

**TREAT AS**

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**INFORMATION**

# Environmental Services

Rich Dailey, Sr. Director

Radiation Safety Officer

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June 4, 2008

Charles Miller, 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 Dr. Miller:

Pursuant to 10 CFR § 31.5(a), Wal-Mart Stores, Inc. ("Wal-Mart") is a general licensee of the U.S. 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 one damaged TES that it discovered at its store #581, located in Marshalltown, Iowa.

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:

<u>Serial #</u>	<u>Curies</u>	<u>Damage Date</u>	<u>Store Location</u>
258932	20.0	unknown	2802 South Center St., Marshalltown, IA

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

*Add:  
John Jankovich  
Michele Burgess  
E-R105*

*FSME10*

## Attachment A

### A. Description of Events

On May 6, 2008, Wal-Mart representatives and its contractor Shaw Group, Inc. ("Shaw") visited Wal-Mart store #581, in Marshalltown, Iowa, 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 TES. During the inventory at the Marshalltown store, Shaw discovered one damaged TES with a crushed frame and no tritium-containing tubes remaining. The TES is installed in the non-public stockroom area of the store.

### B. Actions Taken

Interviews with the store managers and associates provide little information as to exactly when or how the TES was damaged, though one manager suggested that the damage occurred within the last three months. Accordingly, the Wal-Mart Radiation Safety Officer ("RSO") directed Wal-Mart representatives and a Certified Health Physicist ("CHP") from Dade Moeller & Associates ("Dade Moeller") to visit the Marshalltown 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 representatives and the CHP are planning to visit the Marshalltown store between June 23-27, 2008. Wal-Mart will provide the NRC with a supplemental report within 30 days of the date of this report including the results of that visit, if available.

### 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 authorized to receive the damaged TES, within 30 days of this report.