

May 29, 2009

EA-09-131

Ms. Elizabeth Lowery
Vice President for Environmental Energy and Safety Policy
General Motors Renaissance Center
Tower 300, Workstation 300-27-C11
Detroit, MI 48265

SUBJECT: DEMAND FOR INFORMATION AND REPORTING DAMAGED DEVICES
CONTAINING RADIOACTIVE MATERIAL

Dear Ms. Lowery:

The U.S. Nuclear Regulatory Commission (NRC) records indicate that your organization possesses devices containing low levels of radioactive material. The radioactive material is called tritium, and it is contained within exit signs your organization acquired. NRC regulates the tritium contained within these signs. Therefore, when you obtained these signs, you became a "general licensee" of the NRC.

Although the tritium contained within these exit signs does not present a hazard when the signs are used in accordance with the manufacturer's instructions, NRC regulations nevertheless require that licensees keep certain records related to these signs. These signs should be properly accounted for at all times, and properly disposed, so that members of the public are not needlessly exposed to the low-level radiation within them. To help ensure that general licensees possessing tritium exit signs are complying with NRC regulations intended to protect public health and safety, the NRC is requiring that you respond to the enclosed Demand for Information.¹ The Demand for Information requires that you provide the NRC with information regarding any tritium exit signs you acquired, but which are now lost, stolen, or missing.

The NRC also requires that, if you find any tritium exit sign is damaged, you immediately suspend operation of the sign and report the damaged sign to the NRC within 30 days. This is required by the NRC's regulation at section 31.5(c)(5) in Title 10 of the Code of Federal Regulations (10 CFR 31.5(c)(5)). In addition, if it appears that damage to the sign may have resulted in tritium being released, the NRC's regulation at 10 CFR 20.2201(a)(1)(i) requires that you make a telephone report immediately after it becomes known to you that tritium is missing.

To make a telephone report of a damaged sign, please follow these instructions. For signs located in states where NRC regulations apply directly; for signs in U.S. Possessions and Territories; and for signs possessed by Federal entities, call the NRC Operations Center at 1-800-532-3469.

¹ The NRC initially mailed the attached Demand for Information on January 16, 2009, to general licensees NRC believed to possess at least 500 signs. General Motors (GM) was not sent the Demand for Information at that time because NRC records appeared to indicate that GM possessed less than 500 tritium exit signs. However, after accounting for the tritium exit signs listed under the various names of GM's subsidiaries, NRC determined that GM possesses approximately 1,000 tritium exit signs.

For signs located within Agreement States (36 states that have signed agreements with the NRC to independently regulate the use of radioactive materials) the report should be made to the appropriate state contact. An attachment to this letter explains which states are Agreement States and lists the contact information for each state.

The NRC's regulation at 10 CFR 20.2201(a)(1)(i) also requires that you make a telephone report to the NRC immediately after it becomes known to you that any tritium exit sign is lost, stolen, or missing. In this case, however, the NRC will consider you to be in compliance with these requirements if you provide a complete response to the attached Demand for Information within the allotted timeframe. The NRC will consider your response to satisfy regulatory requirements because the Demand for Information seeks the same type of information required by 10 CFR 20.2201(a)(1)(i), and because allowing you to provide the required information in your response, rather than in a telephone report, is not expected to have any adverse effect on public health and safety. The NRC would reiterate, however, that if you find any damaged signs that may have released tritium, you must make a telephone report to the NRC immediately.

If you have any questions, please refer to the point of contact on the Demand for Information. The enclosed Demand for Information has been forwarded to the Office of the Federal Register for publication.

Sincerely,

/RA/

Cynthia A. Carpenter, Director
Office of Enforcement

Enclosure: Demand for Information
Attachment - List of Agreement States and Contact Information

cc: Demand for Information with Attachment to Agreement States

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