Note on Notation Items 199 – 203:

The recommendation status changes originally slated to be considered through Notation Items 199 – 203 were instead discussed and voted upon at a public meeting on July 31, 2002. No notation items were actually circulated. The attached meeting transcript (including a copy of the Federal Register notice for the meeting) documents the disposition of these matters.
DEPARTMENT OF AGRICULTURE
Forest Service

Del Norte County Resource Advisory Committee

AGENCY: Forest Service, USDA.

ACTION: Notice of meeting.

SUMMARY: The Del Norte County Resource Advisory Committee (RAC) will meet on August 6, 2002 in Crescent City, California. The purpose of the meeting is to select Title II projects under Public Law 106–393, H.R. 2389, the Secure Rural Schools and Community Self-Determination Act of 2000, also called the “Payments to States” Act.

DATES: The meeting will be held on August 6, 2002 from 6 to 8:30 p.m.

ADDRESSES: The meeting will be held at the Elk Valley Rancheria Community Center, 2298 Norris Avenue, Suite B, Crescent City, California.

FOR FURTHER INFORMATION CONTACT: Laura Chapman, Committee Coordinator, USDA, Six Rivers National Forest, 1330 Bayside Way, Eureka, CA 95501. Phone: (707) 441–5549. E-mail: lchapman@fs.fed.us.

SUPPLEMENTARY INFORMATION: This will be the tenth meeting of the committee and will focus on selecting Title II projects. The meeting is open to the public. Public input opportunity will be provided and individuals will have the opportunity to address the committee at that time.

Dated: July 10, 2002.
S.E. ‘Lou’ Woltering,
Forest Supervisor.

[FR Doc. 02–18029 Filed 7–15–02; 2:04 pm]
BILLING CODE 3530–01–P

DEPARTMENT OF COMMERCE
International Trade Administration

[A–580–813]

Notice of Preliminary Results of Antidumping Duty New Shipper Review; Stainless Steel Butt-Weld Pipe Fittings From Korea

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

ACTION: Notice of Preliminary Results of Antidumping Duty New Shipper Review.

SUMMARY: In response to a request from TK Corporation, the Department of Commerce (the Department) is conducting a new shipper review of the antidumping duty order on stainless steel butt-weld pipe fittings from Korea. This new shipper review covers imports of subject merchandise from TK Corporation. The period of review is February 1, 2001 through July 31, 2001.

EFFECTIVE DATE: July 17, 2002.

FOR FURTHER INFORMATION CONTACT: Fred Baker, Michael Hesney, or Robert James, AD/CVD Enforcement, Group III, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230, telephone: (202) 482–2924, (202) 482–4475, or (202) 482–0649, respectively.

SUPPLEMENTARY INFORMATION:

Applicable statute and regulations:

Unless otherwise indicated, all citations to the Tariff Act of 1930, as amended (the Tariff Act) are references to the provisions effective January 1, 1995, the effective date of the amendments made to the Tariff Act by the Uruguay Round Agreements Act (URAA). In addition, unless otherwise indicated, all citations to the Department’s regulations are to 19 CFR Part 351 (April 1, 2001).

Background

On February 23, 1993, the Department published the antidumping duty order on stainless steel butt-weld pipe fittings from Korea. See Antidumping Duty Order: Certain Welded Stainless Steel Butt-Weld Pipe Fittings from Korea, 58 FR 11029 (February 23, 1993). On August 31, 2001, TK Corporation, a producer and exporter of the subject merchandise during the period of review (POR), requested that the Department conduct an antidumping duty new shipper review of the antidumping duty order. TK Corporation certified it did not export subject merchandise to the United States during the period of the investigation (POI) (December 1, 1991 through May 30, 1992), and that it was not affiliated with any exporter or producer of the subject merchandise to the United States during the POI. TK Corporation also submitted documentation establishing the date on which it first shipped the subject merchandise for export to the United States, the volume shipped, and the date of the first sale to an unaffiliated customer in the United States. On October 5, 2001, the Department initiated a new shipper review of the antidumping duty order on stainless steel butt-weld pipe fittings from Korea. See Stainless Steel Butt-Weld Pipe Fittings from Korea: Notice of Initiation of New Shipper Antidumping Duty Review, 66 FR 51017 (October 5, 2001). On October 12, 2001, the Department issued its antidumping duty questionnaire. On November 9, 2001, the Department received TK Corporation’s Section A response to the questionnaire; TK Corporation filed its Sections B and C responses on November 30, 2001. On January 22, 2002, the Department issued a Sections A-C supplemental questionnaire, to which TK Corporation responded on February 6, 2002.

