



Bristol-Myers Squibb Company

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March 17, 2009

Director  
Office of Federal and State Materials  
And Environmental Management Programs  
Attention: Angela R. McIntosh  
Mail Stop: T8-E24  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

Attached is the response to your Demand for Information concerning Tritium Exit Signs.  
Please let me know if you have any questions or require additional information.

Sincerely,

Susan Voigt  
Vice President  
Environment, Health and Safety

**UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION**

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**IN THE MATTER OF**

**BRISTOL-MYERS SQUIBB COMPANY'S RESPONSE  
TO THE NUCLEAR REGULATORY COMMISSION'S  
DEMAND FOR INFORMATION**

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**EA-09-001**

This responds to the US Nuclear Regulatory Commission's Demand for Information, dated January 16, 2009 ("NRC Demand"). The NRC Demand was directed to Bristol-Myers Squibb Company ("BMS" or "the Company"). I am the Vice President, Environment, Health and Safety for Bristol-Myers Squibb Company and submit this response on behalf of the Company.

BMS is submitting this response on behalf of itself and all of its subsidiaries. The following wholly owned subsidiaries operate facilities that either use or possess, or have previously used or possessed, tritium EXIT signs: E.R. Squibb and Sons, LLC; Bristol-Myers Squibb Manufacturing Company; and BMS Holdings Pharma, LLC. In addition, Mead Johnson & Company operates a facility that uses or possesses tritium EXIT signs. BMS is currently the majority owner of Mead Johnson & Company, and until mid-February was its sole owner. Collectively, Mead Johnson & Company and the wholly owned subsidiaries are referenced as the "BMS Subsidiaries"

BMS does not directly operate any facilities in the United States, and does not currently use or possess any tritium EXIT signs. BMS owns only one United States facility, the facility located outside of Syracuse, New York. The Syracuse facility no longer has tritium EXIT signs, but did use these signs until approximately 1995. Since the 1990s, the Syracuse facility has been operated by E.R. Squibb and Sons, LLC.

For clarity, in this response, we repeat the specific request in the NRC Demand in bolded italics, and then present our response.

## Response to NRC Demand for Information

- A. *Explain how you ensure compliance with the NRC requirements applying to the possession, transfer, and disposal of tritium exit signs you have acquired. Identify and provide contact information for the individual you have appointed who is responsible for ensuring day to day compliance with these requirements.*

Response:

- (1) Currently, Corporate Directive BMS-CD-004-S06 "Ionizing Radiation" (the "Directive") requires every facility operated by a BMS Subsidiary worldwide to implement a program to comply with all applicable laws and regulations, to inventory all radioactive materials, including tritium EXIT signs, and to assure that all radioactive materials are properly maintained and disposed. Each facility is also required to establish its own program to comply with the Directive, and all applicable laws and regulations related to ionizing radiation.
- (2) The BMS Subsidiaries operate ten (10) facilities in the United States where tritium EXIT signs are either currently in use or are stored. **Table A**, attached, lists each facility at which tritium EXIT signs are, or formerly were, present, and provides contact information for an individual at each facility at which tritium EXIT signs are currently present, who is responsible for ensuring day to day compliance with 10 C.F.R. § 31.5.

- B. *State the number of tritium exit signs you currently possess and the number of signs that, according to your records, should be in your possession.*

Response:

- (1) The BMS Subsidiaries currently possess a total of six hundred and twenty-nine (629) tritium EXIT signs. For each facility at which tritium EXIT signs are currently present, Table A states how many tritium EXIT signs are present, which BMS Subsidiary operates the facility, and whether the tritium EXIT signs are in use or storage.
- (2) Our records indicate that the BMS Subsidiaries cannot confirm the current location of eighty-five (85) tritium EXIT signs, including ten (10) signs that were identified as missing in 1990.

- C. *Explain the reasons for any discrepancy between the number of tritium exit signs you currently possess and the number of signs that should be in your possession.*

**Response:**

The BMS Subsidiaries cannot confirm the current location of eighty-five (85) tritium EXIT signs at three facilities.

- (1) Twenty seven (27) tritium EXIT signs cannot be accounted for at E.R. Squibb and Sons, LLC's facility in Lawrenceville, New Jersey. There are currently sixteen (16) tritium EXIT signs in storage at the Lawrenceville facility, on which the serial numbers are no longer legible. We believe that the signs in storage account for a portion of the missing signs. In addition, facility staff indicate that an unknown number of signs were returned to the manufacturer on several occasions since 1998. Based on this information, it appears that all unaccounted signs were either returned to the manufacturer or are presently in storage. However, E.R. Squibb and Sons, LLC has not been able to locate records that unambiguously confirm this belief.
- (2) Forty-eight (48) tritium EXIT signs have not been located at the BMS Holdings Pharma, LLC's, facility in Manati, Puerto Rico. BMS acquired the site from DuPont on October 1, 2001. An inventory provided by DuPont as part of the transfer indicates that eighty-nine (89) tritium EXIT signs were transferred to BMS, but in the survey conducted in response to the NRC Demand only forty-one signs were located in the BMS site. It appears that the missing signs may have been removed and disposed in conjunction with renovation projects that have occurred since BMS acquired the site. Site EHS Staff is continuing to attempt to locate the signs.
- (3) Ten (10) tritium EXIT signs were identified as missing from the facility in Syracuse, New York in 1990. The missing signs could not be located during a site inventory conducted at the facility, and the NYS Department of Labor was properly notified on February 15, 1990. The notice identified twelve missing signs, but two of the signs were subsequently located.

