

November 7, 2003

Dr. Dobson, President
Southeast Missouri State University
One University Plaza
Cape Girardeau, MO 63701

SUBJECT: NRC OFFICE OF INVESTIGATIONS REPORT No. 3-2002-039

Dear Dr. Dobson:

This letter refers to an investigation conducted by the U.S. Nuclear Regulatory Commission (NRC), Office of Investigations (OI) to determine if a professor was discriminated against for raising safety concerns to the NRC. Based on the evidence developed during the investigation, we did not substantiate the issue. The synopsis from the OI report of investigation is enclosed.

If you have any questions or comments regarding this matter, please contact James Heller or Andrea Kock of the NRC Region III staff at telephone number (630) 829-9500.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter, its enclosure, and your response, if any, will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).

You should note that final NRC documents, including the final OI report, may be made available to the public under the Freedom of Information Act (FOIA) subject to redaction of information pursuant to the FOIA. Requests under the FOIA should be made in accordance with 10 CFR 9.23, Request for Records. The instructions for making a request for information under the FOIA are accessible at <http://www.gov/reading-rm/foia/foia-request.html>.

Sincerely,

/RA/ Kenneth O'Brien for

Marc L. Dapas, Director
Division of Nuclear Materials Safety

Enclosure: OI Synopsis

cc w/enclosure: AMS File No. RIII-2002-A-0179

*SEE PREVIOUS CONCURRENCE

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**For permission to release OI synopsis.

SYNOPSIS

The U.S. Nuclear Regulatory Commission (NRC), Office of Investigations (OI), Region II (RII), initiated this investigation on October 16, 2002, to determine if a professor at the Southeast Missouri State University (SEMO), Cape Girardeau, Missouri, was discriminated against by the Dean of Science and Mathematics, SEMO, for reporting safety concerns to the NRC. Additionally, OI:RII was tasked with determining the presence of a chilling effect.

Based upon the evidence, documentation, and testimony developed during this investigation and coordination with the Region III OI Field Office Director and Regional Counsel, the allegation that the Dean of Science and Mathematics, SEMO, discriminated against a SEMO professor for reporting safety concerns to the NRC was unsubstantiated. Additionally, there was no evidence to support the presence of a chilling effect.