



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

November 26, 2018

Mr. Dale J. Lynch
P.O. Box 2933
Washington, DC 20013

Dear Mr. Lynch:

On June 29, 2018, you sent a letter to the U.S. Nuclear Regulatory Commission (NRC) in which you describe difficulties in your interactions with the United States Department of Veterans Affairs (VA) in regards to your disability claim. We also interpreted your letter as a request for information relevant to how you can obtain your occupational radiological exposure history for a period of employment with Arizona Public Service Company (APS, the licensee) at Palo Verde Nuclear Generating Station, Units 1, 2, and 3 (Palo Verde). Finally, you requested guidance on how to report a work-related incident.

The NRC does not have jurisdiction over VA claims or workers' compensation claims. However, APS is an NRC licensee and one of our regulations requires licensees to furnish copies of occupational exposure histories at the request of workers¹. If APS is required to monitor your occupational exposure pursuant to NRC regulations², then it is also required to provide you with your exposure history upon your request. This report must be furnished to you within 30 days from the time your request is made³. You can submit this request to APS by letter to:

ATTN: James E. Rhodes
Radiation Protection Department
Arizona Public Service Company
Palo Verde Generating Station
5871 S. Wintersburg Road
MS 6107
Tonopah, AZ 85354

Please ensure you provide a current, valid mailing address with your request.

Please consider the additional information below as you prepare to process your VA claim and your workers' compensation claim:

- The VA maintains a website that describes how the VA confirms radiation exposure during service (<https://www.publichealth.va.gov/exposures/radiation/index.asp>). The information sheet attached to this letter provides further information on the topic of ionizing radiation as it relates to military veterans.

¹ See Title 10 of the Code of Federal Regulations (10 CFR), Section 19.13(c)(1) (10 CFR 19.13(c)(1)).

² See 10 CFR 20.1502, which requires NRC licensees to monitor occupational exposure to radiation by adults likely to receive, in 1 year from sources external to the body, a dose in excess of 10 percent of the limits in 10 CFR 20.1201(a).

³ See 10 CFR 19.13(c)(2).

- The Industrial Commission of Arizona (ICA) published a pamphlet entitled, "Workers' Compensation Information for the Injured Worker," which may provide insight for filing a workers' compensation claim. The ICA's contact information is included on the front page of the pamphlet.

As stated above, the NRC does not have jurisdiction over VA claims or workers' compensation claims; therefore, the information we provide in this letter in that regard is to be used for information only. We encourage you to contact the relevant agencies whose missions include your concerns to determine the proper way to proceed with your claims.

Your letter did not describe the nature of your workers' compensation claim; therefore we are unsure if the cause is the result of a nuclear or radiological material safety issue. If you believe that violations of NRC rules or the terms of the license have occurred, or if you have a safety concern, you should report them immediately to APS because the licensee has the primary responsibility for, and is most able to ensure, safe operation of nuclear facilities. You may also report violations or safety concerns directly to the NRC. If you choose to report your concern directly to the NRC, you may report it to an NRC inspector, or call or write to the NRC Regional Office serving your area. The enclosed NRC Form 3 contains contact information for the various NRC office locations. Palo Verde is located in NRC Region IV. Additionally, you may report your concern to the NRC Allegation Program. If you send your concern in writing, it will assist the NRC in protecting your identity if you clearly indicate that you would like your concern to be considered by the NRC Allegation Program. The NRC's toll-free Safety Hotline for reporting safety concerns is 1 (800) 695-7403. You can also e-mail safety concerns to NRC.Allegation@nrc.gov.

I hope you find this information useful. If you have any questions, please contact me at (301) 415-1564 or via e-mail at Siva.Lingam@nrc.gov.

Sincerely,

/RA/

Siva P. Lingam, Project Manager
Plant Licensing Branch IV
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Enclosures:

1. VA Information Sheet on Ionizing Radiation
2. Workers' Compensation Information for the Injured Worker
3. NRC Form 3, "Notice to Employees"

SUBJECT: DALE LYNCH, MEMBER OF THE PUBLIC, RESPONSE LETTER RE:
 DISABILITY AND VERIFICATION OF ELIGIBILITY FOR VETERAN AFFAIRS
 HEALTHCARE BENEFITS DATED NOVEMBER 26, 2018

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ADAMS Accession No.:	Ticket Package	ML18192C162
	Letter	ML18299A034
	Enclosure 1	ML18299A072
	Enclosure 2	ML18299A073
	Enclosure 3	ML18331A348

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DATE	11/26/18				

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Enclosure 1

(ADAMS Accession: ML18299A072)

Enclosure 2

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Enclosure 3

(ADAMS Accession: ML18331A348)