

"Saving People Money So They Can Live Better"



Environmental Services

Rich Dailey, Sr. Director

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October 30, 2008

Dr. Charles Miller, Director
Office of Federal and State Materials
and Environmental Management Programs
U.S. Nuclear Regulatory Commission
Two 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, in the State of West Virginia. Consistent with 10 CFR § 31.5(c)(5), Wal-Mart is providing the subject report regarding one damaged TES that it discovered at store #5296, located in Barboursville, 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>
272300	11.5	After 06/19/08 (est.)	25 Nichols Dr., Barboursville, 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.

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

FSME CODE 10 - SUNSET REVIEW COMPLETE

"PUBLICALLY AVAILABLE"

10/31/2008

FSME 10

Attachment A

A. Description of Events

On September 9, 2008, Wal-Mart Stores, Inc. ("Wal-Mart") representatives and its contractor, Shaw Group, Inc. ("Shaw"), visited Wal-Mart store #5296 in Barboursville, 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 Barboursville store, Shaw discovered one damaged TES with a broken frame and tritium-containing tubes that did not glow. The TES is installed in the main area of the store.

B. Actions Taken

Interviews with the store managers and associates did not provide any information as to how the TES was damaged, although the individuals interviewed indicated that the TES was not reported as damaged during a TES inventory conducted on June 19, 2008. The Wal-Mart Radiation Safety Officer ("RSO") directed a Health Physicist ("HP") from Dade Moeller & Associates ("Dade Moeller") to visit the Barboursville 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 is planning to visit the Barboursville store by November 14, 2008. Wal-Mart anticipates providing the NRC with a supplemental report within 30 days after the date of 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.