



Environmental Services

Rich Dailey, Sr. Director
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October 6, 2008

Dr. 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 Nuclear Regulatory Commission ("NRC") because it possesses and uses byproduct material in the form of tritium exit signs ("TES") regulated by the NRC, in the State of West Virginia. Consistent with 10 CFR § 31.5(c)(5), Wal-Mart is providing the subject report regarding two damaged TES that it discovered at store #5319, located in MacArthur, West Virginia.

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>Date of Damage</u>	<u>Store Location</u>
314103	11.5	unknown	1881 Robert C. Byrd Dr., MacArthur, WV
unknown	11.5	unknown	1881 Robert C. Byrd Dr., MacArthur, WV

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

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Attachment A

A. Description of Events

On September 6, 2008, Wal-Mart Stores, Inc. ("Wal-Mart") representatives and its contractor, Shaw Group, Inc. ("Shaw"), visited Wal-Mart store #5319 in MacArthur, West Virginia 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 MacArthur store, Shaw discovered two damaged TES. TES Serial #314103 has a hole in its face plate and some tritium-containing tubes that are damaged, and some that are missing. This TES is installed in the non-public stockroom area of the store. The second TES, with an unknown serial number, has tritium-containing tubes that failed a glow test. This TES is installed in the garden center area of the store.

B. Actions Taken

Interviews with the store managers and associates provided no information as to how or when either TES was damaged. The Wal-Mart Radiation Safety Officer ("RSO") directed a Health Physicist ("HP") from Dade Moeller & Associates ("Dade Moeller") to visit the MacArthur 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. An HP plans to visit the MacArthur store on October 6, 2008. Wal-Mart anticipates providing the NRC with a supplemental report within 30 days after that HP 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 HPs 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 damaged TES within 30 days after the date of the HP visit.