

"Saving People Money So They Can Live Better"



Environmental Services

Rich Dailey, Sr. Director
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July 18, 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 Signs

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 two damaged TES that it discovered at store #5443 located in Indianapolis, Indiana.

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

<u>Serial #</u>	<u>Curies</u>	<u>Damage Date</u>	<u>Store Location</u>
304856	11.5	unknown	4650 S. Emerson Ave., Indianapolis, IN
304857	11.5	unknown	4650 S. Emerson Ave., Indianapolis, IN

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

Sincerely,

for

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

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

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Attachment A

A. Description of Events

On June 19, 2008, Wal-Mart Stores, Inc. ("Wal-Mart") representatives and its contractor Shaw Group, Inc. ("Shaw") visited Wal-Mart store #5443 in Indianapolis, 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 TES. During the inventory at the Indianapolis store, Shaw discovered two damaged TES with broken tritium-containing tubes. The first TES, Serial #304856, was installed in a non-public fire corridor. The other TES, Serial #304857, is installed in the outside garden center area of the store.

B. Actions Taken

Interviews with the store managers and associates did not provide any details as to when or how either TES was damaged. Shaw packaged and shipped TES Serial #304956 but left TES Serial #304857 in place. The Wal-Mart Radiation Safety Officer ("RSO") directed a Certified Health Physicist ("CHP") from Dade Moeller & Associates ("Dade Moeller") to visit the Indianapolis store to conduct radiological surveys, package TES Serial #304857 for disposal, and decontaminate the areas 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. A CHP is planning to visit the Indianapolis store by August 1, 2008. Wal-Mart anticipates providing the NRC with a supplemental report within 30 days after the date of that visit.

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 TES Serial #304956 to a specific licensee authorized to receive the damaged TES. Wal-Mart will send a report of that transfer to the NRC within 30 days of that transfer date. Wal-Mart anticipates shipping TES Serial #304957 to a specific licensee authorized to receive the damaged TES, within 30 days after the date of the CHP visit.