On April 3, 2002 the Department extended the time limit for completion of the preliminary results. See Notice of Extension of Time Limit of Preliminary
UNITED STATES OF AMERICA

CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

Wednesday,
July 31, 2002

The Board met in Room 400, 2175 K Street, N.W., Washington, D.C., at 10:00 a.m., Dr. Gerald Poje, presiding.

BOARD MEMBERS PRESENT:

DR. GERALD POJE

DR. ANDREA KIDD TAYLOR

DR. ISADORE ROSENTHAL

CHRISTOPHER WARNER, General Counsel

CHARLES JEFFRESS, CHIEF OPERATING OFFICER
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you.

MR. JEFFRESS: Thank you.

DR. POJE: With that, I'd like to just briefly review today's agenda. Our two major purposes today, one is to review the status of activities in our Investigations and Safety Programs area, and one very major portion of that will be focusing in on staff recommendations to the Board for declaring the status of ongoing recommendations to the industry that grows out of our investigative work. The second will be a report from Charles about the strategic planning for the Agency, particularly for Fiscal Year 2003.

So, with that, I'd like to introduce Bill Hoyle, Director of Investigations and Safety Programs area. Bill?

MR. HOYLE: Thank you, Dr. Poje. Good morning, everyone. We have five presentations by the Office of Investigations and Safety Programs this morning. A number of them will be brief, but I want to lead with Don Holmstrom, who is our senior person in our recommendations work, who will talk about, as Dr. Poje explained, developments in our recommendations work since our last public meeting. Then we will have four updates on investigations that we're currently conducting.
First, we will have Kevin Mitchell, one of our Investigators, who will talk about our investigation at Motiva Enterprises in Delaware, and then Kevin will also talk about our investigation in New York City of Kaltech Industries. Then we will have John Murphy, the lead Investigator for reactives hazards investigation. And then, lastly, we'll have Lisa Long, who is our lead Investigator on the Georgia Pacific investigation of an incident that took place in Alabama.

So, without further delay, I'll bring Don Holmstrom up to talk about our recommendations work.

MR. HOLMSTROM: Thank you, Good morning to the Board. Thank you, Bill.

(Slide)

My name is Don Holmstrom. I'm going to talk today about recommendations status. The Recommendations Program of the CSB not only participates in the development of recommendations, but just as importantly advocates for tracks and helps ensure the completion of the recommendations that are issued by the Board.

The recommendations of the Chemical Safety Board are issued and closed only by a vote of the Board Members. Safety recommendations are the primary
tool used by the Board to motivate implementation of safety improvements to prevent future incidents.

We use our unique independent accident investigation perspective to identify trends or issues that might otherwise be overlooked. CSB recommendations may be directed to corporations, trade unions, trade associations, safety organizations, and other entities, for recommendations begin the process that eventually saves lives and protects the environment.

(Slide)

At today's meeting, CSB staff will present the Board proposed status assignments for recommendations from several completed CSB investigations. The assignments include categories that specify whether or not the recommendation was successfully adopted, and if it is open or closed. The Board will carefully consider the staff proposals and take appropriate action.

(Slide)

We also have a summary of recommendations activity to date. Currently, we have 81 recommendations have been issued by the Chemical Safety Board. We have 33 recommendations that have been closed by the Board to date, and today we are
proposing status designations for six recommendations, and the status categories that we are recommending or proposing today are six for "Closed-Acceptable Action".

