"Saving People Money So They Can Live Better"

WAL★MART

Environmental Services

Rich Dailey, Sr. Director

Radiation Safety Officer

1300 SE 8th Street, MS 0605
Bentonville, AR 72716-0605
Phone 479.204.9914
Rich.Dailey@wal-mart.com
www.walmart.com

May 16, 2008

Director
Office of Federal and State Materials
and Environmental Management Programs
U.S. Nuclear Regulatory Commission
One White Flint North
11545 Rockville Pike
Rockville, MD 20852

Subject: Report of Damaged Tritium Exit Sign

Dear Director:

Pursuant to 10 CFR § 31.5(a), Wal-Mart Stores, Inc. ("Wal-Mart") is a general licensee of the Nuclear Regulatory Commission ("NRC"), because it possesses and uses byproduct material in the form of tritium exit signs ("TES") regulated by the NRC. Consistent with 10 CFR § 31.5(c)(5), Wal-Mart is providing the subject report regarding two damaged TES that it has discovered at its Merrillville store #1618.

Attachment A provides a brief description of the events associated with the damaged TES and corrective actions taken. Information on the damaged TES is provided below:

Serial #	Curies	Damage Date	Store Location
297948	20.0	unknown	2936 East 79th Avenue, Merrillville, IN
297954	20.0	unknown	2936 East 79th Avenue, Merrillville, IN

Please contact me at (479) 204-9914, if you have any questions regarding this letter or the attached report.

Sincerely,

Richard Dailey
Radiation Safety Officer
Wal-Mart Stores, Inc.

cc: Karen Roberts, Wal-Mart Stores, Inc.
Thomas Poindexter, Morgan Lewis & Bockius LLP

Attachment

FSME10

Attachment A

A. Description of Events

On April 16, 2008, Wal-Mart representatives and its contractor Shaw Group, Inc. ("Shaw") visited Wal-Mart store #1618 in Merrillville, Indiana, to inventory tritium exit signs ("TES"). Wal-Mart has retained Shaw, an environmental services contractor with extensive experience with the management of radioactive material, for its company-wide program to inventory and manage TES. During the inventory at the Merrillville store, Shaw discovered two damaged TES. One TES, serial #297948 ("TES 297948"), was installed in the non-public receiving hall and the other TES, serial #297954 ("TES 297954"), was installed in the outdoor garden section of the store. Shaw reported TES 297948 had a cracked faceplate and, although the tritium-containing tubes appeared to be intact, the bottom "X" left was not glowing. TES 297954 is missing a faceplate.

B. Prompt Actions Taken

Interviews with the store managers and associates did not obtain any information as to when or how the TES were damaged. The Wal-Mart Radiation Safety Officer ("RSO") directed a Certified Health Physicist ("CHP") from Dade Moeller & Associates ("Dade Moeller"), to visit the Merrillville store, to conduct radiological surveys, package the TES for disposal, and decontaminate the area to ALARA levels, as necessary. Dade Moeller is a contractor retained by Wal-Mart with the responsibility to assess the radiological impacts of damaged TES. Wal-Mart will provide the NRC with a supplemental report of the final as-left contamination levels within 30 days of the date of this report.

C. Long-term Corrective Actions

Wal-Mart has implemented and communicated protocols to its stores for the proper handling of TES to ensure public health and safety and the protection of its employees. It is also inventorying all of the TES at its sites across the country to re-establish the accuracy of its records and to track the current locations of the TES. The intent of this program is to ensure that all TES are accounted for and are handled properly. As a part of this program, Wal-Mart has employed Shaw to inventory TES, and a team of CHPs from Dade Moeller to properly handle TES and prepare and arrange for their return to a specific licensee.

D. Shipping Details

Wal-Mart anticipates shipping the damaged TES to a specific licensee or arranging for a waste broker to ship the TES to a specific licensee that is authorized to receive the damaged TES, within 30 days of this report.