Memorandum

To: Board Members
From: Christopher Warner
Cc: Leadership Team

Subject: Board Action Report – Notation Item 719
Date: October 20, 2009

On September 15, 2009, Notation Item 719 was calendared. This item would have changed the status of certain recommendations to the BP Texas City Refinery from the BP Texas City investigation, as follows:

2005-04-I-TX-R14, R15, R16, and R20 to Open-Acceptable Response;
2005-04-I-TX-R17 and R19 to Closed-Acceptable Action; and

Mr. Wright’s comments on the item are attached to this memorandum.

Voting Summary – Notation Item 719

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<th>Disposition: CALENDARED</th>
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<td>Disposition date:</td>
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<td>September 15, 2009</td>
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<thead>
<tr>
<th>Approve</th>
<th>Disapprove</th>
<th>Calendar</th>
<th>Not Participating</th>
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<tr>
<td>J. Bresland</td>
<td>X</td>
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<td>9/10/2009</td>
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<td>G. Visscher</td>
<td>X</td>
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<td>9/14/2009</td>
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<td>W. Wark</td>
<td>X</td>
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<td>9/3/2009</td>
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<td>W. Wright</td>
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Therefore, pursuant to its authority, the Board hereby votes to designate Recommendations:

- **2005-04-I-TX-R14, R15, R16, and R20** with the status of **Open-Acceptable Response**;
- **2005-04-I-TX-R17 and R19** with the status of **Closed-Acceptable Action**;
- **2005-04-I-TX-R18** with the status of **Open-Awaiting Response**.

___ 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.
___ I will not file a dissent.

___ I am NOT PARTICIPATING.

Date: **15 Sep 2009**

Member: **[Signature]**

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**PACKAGE SPEAKS TO BR3 CASE (WHICH IS STILL OPEN) AND STATES REVIEW OF THIS CASE (BR3) WILL SHED LIGHT ON THE EFFECTIVENESS OF THE RESPONSES OF THIS NOTATION ITEM; ACCORDINGLY WE SHOULD REVIEW THAT REPORT (BR3) TO ENSURE A FULL ASSESSMENT IS MADE.**