity in
SOLID waste generated during water
Treatment Project, should be
Corrected AS FOLLOWS:

The letter should be correctly dated
"JULY 10, 1995" Add the UNITS EXPRESSED
in the formula should be CURIES NOT
mCi (microcuries).

cc. D. CESAR
D. MILLER.
C. BERGER

Robert Meschter
AMS, RSO.
7-26-95.

F/S6



RESPONSE TO FREEDOM OF
INFORMATION ACT (FOIA) REQUEST

FOIA — 95-220

RESPONSE TYPE

☒ FINAL ☐ PARTIAL

DATE JUL 25 1995

DOCKET NUMBER(S) (if applicable)

RE/ TR Lawrence K. English

PART I.—AGENCY RECORDS RELEASED OR NOT LOCATED (See checked boxes)

- ☐ No agency records subject to the request have been located.
- ☐ No additional agency records subject to the request have been located.
- ☐ Requested records are available through another public distribution program. See Comments section.
- ☐ Agency records subject to the request that are identified in Appendix(es) _____ are already available for public inspection and copying at the NRC Public Document Room, 2120 L Street, N.W., Washington, DC.
- ☒ Agency records subject to the request that are identified in Appendix(es) A are being made available for public inspection and copying at the NRC Public Document Room, 2120 L Street, N.W., Washington, DC, in a folder under this FOIA number.
- ☐ The nonproprietary version of the proposal(s) that you agreed to accept in a telephone conversation with a member of my staff is now being made available for public inspection and copying at the NRC Public Document Room, 2120 L Street, N.W., Washington, DC, in a folder under this FOIA number.
- ☐ Agency records subject to the request that are identified in Appendix(es) _____ may be inspected and copied at the NRC Local Public Document Room identified in the Comments section.
- ☐ Enclosed is information on how you may obtain access to and the charges for copying records located at the NRC Public Document Room, 2120 L Street, N.W., Washington, DC.
- ☒ Agency records subject to the request are enclosed.
- ☐ Records subject to the request have been referred to another Federal agency(ies) for review and direct response to you.
- ☒ Fees
- ☒ You will be billed by the NRC for fees totaling \$ NONE.
- ☐ You will receive a refund from the NRC in the amount of \$ _____.
- ☐ view of NRC's response to this request, no further action is being taken on appeal letter dated _____, No. _____.

PART II. A—INFORMATION WITHHELD FROM PUBLIC DISCLOSURE

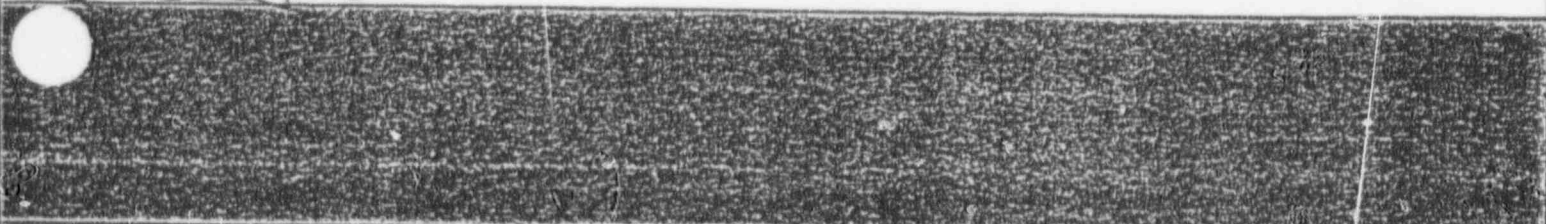
Certain information in the requested records is being withheld from public disclosure pursuant to the exemptions described in and for the reasons stated in Part II, B, C, and D. Any released portions of the documents for which only part of the record is being withheld are being made available for public inspection and copying in the NRC Public Document Room, 2120 L Street, N.W., Washington, DC in a folder under this FOIA number.

COMMENTS

*The records identified on enclosed Appendices A, B, and C, are responsive to your request. Copies of Appendix A records and the releasable portions of the Appendix B record are enclosed. The record on Appendix C is being withheld in its entirety. For your information, certain portions of the records are bracketed as the staff feels this information falls outside the scope of your request. However, since this information is contained throughout the records, it is being released.

You are not being assessed fees for the processing of your request since the minimal fee limit has not been exceeded.

SIGNATURE, DIRECTOR, DIVISION OF FREEDOM OF INFORMATION AND PUBLICATIONS SERVICES



**RESPONSE TO FREEDOM OF
INFORMATION ACT (FOIA) REQUEST
(CONTINUATION)**

FOIA NUMBER(S)

FOIA — 95-220

DATE

JUL 25 1995

PART II.B—APPLICABLE EXEMPTIONS

_____, subject to the request that are described in the enclosed Appendix(es) B&C are being withheld in their entirety or in part under the Exemption No.(s) and for the reason(s) given below pursuant to 5 U.S.C. 552(b) and 10 CFR 9.17(a) of NRC regulations.

