



Environmental Services

Rich Dailey, Sr. Director

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August 27, 2008

Director Charles Miller
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 Miller:

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 one damaged TES that it discovered at its store #1625, located in Le Mars, 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> |
|-----------------|---------------|-------------------------|------------------------------|
| unknown | 20.0 | Prior to 03/2008 (est.) | 1111 Holton Dr., Le Mars, 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.

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09/02/2008

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

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Attachment A

A. Description of Events

On July 28, 2008, Wal-Mart Stores, Inc. ("Wal-Mart") representatives and its contractor, Shaw Group, Inc. ("Shaw"), visited Wal-Mart store #1625 in Le Mars, Iowa to inventory tritium exit signs ("TES"). Wal-Mart has retained Shaw, an environmental services contractor with extensive experience in the management of radioactive material, for its company-wide program to inventory TES. During the inventory at the Le Mars store, Shaw discovered without a frame, without half of its face plate, and without any of its tritium-containing tubes. The 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 the TES was damaged, although one employee interviewed indicated that the TES has been damaged since she began working at the store in February, 2008. The Wal-Mart Radiation Safety Officer ("RSO") directed a Certified Health Physicist ("CHP") from Dade Moeller & Associates ("Dade Moeller") to visit the Le Mars 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 Le Mars store on August 19, 2008. The CHP removed and packaged the TES for transfer according to protocols established by Isolite, a specific licensee authorized to receive TES for disposal. The CHP also interviewed store managers and associates, 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. Wal-Mart anticipates providing the NRC with a supplemental report by September 18, 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 transferred the damaged TES to a specific licensee authorized to receive damaged TES on August 20, 2008. Wal-Mart will send the NRC a report of that transfer within 30 days after the date of the transfer.