



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

NRC FOIA REQUEST NUMBER(S)

FOIA -96-444

RESPONSE TYPE

FINAL

☒

PARTIAL

(8th)

DATE

FEB 19 1997

DOCKET NUMBER(S) (if applicable)

REQUESTER

Lawrence 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) 0 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) P 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. **Appendix P**

☐ 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 \$ _____.

☐ You will receive a refund from the NRC in the amount of \$ _____.

☐ In 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

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

9702210076 970219
PDR FOIA
ENGLISH96-444 PDR

APPENDIX O
RECORDS ALREADY AVAILABLE IN THE PDR

<u>NO.</u>	<u>DATE</u>	<u>ACCESSION NUMBER</u>	<u>DESCRIPTION/(PAGE COUNT)</u>
1	11/09/93	9312090218	Letter from Martin Malsch to Hugh McFadden regarding radioactive materials into its wastewater treatment system. (2 pages).
2	06/16/94	9406240236	Director's Decision 94-6 under 2.206 for Advanced Medical Systems. (9 pages).
3	12/15/94	9412200256	Letter from W. Axelson to David Cesar on Confirmatory Action Letter no. RIII-94-008. (3 pages).
4	01/09/95	9501310042	Letter from Henry Billingsley to J.A. Grobe regarding the proposed meeting in Chicago. (4 pages).
5	01/19/95	9503200227	Letter from Lawrence English to John Grobe on the meeting of January 11, 1995. (7 pages).
6	01/20/95	9501270142	Letter from John Grobe to Michael Kalstrom on Advanced Medical System Radiological Contingency Plan. (4 pages).
7	01/20/95	9502020013	Memorandum from John Hoyle to B.Paul Cotter on Requests for Hearing on an Application by Advanced Medical Systems, Inc. for License Renewal. (1 page).
	12/28/94	9502020026	Letter from Chris Trepal to NRC Requesting a Hearing for Advanced Medical Systems. (41 pages).
8	01/25/95	9502070131	Letter from Lawrence English to John Grobe on cancellation of January 23, 1995 meeting. (2 pages).

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<u>NO.</u>	<u>DATE</u>	<u>ACCESSION NUMBER</u>	<u>DESCRIPTION/(PAGE COUNT)</u>
9	01/27/95	9502130264	Letter from Carol Berger to J.A. Grobe on Treatment of Water at the London Road Facility. (42 pages).
10	01/27/95	9502130289	Letter from David Cesar to W.L. Axelson on Action Plan for the London Road Facility. (34 pages).
11	01/30/95	9502140259	Letter from Lawrence English to John Grobe on Drilling at Potentially Contaminated Locations on AMS Property. (4 pages).
12	01/30/95	9502140261	Letter from Lawrence English to John Grobe on Action Plan for AMS. (2 pages).
13	02/01/95	9502080049	Letter from John Grobe to David Cesar responding to his letter that the NRC provide an acceptable radiological release criteria for cobalt 60 contaminated water at the London Road facility. (2 page).
14	02/01/95	9502080055	Letter from W.L. Axelson to David Cesar on Confirmatory Action Letter RIII-94-008. (3 pages).
15	02/02/95	9502130083	Letter from Carol Berger to John Grobe on Treatment of Water at the London Road Facility. (2 pages).
16	02/02/95	9502100036	Letter from John Grobe to David Cesar confirming their plans to conduct a management meeting. (2 pages).

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17	02/07/95	9502210125	Letter from Michael Kalstrom to Jane Harf on Designation of Advanced Medical Systems as an Additional Facility under O.R.C. (5 pages).
	03/24/95	9503300176	Letter from John Grobe to Michael Kalstrom regarding the radiological contingency plan for the London Road facility. (4 pages).
	04/03/95	9504260181	Letter from Michael Kalstrom to Jane Harf on Supplementary Information regarding the Cuyahoga County Local Emergency Planning Committee's Request for Variance to Receive Annual Inventories of Hazardous Substances from AMS. (12 pages).
	06/09/95	9506300103	Letter from Michael Kalstrom to Jane Harf on Supplement to the Cuyahoga County Local Emergency Planning Committee's Requests for a Variance and for an Additional Facility Designation. (7 pages).
	06/09/95	9506300075	Letter from Erwin Odeal to Jane Harf on Cuyahoga County Local Emergency Planning Committee Petitions. (2 pages).
18	02/09/95	9502210328	Letter from Erwin Odeal to John Grobe on Interagency Cooperation. (2 pages).
19	02/10/95	9502160018	Letter from John Grobe to David Cesar on his proposal for water treatment at the London Road facility. (4 pages).
20	02/13/95	9502160041	NRC Staff's Response to Req. for Hearing. (5 pages).

