



U. S. Chemical Safety and Hazard Investigation Board

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Board Member

May 15, 2002

Board Action Report

Notation No.: 183

Voting Period: May 10, 2002 – May 17, 2002

Subject: Final Sunshine Act Rule

Whereas,

1. The Government in the Sunshine Act ("Sunshine Act"), 5 U.S.C. § 552b, furthers a policy of openness in official decision-making by, among other things, establishing standards for publicizing and permitting access to agency meetings, and for closing meetings to the public under certain conditions;
2. The Sunshine Act requires agencies to which it applies to promulgate regulations, after opportunity for public comment, implementing the Act's requirements;
3. The Chemical Safety and Hazard Investigation Board (CSB), as an agency headed by a collegial body whose members are appointed by the President and confirmed by the Senate, is subject to the requirements of the Sunshine Act;
4. The CSB's Inspector General has recommended that the agency publish regulations in compliance with the Sunshine Act;
5. The Board, by Notation Item 167B (April 2, 2002), adopted a revised proposed Sunshine Act rule and authorized its publication in the Federal Register;
6. The proposed Sunshine Act rule was published in the Federal Register of April 8, 2002 (67 FR 16670) and no comments on the rule were received during the 30-day comment period;
7. The attached draft final Sunshine Act rule, to be published in the Federal Register upon Board approval, sets forth policies and procedures for the implementation of the Act within the CSB, and is identical to the proposed rule except for one technical correction; and
8. The Board, by Notation Items 167 (March 25, 2002) and 167B, voted to be bound by the provisions of the CSB proposed Sunshine Act rule until such time as a final rule takes effect;

Therefore, pursuant to its authority under 42 U.S.C. § 7412(r)(6)(N), the Board hereby votes to adopt the attached draft final Sunshine Act rule as the CSB final Sunshine Act rule, and authorize its immediate publication in the Federal Register.

The Board further votes, pursuant to the same authority cited above, to make the provisions of the attached CSB final Sunshine Act rule binding upon itself during the interim period until the final rule takes effect, 30 days after the date of its publication in the Federal Register.

Approval Date: 5/14/02

	<u>Approve</u>	<u>Disapprove</u>	<u>Not Participating</u>	<u>Withhold</u>
Isadore Rosenthal	x			
Gerald Poje	x			
Andrea Taylor	x			