



## Chemical Safety and Hazard Investigation Board

### Office of General Counsel

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#### Memorandum

To: Board Members  
From: Christopher Warner   
Cc: Leadership Team  
Subject: Board Action Report – Notation Item 894  
Date: December 9, 2011

On December 7, 2011, the Board approved Notation Item 894, thereby amending Board Order 040, *Investigation Protocol*, by adopting the revisions to Procedure B of Order 040, as proposed by the item, and a new Procedure G, as proposed by the item.

#### Voting Summary – Notation Item 894

**Disposition: APPROVED**

**Disposition date: December 7, 2011**

	Approve	Disapprove	Calendar	Not Participating	Date
R. Moure-Eraso	X				11/30/2011
J. Bresland	X				12/7/2011
M. Griffon	X				12/6/2011



U.S. Chemical Safety and Hazard Investigation Board

MEMORANDUM

November 30, 2011

To: Board Members  
From: Rafael Moure-Eraso  
Cc: Leadership Team  
Subject: Notation Item 894

A handwritten signature in cursive script, appearing to read "Rafael Moure-Eraso", written over the printed name in the "From:" field.

Attached for your review and vote is Notation Item 894. This item provides for the adoption of amendments to the CSB Investigation Protocol, Board Order 040.

One of the proposed amendments consists of revisions to a current section of Order 040, Procedure B. The revisions add new language to that procedure addressing employee memberships in outside organizations to which the CSB may issue recommendations. These new provisions reiterate the requirements of existing ethics standards and specify responsibilities for CSB personnel to review their outside affiliations with respect to each new investigation. The revisions also make some minor changes and clarifications to the language of the current provisions of Procedure B.

The proposed new provisions on employee memberships in outside organizations that may be CSB recommendations recipients would complete the CSB's response to a recommendation from the Inspector General ("IG") to update Order 040 to address such memberships. The IG recommendation does not appear to be based on any specific issue or problem, but rather seems to be a suggestion designed to prevent issues from arising in the future. The CSB accepted the IG recommendation and committed to updating Order 040.

The other proposed amendment included in this item is the addition of a new Procedure G to Order 040, which addresses the use of causal analysis in CSB investigations.

Questions about the revisions to Procedure B should be directed to Chris Warner, and questions about the new Procedure G should be directed to Daniel Horowitz. Please return your completed vote sheets to Chris Kirkpatrick by the close of business on December 7, 2011. Thank you for your attention to this item.

**U.S. Chemical Safety and  
Hazard Investigation Board**



**Hon. Rafael Moure-Eraso**  
Chairperson

**Hon. John S. Bresland**  
Board Member

**Hon. Mark Griffon**  
Board Member

**CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD  
MEMBER VOTING RECORD**

**Notation No.: 894**

**Voting Period: November 30 – December 7, 2011**

Subject: Amendments to Board Order 040, *Investigation Protocol*

Whereas,

1. Board Order 040 (adopted by Notation Item 425 on March 31, 2006) establishes the investigation protocol for the CSB;
2. Attachment A to this item sets out proposed revisions to Procedure B of Order 040, for the purpose of adding provisions to address employee memberships in outside organizations to which the CSB may issue recommendations, and making other minor changes; and
3. Attachment B to this item sets out a proposed new section (Procedure G) to be added to Order 040, for the purpose of addressing the use of causal analysis in CSB investigations.

Therefore, the Board, pursuant to its authority under 42 U.S.C. § 7412(r)(6)(N), hereby votes to amend Board Order 040, *Investigation Protocol*, by adopting the revisions to Procedure B of Order 040, as shown in Attachment A to this item, and the new Procedure G, as shown in Attachment B to this item.

\_\_\_\_\_ I **APPROVE** this notation item **AS PRESENTED**.

\_\_\_\_\_ I **CALENDAR** this notation item for discussion at a Board meeting.

\_\_\_\_\_ *Some of my concerns are discussed below or on the attached memorandum.*

\_\_\_\_\_ I **DISAPPROVE** this notation item.

\_\_\_\_\_ *A dissent is attached.*

\_\_\_\_\_ *I will not file a dissent.*

\_\_\_\_\_ I am **NOT PARTICIPATING**.

Date: \_\_\_\_\_

Member: \_\_\_\_\_