



U.S. Chemical Safety and Hazard Investigation Board

Office of General Counsel

Memorandum

To: Board Members
From: Christopher Warner *Ch Warner*
Cc: Leadership Team
Subject: Board Action Report – Notation Item 587
Date: October 25, 2007

On October 25, 2007, the Board disapproved Notation Item 587, which would have designated Recommendation 1998-001-I-NV-R15 with the status of Open-Acceptable Response, and Recommendation 1998-001-I-NV-R16 with the status of Closed-Acceptable Action. Both recommendations are to the U.S. Department of Defense (Army), from the Sierra investigation. Dissenting statements from Board Members Wright and Wark are attached to this memorandum.

Voting Summary – Notation Item 587

Disposition: DISAPPROVED

Disposition date: October 25, 2007

	Approve	Disapprove	Calendar	Withhold	Not Participating	Date
G. Visscher					X	
W. Wark		X				10/11/2007
W. Wright		X				10/10/2007

Notation No.: 587

Subject: Status Change - Recommendations 1998-001-I-NV-R15 and R16

Therefore, pursuant to its authority, the Board hereby votes to designate Recommendation 1998-001-I-NV-R15 with the status of **Open-Acceptable Response** and Recommendation 1998-001-I-NV-R16 with the status of **Closed-Acceptable Action**.

I APPROVE this notation item AS PRESENTED.
 Minor editorial suggestions are marked on attached pages.

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. **below.**
 I will not file a dissent.

I am NOT PARTICIPATING.

Date: 10 Oct 2007

Member: William E. Wyle

Both recommendations should be Closed-Acceptable Action.
The Asst Sec of the Army (ESOH) has stated that
future contracts will include "buyer beware" language
and the Army MAY NOT sell explosives under contract
for years to come. Keeping the action as Open-Acceptable
is unrealistic and burdens us to track something
that MAY ~~never~~ ^{Never} happen in the future (ARMY MAY
Never sell explosives). We should close both.
W.E.W.

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 Minor editorial suggestions are marked on attached pages.

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: 10/11/07

Member: W. Thomas B. Wark

I believe both should be "Closed-Acceptable."
I discussed this at length w/ Member Wright
and concur w/ his rationale in the matter of
1998-001-1-NV-R15.