



Environmental Services

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July 25, 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 #1356 located in Martinsville, 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>
312136	20.0	Prior to 02/2008 (est.)	410 Grand Valley Blvd., Martinsville, IN
unknown	unknown	unknown	410 Grand Valley Blvd., Martinsville, 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: Angela Washington, Wal-Mart Stores, Inc.
Thomas Poindexter, Morgan Lewis & Bockius LLP

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Attachment A

A. Description of Events

On June 28, 2008, Wal-Mart Stores, Inc. ("Wal-Mart") representatives and its contractor Shaw Group, Inc. ("Shaw") visited Wal-Mart store #1356 in Martinsville, 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 Martinsville store, Shaw discovered two damaged TES. The first TES, Serial #312136, had a crumpled frame, a smashed faceplate, and broken tritium-containing tubes. This TES is installed in the non-public receiving area of the store. The other TES, with an unknown serial number, was without a frame, faceplate or any of its tritium-containing tubes. This TES is installed in the tire and lube area of the store.

B. Actions Taken

Interviews with the store managers and associates provided little information as to how and when TES Serial #312136 was damaged, though an assistant store manager indicated that it was damaged since he began working at the store on February 6, 2008. Individuals did not know how or when the TES with the unknown serial number was damaged, but that TES was likely damaged while tires were being loaded onto tire racks. The Wal-Mart Radiation Safety Officer ("RSO") directed a Certified Health Physicist ("CHP") from Dade Moeller & Associates ("Dade Moeller") to visit the Martinsville store to conduct radiological surveys, package the TES 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 visited the Martinsville store on July 24, 2008. The CHP interviewed store managers and associates and also 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. Wal-Mart anticipates providing the NRC with a supplemental report by August 22, 2008.

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 after the date of the CHP visit.