



# NRC NEWS

U.S. NUCLEAR REGULATORY COMMISSION

Office of Public Affairs Telephone: 301/415-8200

Washington, D.C. 20555-0001

E-mail: [opa.resource@nrc.gov](mailto:opa.resource@nrc.gov)

Site: <http://www.nrc.gov>

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## NRC CITES WAL-MART FOR VIOLATIONS IN HANDLING TRITIUM EXIT SIGNS

The Nuclear Regulatory Commission has cited Wal-Mart Stores, Inc., with four violations concerning improper disposal and transfer of tritium exit signs at its stores throughout the United States and Puerto Rico.

The violations, issued Oct. 28, concerned the improper transfer or disposal of 2,462 signs from Wal-Mart stores in states under NRC jurisdiction between 2000 and 2008, and the improper transfer of an additional 517 signs between various Wal-Mart facilities. The company also failed to appoint an official responsible for complying with regulatory requirements and failed to report broken or damaged signs as required.

Exit signs containing tritium, a radioactive isotope of hydrogen, pose little threat to public health and safety and do not constitute a security risk. However, the NRC requires proper recordkeeping and disposal of the signs because a damaged or broken sign could cause minor radioactive contamination of the immediate vicinity, requiring environmental clean up.

The improper transfer or disposal of the 2,979 signs and failure to appoint a responsible official were determined to be a Severity Level III problem under NRC's enforcement policy, and the failure to report damaged signs is a Severity Level IV violation, the lowest on the NRC's enforcement scale.

The Severity Level III problem could have incurred a civil penalty of \$369,300. However, the NRC decided to exercise enforcement discretion and waive a civil penalty based on Wal-Mart's prompt, comprehensive, and extraordinary corrective and preventive actions. After it was discovered that there was a problem with accounting for its tritium exit signs, the company applied considerable resources to resolve the problems, including inventorying all tritium exit signs at its stores nationwide, remediating contamination from damaged signs at several stores, and subsequently removing all tritium exit signs in Wal-Mart facilities and replacing them with exit signs that do not contain radioactive material.

“Our inspection, and the extensive actions Wal-Mart had to undertake to resolve our concerns, should stand as a warning to other organizations and corporations not to be lax in their handling of devices containing radioactive material,” said Cynthia Carpenter, NRC’s director of enforcement. “Because Wal-Mart realized it had problems and took significant and effective corrective actions, we believe it is appropriate not to impose a civil penalty in this case.”

The NRC’s special inspection of Wal-Mart was initiated in December 2008 and concluded in August. The inspection report is available in the NRC’s ADAMS online document system at <http://www.nrc.gov/reading-rm/adams/web-based.html> by entering Accession Number ML092380657 in the search window.

The agency has also issued a Demand for Information to more than 60 organizations and corporations known to possess large quantities of tritium exit signs, requesting they report to the NRC about their recordkeeping and accounting of their signs. The agency is reviewing information submitted in response to that Demand for Information and may initiate additional enforcement actions if warranted. A press release about the Demand for Information is available here: <http://www.nrc.gov/reading-rm/doc-collections/news/2009/09-011.html>.

The NRC has worked closely with its 37 Agreement States – which regulate commercial uses of radioactive material – concerning the Wal-Mart inspection and the Demand for Information to other organizations. Agreement States are responsible for any enforcement actions regarding tritium exit signs in their jurisdiction.

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