



UNIVERSITY OF MISSOURI

Research Reactor Facility

Research Park  
Columbia, Missouri 65211  
Telephone: (314) 882-4211  
Facsimile: (314) 882-3443

October 27, 1994

Director, Office of Enforcement  
U. S. Nuclear Regulatory Commission  
ATTN: Document Control Desk  
Washington, D. C. 20555

REFERENCE: EA 94-121

SUBJECT: Reply from William F. Reilly as referenced in the Demand for Information

Dear Sir:

This is a written statement invited by the September 12, 1994 US NRC Region III Notice of Violation and Proposed Imposition of Civil Penalties - \$8,000 and Demand for Information (U. S. Department of Labor Case Nos. 94-ERA-034 and 94-ERA-036) concerning events at the University of Missouri Research Reactor (MURR). On September 16, 1994, NRC Region III approved an extension of the required reporting date to October 31, 1994.

I am fully aware of my responsibilities and obligations to perform my duties in compliance with NRC regulations and license requirements, and I have taken the following actions to alleviate any real or perceived "chilling effect" on MURR employees with regard to reluctance to report safety issues and/or fear of retaliation for reporting same.

Excerpts of an April 30, 1993 memo written by me about Dr. Zinn's April 7, 1993 complaint of retaliation for engaging in protected activities to the U S Department of Labor were published in the July 20, 1994 issue of the Columbia Daily Tribune. To correct any misunderstanding that may have occurred in the minds of MURR employees who read the excerpts in the paper, I distributed a July 26, 1994 memo to the entire MURR Staff clearly stating my support of regulations which prohibit discrimination against workers for raising safety issues, and encouraging the reporting of any safety related concerns.



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I was concerned by the Independent Safety Assessment Team finding that there is a significant chilling effect and fear of retaliation among MURR employees. As a result, I have personally spoken to each employee under me in the MURR organization (27 people) asking them if they have any concern about reporting safety related issues and if they fear retaliation for doing so. They have all been very open with me, but in case any had a reluctance to speak candidly I urged them to report such concerns and assured them that there would be absolutely no retaliation for doing so and that each of their concerns would be taken seriously and acted upon. I assured myself that they all knew of the Safety Log in Services Applications which allows anonymous reporting of safety concerns if they want to avail themselves of that option.

Except for one person (discussed further below), the responses have been very reassuring that there is absolutely no concern, perceived hindrance, or fear of retaliation. For the most part, these employees are enthusiastically participating in initiatives which have been instituted by the Services Engineer and other members of Services Applications to report and resolve any safety concerns. As mentioned above, these initiatives include the opportunity for expressing safety concerns anonymously if anyone is so inclined. Employees have been empowered to participate in the resolution of concerns that are brought up, and a feedback system has been established to ensure that concerns or suggestions are not ignored or perceived as being ignored.

During my discussions, one person with considerable prior work experience in industry volunteered to share "Safety Committee By-laws" from that person's previous employment to assist in developing an improved program at MURR. This was typical of the positive attitudes of practically all to whom I talked. This person, who is mature and enjoys the confidence of many younger employees, volunteered a personal role as an intermediary/ombudsman for safety related concerns, although the person was not aware of any reluctance on the part of employees to report such concerns. I encouraged such an informal role as another alternate to the anonymous reporting system to increase possible avenues for reporting; to maintain or, if necessary, restore confidence that MURR is a completely open and unintimidating organization; and to demonstrate that concerns would receive attention.

The one person exception mentioned above spoke very openly and is willingly participating in the initiatives described above. However, that person wants to be shown results from the

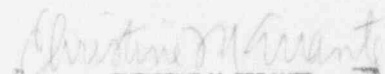
initiatives before endorsing them with enthusiasm, and that person did not seem fully convinced that retaliation would not be exercised for reporting safety concerns. That person was aware of the anonymous reporting option, and I assured that person at length that there would be absolutely no retaliation for reporting safety concerns and that all of MURR management urges personnel to report safety concerns. I will continue to contact that person, and others, to ensure that our commitments to openly reporting and resolving safety concerns and to no vestiges of retaliation for such reporting are honored, effective, and credible.

Yours truly,



William F. Reilly  
Assistant Director

cc: Regional Administrator, USNRC Region III  
NRC Assistant General Counsel for Hearings and Enforcement  
Mr. S. Weiss, NRC/NRR  
Reactor Advisory Committee  
J. McCormick  
J. Rhyne



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