

From: McIntosh, Angela
Sent: Thursday, June 11, 2009 1:43 PM
To: 'Moraitis, Jeffrey (J.L.)'
Cc: Einberg, Christian; Luehman, James
Subject: Answers to Tritium Exit Sign Questions

Mr. Moraitis: please see answers to your questions in blue font below. I hope this helps.

Regards,

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From: Moraitis, Jeffrey (J.L.) [mailto:jmoraiti@visteon.com]
Sent: Monday, June 08, 2009 2:58 PM
To: McIntosh, Angela
Subject: Tritium Exit Signs

Hi Angela: Questions are still arising because of the use of the tritium illuminated exit signs.

1. By virtue of Visteon purchasing and installing such devices how does Visteon know what their License # is? Who issued the license at the time of purchase and installation and does the company receive an independent license # for each location/facility/address where these devices are located? **General licensees are not issued a license number. Rather, it is the regulation itself (Title 10, Code of Federal Regulations) which bestows to recipients of generally-licensed devices the status of "general licensee." The manufacturer should have provided information to Visteon, preferably at the time Visteon considered purchasing tritium exit signs (or very shortly thereafter), which would have explained Visteon's status as a general licensee.**

2. According to the STD 31.5 (as I interpret), we/Visteon as a licensee is now required to have the exit signs leak tested/monitored to determine if there is any fugitive emissions from the source? Is that correct? If so, do we need to supply the NRC with the results of the testing? I know that we will be moving out of the building by the end of July/August 2009. Does the company need to leak test before exiting the Helm Street location (Visteon leases the building)? **According to 31.5(c)(2)(ii), devices containing only tritium are not required to be leak tested. Therefore, tritium exit signs are not required to be leak tested.**

3. As I explained, at the Helm street location we are a tenant. Visteon did purchase and install the Tritium type exit signs years ago. Now, as we vacate the building, do we let the owner of the building know about the exit signs and the facts that they contain a radioactive material that must be monitored for an are subjected to several NRC STDS and obligations?? **The requirement to transfer tritium exit signs to another business entity (thereby making that entity the new general licensee) is listed in 31.5(c)(9). The regulation in 31.5(c)(9) states that the transfer can occur only under the following conditions:**

- * The tritium exit sign remains in use at the same location.
- * The transferor (in this case Visteon) must give the transferee a copy of the following regulations:
 - 10 CFR 31.5
 - 10 CFR 31.2
 - 10 CFR 30.51
 - 10 CFR 20.2201 and 20.2202
 - Any safety documents identified in the label of the device

* Within 30 days of the transfer, the transferor shall make a report to the Director, Office of Federal and State Materials and Environmental Management Programs, ATTN: Document Control Desk/GLTS. The report shall contain the requirements spelled out in 31.5(c)(9)(A-D) and (ii). Those requirements are:

(A) The manufacturer's (or initial transferor's) name;

(B) The model number and the serial number of the device transferred;

(C) The transferee's name and mailing address for the location of use; and

(D) The name, title, and phone number of the responsible individual identified by the transferee in accordance with paragraph (c)(12) of this section to have knowledge of and authority to take actions to ensure compliance with the appropriate regulations and requirements; or

(ii) The device is held in storage by an intermediate person in the original shipping container at its intended location of use prior to initial use by a general licensee

As long as Visteon performs the above actions, the new general licensee should be sufficiently educated about what tritium exit signs are and their responsibility regarding owning them.

Note: The city, state and zip code for the above is Washington, DC 20555.

4. If the owner agrees to keep them in place and is there a form that the NRC has that we both sign that transfers the ownership/license to the actual owner of the building? Who notifies the building owner of the NRC requirements, obligations under the STD? **The owner must agree to keep them in place upon assumption of ownership (unless of course, it is decided the signs need to be disposed). See answer to #3.**

5. Does the owner of the building get a license (or is the Visteon license transferred to the building owner) for the signs and does Visteon need to explain that the exit signs need to be leak tested or how does that all work regarding the transfer of the exit signs to the new building owner? **See response to answers 1-3 above.**

6. If the owner does not want to take ownership of the exit signs and requires Visteon to dismantle and remove, is there a form that is required from the NRC? **If the new building owner does not want the exit signs, then the transfer of the signs to the new building owner (as explained in #3 above) is not an option. In this case, Visteon must dispose or transfer the tritium exit signs to a specific licensee, such as a licensed waste broker or the manufacturer. Visteon must then follow up with a report to the NRC, in accordance with 31.5(c)(8)(ii)(A-C), which reads as follows:**

(ii) Within 30 days after the transfer of a device to a specific licensee or export, (the licensee) shall furnish a report to the Director, Office of Federal and State Materials and Environmental Management Programs, ATTN: Document Control Desk/GLTS, using an appropriate method listed in § 30.6(a) of this chapter. The report must contain—

(A) The identification of the device by manufacturer's (or initial transferor's) name, model number, and serial number;

(B) The name, address, and license number of the person receiving the device (license number not applicable if exported); and

(C) The date of the transfer

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7. What does the phrase mean: "or until the source is **transferred** or disposed of". As used in this sentence. *Each record that is required by paragraph c(3) of this section must be retained for three years from the date of the recorded event or until the device is **transferred** or disposed of. (Does transfer mean if you were to move the exit sign to another location?)* **"Transfer" means to transfer the device to another general licensee (i.e., another business owner) or to a specific licensee (i.e., the manufacturer). Dispose means to send the device to a licensed waste broker.**