1. The withheld information is properly classified pursuant to Executive Order. (Exemption 1)

2. The withheld information relates solely to the internal personnel rules and procedures of NRC. (Exemption 2)

3. The withheld information is specifically exempted from public disclosure by statute indicated. (Exemption 3)

Sections 141-145 of the Atomic Energy Act, which prohibits the disclosure of Restricted Data or Formerly Restricted Data (42 U.S.C. 2161-2165).

Section 147 of the Atomic Energy Act, which prohibits the disclosure of Unclassified Safeguards Information (42 U.S.C. 2167).

4. The withheld information is a trade secret or commercial or financial information that is being withheld for the reason(s) indicated. (Exemption 4)

The information is considered to be confidential business (proprietary) information.

The information is considered to be proprietary information pursuant to 10 CFR 2.790(d)(1).

The information was submitted and received in confidence pursuant to 10 CFR 2.790(d)(2).

5. The withheld information consists of interagency or intraagency records that are not available through discovery during litigation. (Exemption 5). Applicable Privilege:

☒ Deliberative Process: Disclosure of predecisional information would tend to inhibit the open and frank exchange of ideas essential to the deliberative process. Where records are withheld in their entirety, the facts are inextricably intertwined with the predecisional information. There also are no reasonably segregable factual portions because the release of the facts would permit an indirect inquiry into the predecisional process of the agency.

☐ Attorney work-product privilege. (Documents prepared by an attorney in contemplation of litigation.)

☐ Attorney-client privilege. (Confidential communications between an attorney and his/her client.)

☒ Withheld information is exempted from public disclosure because its disclosure would result in a clearly unwarranted invasion of personal privacy. (Exemption 6)

7. The withheld information consists of records compiled for law enforcement purposes and is being withheld for the reason(s) indicated. (Exemption 7)

Disclosure could reasonably be expected to interfere with an enforcement proceeding because it could reveal the scope, direction, and focus of enforcement efforts, and thus could possibly allow recipients to take action to shield potential wrongdoing or a violation of NRC requirements from investigators. (Exemption 7 (A))

Disclosure would constitute an unwarranted invasion of personal privacy. (Exemption 7 (C))

The information consists of names of individuals and other information the disclosure of which could reasonably be expected to reveal identities of confidential sources. (Exemption 7 (D))

OTHER _____

PART II. C—DENYING OFFICIALS

Pursuant to 10 CFR 9.25(b) and/or 9.25(c) of the U.S. Nuclear Regulatory Commission regulations, it has been determined that the information withheld is exempt from production or disclosure, and that its production or disclosure is contrary to the public interest. The persons responsible for the denial are those officials identified below as denying officials and the Director, Division of Freedom of Information and Publications Services, Office of Administration, for any denials that may be appealed to the Executive Director for Operations (EDO).

DENYING OFFICIAL	TITLE/OFFICE	RECORDS DENIED	APPELLATE OFFICIAL		
			EDO	SECRETARY	IG
Carl J. Paperiello	Director, NMSS	App. B&C	X		

PART II. D—APPEAL RIGHTS

The denial by each denying official identified in Part II.C may be appealed to the Appellate Official identified there. Any such appeal must be made in writing within 30 days of receipt of this response. Appeals must be addressed, as appropriate, to the Executive Director for Operations, to the Secretary of the Commission, or to the Inspector General, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and should clearly state on the envelope and in the letter that it is an "Appeal from an Initial FOIA Decision."

APPENDIX A

DOCUMENTS TO BE RELEASED IN THEIR ENTIRETY
BRACKETED INFORMATION OUTSIDE THE SCOPE OF THE REQUEST

<u>NO.</u>	<u>DATE</u>	<u>DESCRIPTION</u>
1.	8/12/94	E-mail w/attachment fm RShewmaker to JMadera re: info needs on AMS facility-Cleveland [3 pages]
2.	1/26/95	E-mail w/attachment fm RShewmaker to WSlawinski re: AMS foundation slab concerns - reply [4 pages]
3.	1/27/95	E-mail fm RShewmaker to JGrobe & WSlawinski re: update on AMS basement slab [2 pages]
4.	1/30/95	E-mail fm RShewmaker to WSlawinski re: info on basement slab borings [1 page]
5.	1/31/95	E-mail fm WSlawinski to RShewmaker re: info on basement slab borings - reply [1 page]
6.	4/7/95	E-mail fm RShewmaker to WSlawinski re: response to request for AMS inspection [2 pages]
7.	4/21/95	E-mail fm RShewmaker to MWeber re: AMS London Road-structural integrity [2 pages]

APPENDIX B

Re: FOIA-95-220

DOCUMENTS TO BE PARTIALLY RELEASED

BRACKETED INFORMATION IS OUTSIDE THE SCOPE OF THE REQUEST

<u>NO.</u>	<u>DATE</u>	<u>DESCRIPTION</u>
1.	12/13/94	E-mail fm RShewmaker to WSlawinski re: Current status & note on slab thickness [1 page] - EX. 5.

