



U.S. Chemical Safety and Hazard Investigation Board

SUBJECT: EXECUTIVE AND ADMINISTRATIVE FUNCTIONS OF THE BOARD

CONTENTS

1.	Purpose.....	2
2.	Effective Date.....	2
3.	Scope.....	2
4.	References.....	2
5.	Policy.....	2
6.	Specific Authority.....	2
7.	Restrictions.....	3
8.	Exclusions.....	3
9.	Redelegation.....	4

1. **PURPOSE.** This Order establishes the manner in which the Board shall exercise its executive and administrative functions through the position of the Chairperson.
2. **EFFECTIVE DATE.** This Order is effective upon passage by the Board.
3. **SCOPE.** This Order applies to the Board and its individual Members.
4. **REFERENCES.** This Order is based upon 42 U.S.C. § 7412(r)(6)(B) and (N).
5. **POLICY.** The Chairperson exercises the executive and administrative functions of the Board either directly or through delegations of authority to employees as described in this order.
6. **SPECIFIC AUTHORITY.** Upon being sworn into office, the Chairperson shall exercise the executive and administrative functions of the Board, and possesses the following specific authorities:

a. **Personnel Administration**

- 1) Authority over all personnel matters and personnel actions, including, but not limited to, the appointment and supervision of staff employed by the U.S. Chemical Safety and Hazard Investigation Board (CSB), except that the appointment of the head of any major administrative unit of the CSB or of the Chief Operating Officer of the CSB requires a majority vote of the Board.
- 2) Authority over the distribution of business among the personnel employed by the CSB and among the administrative units of the CSB.

b. **Use and Expenditure of Funds**

- 1) Authority to control the use and expenditure of funds, including the power to authorize and execute contracts and interagency transfers in an amount not to exceed \$50,000.
- 2) Authority to control the preparation of the CSB budget, except that final approval of the budget and submission or transmission of the budget as described in 42 U.S.C. § 7412(r)(6)(R) requires a majority vote of the Board.

c. **Settlement Authority**

After prior consultation with the Board Members, General Counsel, and Director of Financial Operations, authority to take all appropriate action, including but not limited to the execution of agreements and the expenditure of funds in an amount necessary, to settle and resolve pending or potential claims against the CSB. Such matters include disputes of any kind within the authority of the CSB to settle or resolve by written agreement, including but not limited to those which may be

filed or have been filed with administrative agencies that process or adjudicate federal employment disputes. Administrative claims under the Federal Tort Claims Act are processed in accordance with 40 C.F.R. § 1620. The Chairperson's settlement authority under this provision is not limited by section 8 of this Order or the provisions of other Board Orders.

d. Investigations

Authority to authorize the initiation of an accident investigation and the deployment of investigators, subject to a vote by the Board to recall the investigators and cancel the investigation.

e. Conduct of Board Meetings

Authority to preside at meetings where a quorum of Board Members is present, consistent with the Sunshine Act and the CSB regulations implementing the Act.

f. Official Communications

- 1) Authority to supervise and authorize the response to all inquiries from Congress, the media, and the public concerning the Board and/or the CSB, except as specifically excluded by this Order.
- 2) Authority to supervise the preparation of all official statements and other communications concerning, or on behalf of, the Board and/or the CSB, except as specifically excluded by this Order.
- 3) Authority to make and/or authorize all statements, written communications, and pronouncements on behalf of the Board and/or the CSB, except as specifically excluded by this Order.

7. RESTRICTION ON THE EXERCISE OF THE EXECUTIVE AND ADMINISTRATIVE FUNCTIONS OF THE BOARD.

The Chairperson shall be governed in the exercise of his or her functions by all applicable Federal statutes and regulations and by the regulations, orders, and rules of the Board.

8. **EXCLUSIONS.** All Board business which does not fall within the executive and administrative functions of the Chairperson as described in this Order shall be decided by the Board, in accordance with the relevant provisions of Order 001. Items that must be approved by the Board include, but are not limited to, the following:

- a. Investigation reports;
- b. Safety studies;

- c. Regulations, rules, or orders of the Board;
 - d. Final approval of the budget and submission or transmission of the budget as described in 42 U.S.C. § 7412(r)(6)(R);
 - e. Final approval of the operating budget of appropriated funds;
 - f. Contracts, interagency transfers, or other expenditures exceeding \$50,000;
 - g. Appointment of the head of any major administrative unit;
 - h. Final CSB strategic plans; and
 - i. Statements to Congress or the President on behalf of the Board.
9. **REDELEGATION**. The Chairperson may redelegate any of his or her executive and administrative functions (except presiding at Board meetings) to one or more CSB employees, consistent with all applicable Federal statutes and regulations, and the regulations, orders, and rules of the Board.

U.S. CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

August 5, 2002

Amended, August 8, 2006