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21	02/14/95	9503270084	Letter from David Cesar to John Grobe on Treatment of Water at the London Road Facility. (23 pages).
22	02/23/95	9503080169	Letter from Henry Billingsley to John Grobe confirming their phone conversation on the immediate treatment and discharge into the sewer system of water containing low levels of soluble Cobalt 60. (4 pages).
23	03/01/95	9503270087	Letter from David Cesar to J.A. Grobe on Application to Amend License for AMS (Water Treatment). (19 pages).
24	03/02/95	9503080073	Letter from John Grobe to David Cesar regarding the special safety inspection. (3 pages).
	03/02/95	9503080082	Inspection Report 95-001. (10 pages).
25	03/02/95	9503150208	Note from M.Nalluswami to T.C.Johnson on Northeast Ohio Regional Sewer District - Summary of Meeting on February 27, 1995, on Easterly Plant Issues. (5 pages).
26	03/03/95	9503100029	Letter from John Grobe to David Cesar on Notice of Violation of November 29, 1994. (2 pages).
27	03/24/95	9503300176	Letter from John Grobe to Michael Kalstrom regarding the radiological contingency plan for the London Road facility. (4 pages).

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28	03/31/95	9504070207	Letter from J.A.Grobe to David Cesar regarding his Emergency Plan. (5 pages).
29	04/12/95	9504180327	Letter from James Caldwell to Jane Harf regarding a meeting with Ohio State Emergency Response Commission Executive Committee. (6 pages).
30	04/17/95	9504240150	Letter from John Madera to David Cesar regarding their renewal of NRC License. (20 pages).
31	05/10/95	9505180416	Letter from Marian Zobler to Marshall Miller and Harry Foreman enclosing two letters to be added to the hearing files. (3 pages).
32	05/18/95	9505260259	Letter from Marian Zobler to Anthony Stavole confirming their phone conversation on AMS. (1 page).
33	05/26/95	9506060006	Letter from James Caldwell to Erwin Ordeal on radioanalytical results from sampling at the Northeast Ohio Regional Sewer District Southerly Wastewater Treatment Plant. (17 pages).
34	06/08/95	9506210154	Letter from James Caldwell to Lawrence English regarding AMS's submittal of its radiological emergency plan to the Northeast Ohio Regional Sewer District. (2 pages).

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<u>NO.</u>	<u>DATE</u>	<u>ACCESSION NUMBER</u>	<u>DESCRIPTION/ (PAGE COUNT)</u>
35	06/16/95	9506210106	Letter from Marian Zobler to Marshall Miller and Harry Foreman providing information that was previously withheld. (1 page).
36	06/20/96	9607250236	Secy Paper 95-162 on Disposal of Radioactive Material into Sanitary Sewer Systems. (22 pages).
37	06/28/95	9507100083	Letter from Marian Zobler to Marshall Miller and Harry Foreman enclosing several documents to be added to the hearing file. (2 pages).
38	07/21/95	9508070079	Letter from Marian Zobler to Marshall Miller and Harry Foreman enclosing a letter from Michael Kalstrom, dated 6/28/95. (1 page).
39	07/25/95	9508070144	Letter from Marian Zobler to Marshall Miller and Harry Foreman enclosing several documents to be added to the hearing file. (2 pages).
40	08/23/95	9508290144	ASLB Memorandum and Order (Ruling on Hearing and Intervention Petitions). (7 pages).
41	08/30/95	9509080134	Letter from Marian Zobler to Kathleen Edwards providing her with copies of the documents comprising the hearing file. (4 pages).

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42	09/06/95	9509110062	Letter from Marian Zobler to Marshall Miller and Harry Foreman enclosing documents to be included into the hearing file. (2 pages).
43	11/07/95	9511160206	Letter from Marian Zobler to Marshall Miller and Harry Foreman enclosing documents to be included into the hearing file. (2 pages).
44	11/09/95	9511160213	Letter from Marian Zobler to Marshall Miller and Harry Foreman enclosing another documents to be included into the hearing file. (1 page).
45	04/03/96	9604100050	Letter from Marian Zobler to Marshall Miller and Harry Foreman enclosing documents to be included into the hearing file. (2 pages).
46	08/22/96	9609100203	Letter from Marian Zobler to Marshall Miller and Harry Foreman informing them of the NRC status of the Staff's review of AMS's application to renew Material License. (1 page).

