

**TREAT AS
SENSITIVE
INFORMATION**

Environmental Services

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May 28, 2008

Charles Miller, Director
Office of Federal and State Materials
and Environmental Management Programs
U.S. Nuclear Regulatory Commission
One White Flint North
11545 Rockville Pike
Rockville, MD 20852

Subject: Report of Damaged Tritium Exit Sign

Dear Dr. Miller:

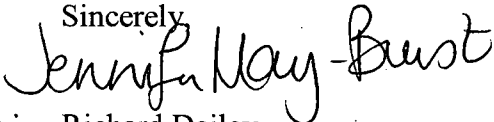
Pursuant to 10 CFR § 31.5(a), Wal-Mart Stores, Inc. ("Wal-Mart") is a general licensee of the U.S. Nuclear Regulatory Commission ("NRC") because it possesses and uses byproduct material in the form of tritium exit signs ("TES") regulated by the NRC. Consistent with 10 CFR § 31.5(c)(5), Wal-Mart is providing the subject report regarding one damaged TES that it discovered at its store #1535, located in Sioux Falls, South Dakota.

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>Damage Date</u>	<u>Store Location</u>
unknown	unknown	unknown	3209 South Louise Ave., Sioux Falls, SD

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: Karen Roberts, Wal-Mart Stores, Inc.
Thomas Poindexter, Morgan Lewis & Bockius LLP

FSME10

Attachment A

A. Description of Events

On April 28, 2008, Wal-Mart representatives and its contractor Shaw Group, Inc. ("Shaw") visited Wal-Mart store #1535, in Sioux Falls, South Dakota, to inventory tritium exit signs ("TES"). Wal-Mart has retained Shaw, an environmental services contractor with extensive experience with the management of radioactive material, for its company-wide program to inventory and manage TES. During the inventory at the Sioux Falls store, Shaw discovered one damaged TES with a broken frame and without a faceplate or any of its tritium-containing tubes. The TES was installed in the tire and lube section of the store.

B. Actions Taken

Interviews with the store managers and associates provided little information as to the cause or exact date of damage to the TES. Individuals interviewed agreed that the TES had been damaged for a long time, and one store manager said that the TES had been damaged for at least several months. The Wal-Mart Radiation Safety Officer ("RSO") directed a Certified Health Physicist ("CHP") from Dade Moeller & Associates ("Dade Moeller") to visit the Sioux Falls 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. The CHP is planning to visit the Sioux Falls store sometime between June 9-20, 2008. Wal-Mart will provide the NRC with a report of the final as-left contamination levels within 30 days of the date of this report.

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 CHPs 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 the damaged TES, within 30 days of this report.