

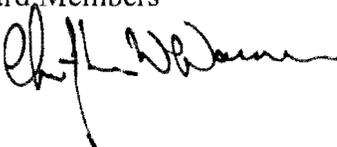


U.S. Chemical Safety and Hazard Investigation Board

Office of General Counsel

Memorandum

To: Chairperson and Board Members

From: Christopher Warner 

Cc: Daniel Horowitz
Steve Selk
Lisa Long

Subject: Board Action Report - Notation Item 375

Date: July 29, 2005

On July 27, 2005, Notation Item 375 was disapproved. This item sought the Board's adoption of the draft investigation report and recommendations on the Honeywell International, Inc. incidents in Baton Rouge, Louisiana. The dissenting statement of Chairperson Merritt is attached to this memorandum. Editorial comments from Member Visscher are also attached. Member Bresland is recused from the Honeywell investigation and did not participate in this vote.

Voting Summary – Notation Item 375

Disposition: DISAPPROVED

Disposition date: July 27, 2005

	Approve	Disapprove	Calendar	Withhold	Not Participating	Date
Chairperson Merritt		X				7/27/2005
Member Bresland					X	7/27/2005
Member Visscher	X					7/26/2005



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Carolyn W. Merritt
Chairman and CEO

July 28, 2005

I am filing a dissenting vote on the Notation Item 375 for the following reason.

I feel it is inappropriate to issue a report from the Board with no recommendation to communicate the findings and recommendations of the report to the employees of the company where the event occurred and to those within the corporation who have similar facilities or operations and processes.

Undersigned by,

Carolyn W. Merritt
Chair and CEO
US Chemical Safety Board

Lisa, Steve

These are the few editorial questions/changes I had on the Honeywell report:

1. on page 13, I think there needs to be an “among them” or something like that added right after “if there was a relationship”. Otherwise the sentence kind of ends hanging.
2. on page 14 I think we need to add the word “enforcement” after “civil and/or criminal” and before “responsibilities”
3. on page 23, second paragraph, it seems to me that we should use “who” rather than “that” as the third word of the paragraph, since we are referring to operators.
4. on page 32, you probably intended this word, but I don’t know what it means, where it refers to a typical process hazard analysis using “qualitative” techniques. If the word is intentional, that’s fine. I just don’t know what it means to use qualitative techniques.
5. on page 44 it refers to OSHA issued “final citations” I would delete the word “final” since that is not as far as I know a meaningful term in this context. They are OSHA citations that later become final orders if they are not contested.
6. this one might be more substantive, though I hope not. on page 86, the recommendation to the HFIPI. I don’t have a problem with recommending that they develop best practice guidance, but why do we say they have to conduct a survey of members in order to do that. Maybe they want to appoint a committee to put it together or whatever. From some trade association experience, I would say that a survey may be not be the best method to use for something like this – but perhaps this recommendation is based on what they have already indicated they want to do, in which case, ok. Otherwise I would keep the reference to developing best practice guidance but delete the reference to the survey.