APPENDIX P
RECORDS BEING RELEASED IN THEIR ENTIRETY

<u>NO.</u>	<u>DATE</u>	<u>DESCRIPTION/(PAGE COUNT)</u>
1	04/27/90	Amicus Curiae Brief for the United States and the U.S. Nuclear Regulatory Commission. (24 pages).
2	undated	Points Bill Axelson will make for the NRC before the AMS Judge. (1 page).
3	07/26/91	Article from the Federal Reporter, 2d Series entitled, "TMI Litigation Cases Consolidated II". (45 pages).
4	08/18/92	NRC Staff Motion for Termination of the Proceeding. (11 pages).
5	1994	Article from the Federal Reporter, 3d Series entitled, "O'Conner v. Commonwealth Edison Co." (14 pages).
6	01/94	Report of the Radioactive Waste Discharge Policy Study Group. (28 pages).
7	06/01/94	Article from Health, Safety and Morals, entitled, "Chapter 3750, Emergency Planning". (28 pages).
8	10/31/94	Brief of AMS in Opposition to Plaintiff's Application for Preliminary Injunction and Motion for a Temporary Restraining Order. (154 pages).
9	12/12/94	Memorandum of Opinion and Order in the Northeast Ohio Regional Sewer District v. Advanced Medical Systems. (5 pages).
10	12/13/94	Complaint for Damages, Temporary Restraining Order, Preliminary and Permanent Injunction. (18 pages).
11	12/13/94	Transcript of Proceedings before the Honorable George White, Northeast Ohio Regional Sewer District v. Advanced Medical Systems. (61 pages).

APPENDIX P
RECORDS BEING RELEASED IN THEIR ENTIRETY

<u>NO.</u>	<u>DATE</u>	<u>DESCRIPTION/(PAGE COUNT)</u>
12	12/14/94	Minutes of Proceedings. (1 page).
13	12/14/94	Temporary Restraining Order in Northeast Ohio Regional Sewer District v. Advanced Medical Systems. (2 pages).
14	12/22/94	Letter from Stuart Treby to Paul Merges regarding New York's regulatory jurisdiction at Indian Point. (2 pages).
15	12/23/94	Letter from Lawrence English to Steven Crockett enclosing a copy of the Complaint and Temporary Restraining Order briefs he filed in Federal District Court. (77 pages).
16	01/04/95	Plaintiff's Brief on the Issue of Federal Preemption in Further Support of its Motion for Injunctive Relief. (20 pages).
17	01/04/95	Plaintiff's Motion for Preliminary Injunction. (5 pages).
18	01/04/95	Letter from Steven Crockett to Lawrence English on his December 23 Response to NRC's Request for Pleading. (2 pages).
19	01/06/95	Fax from Shawn, U.S. District Court to Steve Crockett on Environmental Cleanup Expenses. (6 pages).
20	01/20/95	Letter from Lawrence English to Cynthia Jones on Proceeding Transcript and Appellate Brief. (5 pages).
21	02/13/95	Fax from David Cesar to Brad Well on Alaron Proposal. (1 page).
22	03/06/95	Letter from Henry Billingsley to Steven Crockett confirming their phone conversation on the Touhy regulations. (3 pages).
23	08/02/95	Letter from Henry Billingsley to Kenneth Schultz responding to SERC resolution. (6 pages).



Northeast Ohio Regional Sewer District

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October 18, 1996

FOIA/PA REQUEST

Case No:

96-444

Date Rec'd:

10-24-96

Action Off:

Pool

Related Case:

Director, Division of Freedom of Information
and Publications Services
Office of Administration
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Re: FOIA Request for Documents

Dear Director:

The Northeast Ohio Regional Sewer District (NEORSO) hereby requests copies of all documents of any kind or description regarding your licensee, Advanced Medical Systems, Inc. in any way whatsoever developed since representatives of the Northeast Ohio Regional Sewer District (NEORSO) visited the Lisle, Illinois, headquarters of the Nuclear Regulatory Commission's Region III pursuant to FOIA-94-494.

The above request is made pursuant to the Freedom of Information Act and 10 CFR Sec. 9.15. The NEORSO has no commercial interest in the requested documents and requests a waiver of all fees pursuant to 10 CFR Sec. 9.41.

Please call me at (216) 881-6600, ext 826, if you have any questions about the foregoing. Thank you in advance for your assistance.

Very truly yours,

Lawrence K. English
Assistant General Counsel

9702040303