Re: FOIA-95-220

APPENDIX C

DOCUMENTS BEING WITHHELD IN THEIR ENTIRETY

NUMBER	DATE	DESCRIPTION/EXEMPTION/PAGES
1.	10/21/94	Draft - Information on AMS London Road Building Facility, (8 pgs.). EX. 5.

①

From: Robert E. Shewmaker (RES)
To: JRM4
Date: Friday, August 12, 1994 12:59 pm
Subject: INFORMATION NEEDS ON AMS FACILITY-CLEVEL

The attached file has a description of the various categories of information that I believe will be necessary in order to perform an evaluation of the structural integrity/structural stability of the reinforced concrete core module of the AMS facility.

If you have any questions please contact me. E-Mail ID is RES. JOT is my Section Leader, John Thoma. My Branch Chief is Mike Bell (MJB2).

Cc: JOT

Files: P:\AMSInfo.need

INFORMATION NEEDS FOR
STRUCTURAL INTEGRITY/STRUCTURAL STABILITY
EVALUATION AT

ADVANCE MEDICAL SYSTEMS, INC. (AMS)

DRAFT 8/12/94 by R.E. Shewmaker, ENGB/DWM/NMSS

1. PROJECT DRAWINGS:

The 2/8/88 submittal referred to "facility blueprints". These are needed to show the facility as designed. It would be expected that this would be a full set of the project drawings that would include the site plan with original topography as well as the completed site topo. It would include foundation drawings, architectural and structural drawings as well as mechanical and electrical drawings. In some project drawing sets there will be sheets that contain written design criteria, extensive notes etc. in text format that were transferred to large drawing format and if these exist for this facility, they will be of use. Information we will need regarding the design should be encompassed in these drawings. Items of particular focus will be the joint areas between the massive reinforced concrete core structure, containing the WHUT and the hot cell, and the surrounding structure. This will include all elevations, starting at the joint with the 6" base slab and up to the 2nd floor and roof level and including the walls of the HEPA filter room on top of the concrete core structure.

2. FOUNDATION REPORT:

Normally, there will be a separate foundation investigation or report that was done for a project. It would be expected that this unique facility of mid-1950 vintage would have had such a report. It would probably contain soil/foundation boring logs, lab test data, evaluations and recommendations on the foundation design and maybe even guidance on construction sequence and procedures such as excavation dewatering. The information we will need will include this type information. I noted that a 2" thick mud slab was used in the excavation to initialize the construction site. This is sometimes a clue that the best foundation conditions are not present. We will certainly need to know what the groundwater elevations were for the original design and what the current groundwater conditions are.

3. PROJECT SPECIFICATIONS:

A project of this type probably had a set of written specifications that were part of the project documents. These documents would provide more detailed information on the materials, testing, inspection etc. that were to be incorporated into the project. The project specifications should be obtained from the licensee so that we have knowledge about the project relative to the intent of the designers and the requirements and guidance provided for the facility construction.

4. CONSTRUCTION RECORDS/AS-BUILTS:

The licensee should be asked for any information, written or photographic, relative to the actual construction of the facility. This could be in the form of inspection records, material testing records, construction

photographs, site visit notes and records of the architect/engineer, notes of meeting held during construction, etc. Any "as-built" drawings or other "as built" records should also be included in this category of information. This includes any information existing in the local governmental agency that issued the building permit for this facility. This information is need to give us information on how the construction activities proceeded as well as how well the original design intent was met by what was constructed.

5. PROJECT PRINCIPALS:

The licensee should provide a list of all of the project principals that were involved in the facility design and construction that was apparently done for the original owners, the Picker Corporation. We may be able to discover the identify of these entities from the documents, but we should get a list to check the match of documents. As listed below, potential types of organizations would include the following.

- Architect
- Soil/Foundation/Geotechnical Engineer
- Soil/Foundation Field Investigation firm
- Structural Engineer
- Electrical and Mechanical Engineers
- Physicist/Chemist/Nuclear Engr Consultant for Process
Engrg and Rad Protection
- Inspection firm
- Materials Testing laboratory
- General Contractor
- Specialty Subcontractors

6. MAINTENANCE/MODIFICATIONS:

Any information related to maintenance items associated with the performance of the facility ~~should~~ during its lifetime to the present should be made available to NRC. In addition, any modifications made to the facility or the operating equipment since it was constructed should be identified.

7. UNUSUAL EVENTS:

The licensee should provide information on any unusual events that have occurred over the life of the facility. This would include information on operational and other internal events as well as external events such as extreme precipitation events, flooding, winds, tornados, off-site explosions, off-site chemical releases, land subsidence, or seismic events.

FILE: AMSInfo.NEED