

**TREAT AS
SENSITIVE
INFORMATION**

Environmental Services

Rich Dailey, Sr. Director

Radiation Safety Officer

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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:

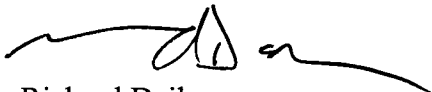
Pursuant to 10 CFR § 31.5(a), Wal-Mart Stores, Inc. ("Wal-Mart") is a general licensee of the U.S. Nuclear Regulatory Commission ("NRC") because it possesses and uses byproduct material in the form of tritium exit signs ("TES") regulated by the NRC. Consistent with 10 CFR § 31.5(c)(5), Wal-Mart is providing the subject report regarding one damaged TES that it discovered at store #2062 located in Benton Harbor, Michigan.

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>
254554	20.0	unknown	1400 Mall Road, Benton Harbor, MI

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: Angela Washington, Wal-Mart Stores, Inc.
Thomas Poindexter, Morgan Lewis & Bockius LLP

TSUEIO

Attachment A

A. Description of Events

On May 27, 2008, Wal-Mart Stores, Inc. ("Wal-Mart") representatives and its contractor, Shaw Group, Inc. ("Shaw") visited Wal-Mart store #2062 in Benton Harbor, Michigan 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 Benton Harbor store, Shaw discovered one damaged TES with broken tritium-containing tubes. The TES is installed in the outdoor garden center area of the store.

B. Actions Taken

Interviews with the store managers and associates provided no information as to when or how the TES was damaged. The Wal-Mart Radiation Safety Officer ("RSO") directed a Certified Health Physicist ("CHP") from Dade Moeller & Associates ("Dade Moeller") to visit the Benton Harbor 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.

On June 20, 2008, a CHP visited the Benton Harbor store. The CHP removed and packaged the TES for transfer according to protocols established by Isolute, a specific licensee authorized to receive TES for disposal. The CHP then cleaned the mounting location and conducted swipe surveys of the areas deemed likely to have become contaminated by wiping a 100 cm² area (approximately 4 X 4 inches) with a paper disk. The disks were placed in 7 ml vials and shipped to Dade Moeller's certified laboratory for processing. Wal-Mart anticipates providing the NRC with a supplemental report with the results of that visit 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 transferred the damaged TES to a specific licensee authorized to receive the damaged TES on June 20, 2008. Wal-Mart will send the NRC a report of that transfer under separate cover.