(Slide)

The first incident and recommendation I'm going to talk about today arose out of the Union Carbide incident that occurred in Hahnville, Louisiana in March of 1998. In the Union Carbide incident, one worker was killed and another was seriously injured due to a nitrogen asphyxiation in a temporary enclosure that was formed by placement of a sheet of plastic over an open end of a 48-inch pipe.

At the time of the incident, the workers were performing an inspection inside the pipe. The report found there were no warning signs that were placed near the pipe entrance identifying it as a possible confined space, or warning that the atmosphere inside the pipe could contain a potentially hazardous atmosphere.

The CSB found that the open pipe incident might not have been easily identified as meeting the OSHA definition of a confined space because the means of exit, in this case through a plastic sheet, may not have been perceived as being restricted or limited.
which is an OSHA regulatory requirement. However, the report concluded that if Union Carbide had used permit required confined space entry procedures for this temporary enclosure, the incident would likely have been prevented.

The CSB issued a recommendation to Union Carbide to issue a safety alert that addresses the hazards and provides safety guidelines for the use of temporary enclosures that are erected around equipment containing hazardous substances.

DR. TAYLOR: Don, that was a recommendation to OSHA instead of Union Carbide.

MR. HOLMSTROM: Yes -- I'm sorry -- to OSHA. I apologize. The CSB found that temporary enclosures might not fit the OSHA definition of a confined space, or be perceived as falling under those requirements. Consequently, the CSB made this recommendation to OSHA.

OSHA produced a Technical Information Bulletin entitled "Exposures to Hazards Associated With Temporary Enclosures". In the bulletin, OSHA addresses a number of types of hazards that may be present in temporary enclosures and confined spaces, with an emphasis on hazardous atmospheres, including oxygen-deficient atmospheres. The bulletin also
addresses the hazards of nitrogen as an asphyxiant in a temporary enclosure and confined space.

(Slide)

Where temporary enclosures do not meet the regulatory definition of a confined space, OSHA recommends that the confined space requirements be followed to the extent possible. OSHA states that the bulletin has been widely disseminated to OSHA's Regional Offices, State designees, consultation programs managers, and posted on OSHA's Website along with a PowerPoint presentation of the bulletin.

OSHA issues the Technical Information Bulletins to provide information about occupational hazards or to address noteworthy procedures, practices and research. OSHA emphasizes that the Technical Information Bulletins are not standards or regulations, and do not create any legal obligations.

The staff proposes that the recommendation be assigned the status of "Closed-Acceptable Action". Does the Board have any questions concerning this proposal?

DR. TAYLOR: I don't.

DR. POJE: No. Irv?

DR. ROSENTHAL: No.

DR. POJE: I just want to make the
observation that I think while it's not a regulatory requirement, it still is on the pathway towards advocating prevention, and I think this is a significant step to enable those who might access such information to better protect the workforce that's in their facilities. I do support the recommendation.

One of my suggestions is I would like to vote on all of these matters today, here in public, but vote on them en bloc so that we'll hear all of them first and, with your agreement, I suggest that Don proceed with the other four items and we'll take a vote after that.

Should we act, as I anticipate we will today, Don, I also would want you and Charles to consider us making available through our Website the same information so that those who might be following the Web for chemical safety through the Chemical Safety Board might also avail themselves of the same information that's now located on the Website and OSHA. So, please consider that as well.

MR. HOLMSTROM: Okay. Thank you.

(Slide)

The next recommendation is to the American Petroleum Institute. There were two recommendations that were the same out of the Sonat and Tosco reports...
that API communicate the findings of the Sonat and Tosco reports to their membership.

(Slide)

API noted that they communicated the final report through a number of channels, including their Website, their Environmental Health and Safety Newsletter, at public meetings, and at API committee meetings.

The staff proposes this recommendation be assigned a status of "Closed-Acceptable Action".

