

November 19, 1999

Docket No. 99990001

License No. General (31.5)

William Goodwin  
General Manager  
Griffith Electric Supply Company, Inc.  
5 Second Street  
Trenton, NJ 08611

Dear Mr. Goodwin:

On November 18, 1999, Betsy Ullrich, and Kristin Monroe of this office contacted you by telephone regarding Griffith Electric Supply Company, Inc's. (Griffith) responsibilities as a general licensee of the U. S. Nuclear Regulatory Commission (NRC). Immediately after the conversation, copies of pertinent NRC regulations were faxed to you. This letter is in response to your request for a written explanation demonstrating why Griffith is a general licensee.

On November 8, 1999, Ms. Ullrich and Ms. Monroe of this office visited your facility to review your use of self-luminous EXIT signs containing tritium, a radioactive isotope of hydrogen (hydrogen-3). The possession and use of EXIT signs containing tritium is regulated by the NRC.

Based on personnel interviews and a review of your operations, Ms. Ullrich and Ms. Monroe found that Griffith has installed EXIT signs containing tritium at the facility; thus, you are using EXIT signs. EXIT signs may only be used under a general license. Since you are using EXIT signs, you are a general licensee. Because these devices are very safe, general licenses have few regulatory requirements. The regulations which apply to EXIT signs containing tritium are found in Title 10, Code of Federal Regulations, Part 31.5 (10 CFR 31.5) (copy enclosed). These regulations require you to maintain the signs in place, to transfer the devices properly, and to notify the NRC of any transfers, incidents, thefts, or losses of the signs. 10 CFR 31.2 also requires general licensees to comply with certain regulations in 10 CFR Part 30 (copy enclosed), including 10 CFR 30.51 and 30.52. 10 CFR 30.51 requires that you keep records showing the receipt, transfer and disposal of the EXIT signs. 10 CFR 30.52 requires that you shall at all reasonable times allow inspection of your EXIT signs, facilities and records related to the EXIT signs.

The November 8th review also found that you have transferred (sold) EXIT signs to clients over the past several years, and that you currently have 16 EXIT signs in stock which are for sale. The general license does not allow you to transfer or stock EXIT signs for sale to clients. In order to transfer or sell EXIT signs from stock, you must have a specific license authorizing distribution which is issued by the NRC under the regulations in 10 CFR Parts 30 and 32. The

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findings of the review were discussed with Warren Baum at the conclusion of the review at your facility and during a subsequent telephone conversation, on November 8, 1999, between Mr. Baum and Ms. Ullrich. However, during the discussions the inspectors requested to perform additional review of the records pertaining to transferred and in stock EXIT signs. Mr. Baum did not allow the inspectors to perform this review.

During the telephone conversation on November 18, 1999, you were unwilling to discuss the results of the inspection with Ms. Ullrich and Ms. Monroe. Your failure to allow NRC to complete its inspection (review) and discuss the results of the inspection with you could result in significant enforcement action against you, including but not limited to the imposition of civil monetary penalties. While we realize that as a general licensee you may not fully understand NRC requirements, this letter provides an explanation of the requirements to you. You must promptly comply with these requirements. In order to complete our inspection, we need additional information from you. You or your Attorney should contact us within the next 5 days so that we can make arrangements to obtain the needed information and discuss our findings and concerns.

In order to comply with NRC regulations, you must take the following actions:

1. Immediately stop all receipt and transfer of EXIT signs containing tritium;
2. Within 30 days, contact each manufacturer of EXIT signs containing tritium that are in storage at your facility and intended for sale, and return them to the manufacturers in accordance with NRC and U.S. Department of Transportation regulations for shipment of radioactive materials;
3. Within 90 days, provide, to each manufacturer whose devices were transferred from Griffith to another end user, a list of the manufacturer's self-luminous devices and the end user(s) who received those devices from Griffith. The list should include, for each EXIT sign, the model and serial number, the date of the transfer, and the name, address and contact person of the end user where the signs were installed.

This letter does not preclude issuance of an Order formalizing the above actions or requiring other actions on your part, nor does it preclude the NRC from taking enforcement action for failure to take the actions addressed in this letter. In addition, it does not preclude the NRC from taking enforcement action for violations of NRC requirements that may have prompted the issuance of this letter.

W. Goodwin  
Griffith Electric Supply Company, Inc.

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Please contact Betsy Ullrich (610) 337-5040 or John Kinneman (610) 337-5252 of my staff.  
Thank you for your cooperation.

Sincerely,

***Original signed by George Pangburn***

George Pangburn, Director  
Division of Nuclear Materials Safety

Enclosures:

1. 10 CFR Parts 2, 30, 31, and 32
2. NUREG 1600

cc w/o enclosures:

Warren Baum, Director of Purchasing  
State of New Jersey

W. Goodwin  
Griffith Electric Supply Company, Inc.

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