**D. *Describe any actions you have taken, or plan to take, to locate tritium exit signs.***

**Response:**

- (1) E.R. Squibb and Sons, LLC has conducted a complete site survey of its Lawrenceville facility and checked all available records as part of its efforts to locate the missing signs. E.R. Squibb and Sons, LLC will also contact the manufacturer of the tritium EXIT signs previously installed at the Lawrenceville facility to determine whether the manufacturer has records which indicate how many signs E.R. Squibb and Sons, LLC has returned since 1998.
- (2) BMS Holdings Pharma, LLC surveyed the Manati facility and reviewed available records in an effort to locate the missing signs. The site is continuing to attempt to locate the missing signs and will seek additional information from the former owner of the site, DuPont.
- (3) Bristol-Myers Squibb Company discovered that ten tritium EXIT signs were missing from its Syracuse facility in 1990. A survey was conducted of the entire facility, all available sources of information indicating the location of the signs were checked, and the manufacturer, model and serial number of each missing sign was reported to the New York State Department of Labor.

**E. *Describe any actions you have taken, or plan to take, to prevent future losses of tritium exit signs.***

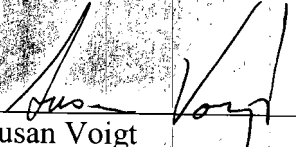
**Response:**

- (1) The BMS Subsidiaries will implement enhanced programs to comply with the requirements of 10 CFR § 31.5 to prevent future losses of tritium EXIT signs. Each facility has now inventoried all tritium EXIT signs, and enhanced procedures will assure that the signs are properly maintained, and when no longer needed, properly disposed and notice provided to NRC or an Agreement State, as appropriate. Finally, specific individuals will be responsible for implementing these procedures in compliance with all applicable regulatory requirements.
- (2) Following the loss of ten signs at the Syracuse facility in 1990, the New York State Department of Labor was immediately notified and an action plan was implemented to prevent a similar problem from occurring in the future. Pursuant

to the action plan, electricians at the facility received additional training, a survey was conducted, a moratorium was placed on the purchase or installation of tritium EXIT signs, a preventative maintenance plan was implemented and the existing signs were labeled. Subsequently, facility staff indicate all tritium EXIT signs were removed and have been properly disposed.

This response is based on information provided by appropriate personnel at the individual facilities operated by the BMS Subsidiaries, and is true and correct to the best of my information and belief. I declare under penalty of perjury that the foregoing is true and correct.

Dated: March 17, 2009



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Susan Voigt  
Vice President, Environment, Health and Safety  
Corporate Staff  
Bristol-Myers Squibb Company

# Table A

<u>Facility</u>	<u>Operator</u>	<u>Signs in Use</u>	<u>Signs in Storage</u>	<u>Missing Signs</u>	<u>Person Responsible for Tritium EXIT Signs</u>
Barceloneta, PR	Bristol-Myers Squibb Manufacturing Company	10	0	0	This facility has been closed, and is being sold.
Evansville, IN	Mead Johnson & Company	182	54	0	Chad J. Burnett (812) 429-7906 chad.burnett@mjn.com
Hopewell, NJ	E.R. Squibb & Sons, LLC	15	15	0	James R. Owens (609) 818-5611 james.owens@bms.com
Humacao, PR	Bristol-Myers Squibb Manufacturing Company	3	0	0	Alvin E. Crespo (787)656-4364 alvin.crespo@bms.com
Lawrenceville, NJ	E.R. Squibb & Sons, LLC	269	16	27	James R. Owens (609) 818-5611 james.owens@bms.com
Manati, PR	BMS Holdings Pharma, LLC	31	10	48	Lymaris Delgado (787) 621-8559 lymaris.delgado@bms.com
Mayaguez, PR <sup>1</sup>	Bristol-Myers Squibb Manufacturing Company	0	0	0	This facility has been closed.
Mt. Vernon, IN	E.R. Squibb & Sons, LLC	2	0	0	Gregory Luff (812) 428-8398 gregory.luff@bms.com
Nassau Park, NJ	E.R. Squibb & Sons, LLC	3	0	0	James R. Owens (609) 818-5611 james.owens@bms.com
New Brunswick, NJ	E.R. Squibb & Sons, LLC	18	0	0	James R. Owens (609) 818-5611 james.owens@bms.com
Plainsboro, NJ	E.R. Squibb & Sons, LLC	0	1	0	James R. Owens (609) 818-5611 james.owens@bms.com
Somerville, NJ <sup>1</sup>	E.R. Squibb & Sons, LLC	0	0	0	Not applicable
Syracuse, NY <sup>2</sup>	E.R. Squibb & Sons, LLC	0	0	10	Not applicable
<b>Totals</b>		<b>533</b>	<b>96</b>	<b>85</b>	

<sup>1</sup> The Mayaguez, PR, and Somerville, NJ, facilities formerly used/possessed tritium EXIT signs, but all tritium EXIT signs have been properly disposed.

<sup>2</sup> The Syracuse, NY, facility properly notified the New York State Department of Labor of the missing signs on February 15, 1990, and subsequently removed and properly disposed of all remaining tritium EXIT signs.