DR. ROSENTHAL: Do they actually have the report on their Website, Don?

MR. HOLMSTROM: No, they don't have the report on their Website. They have communicated the existence of the report on their Website.

DR. ROSENTHAL: Okay.

MR. HOLMSTROM: And we have a communication from them detailing the items -- the actions they have taken.

DR. ROSENTHAL: Well, it might be useful - - of course, the whole report is rather lengthy -- to consider at least having the Findings and Recommendations posted. I think the members would find that useful.

MR. HOLMSTROM: Thank you. Any other
comments or questions?

(No response.)

(Slide)

The next recommendation status is the Paper, Allied-Industrial and Energy Workers International Union, PACE. The Chemical Safety Board made a recommendation out of the Morton and Tosco reports for PACE to communicate the findings of this report to your membership. PACE noted in their recommendations response letter that they had communicated the final report from both incidents through a number of channels, including Joint Health and Safety Committee and Education Committee. A detailed synopsis of both incidents appeared in the editions of the PACEsetter. Their response also indicated they are using the reports as educational material in PACE training.

The staff proposes a recommendation be assigned the status of "Closed-Acceptable Action".

DR. POJE: Here, again, I would just make the observation that I think it's important from the Board's vantage point that all parties who can potentially enhance prevention should be appealed to for getting the information out. I'm happy to see that the PACE Union has tackled this and that you are
considering that to be an acceptable set of actions.

Our hope, though, is that the circumstances that surrounded both of these incidents, while occurring at a particular day and a particular time, still have meaning to people far beyond the completion of our investigative and recommendation work. So, I would just urge us, in our continued communications with the PACE Union, that the one-time communication of the findings from this and the lessons learned from these incidents might prove beneficial in an ongoing way to their staff, and may need to be revisited in the future so that it is not just a one-time-only look at this and absorb it. New members will be coming in, people who may not have received that earlier communication, and we want them to be benefitted in a preventative way from the same information.

DR. TAYLOR: One example could be, you know, to use this as an ongoing health and safety training tool case study learning, something along that line.

MR. HOLMSTROM: They indicated in their response letter that both reports are being incorporated into their training material and will be utilized for future training both amongst the rank-
and-file as well as joint health and safety committees.

DR. POJE: Thank you.

(Slide)

MR. HOLMSTROM: CSB made a recommendation to the National Petrochemical and Refiners Association, NPRA, from the TOSCO reports to communicate the findings of that report to their membership.

(Slide)

The NPRA noted that they communicated the report at a meeting of their Fire and Accident Prevention Committee, which is responsible for the annual NPRA National Safety Conference. The report was communicated as part of the Best Practices/Lessons Learned session of the conference.

The staff proposes this recommendation be assigned the status of "Closed-Acceptable Action".

Any comments or questions?

DR. POJE: Thank you.

(Slide)

MR. HOLMSTROM: The highlights today are six recommendations are proposed to be closed out successfully, and I think the big highlight of today's recommendations status report is that OSHA -- the CSB
recommendation went to OSHA issuing a Technical Information Bulletin that covers temporary enclosures, which is a topic, a significant topic, that has not been addressed previously by existing OSHA guidance.

DR. POJE: Thank you, Don. Are there any other questions from the Board Members?

(No response.)

Then I would like to move that we accept the recommendation from the staff to apply the status for these six recommendations as "Closed-Acceptable".

DR. TAYLOR: Second.

DR. POJE: All in favor, say "aye".

(Ayes.)

DR. POJE: Okay. Thank you. I would like to make just one follow-up comment to those recommendations. Don, it is obvious that we will continue to be pursuing "communicate this to your membership" type recommendation. I think we are gaining now significant experience that expresses the range of options that people might employ, some of them, I think, as Andrea raised, leading to embedding them in an ongoing training program. have a much deeper value, I believe, to those organizations, and some of them communicating one time at an annual meeting, would have value but of a lesser, more