Memorandum

To: Board Members

From: Christopher Warner

Cc: Manuel Gomez
Rachael Gunaratnam
Christina Morgan

Subject: Board Action Report – Notation Item 801

Date: October 22, 2010


Voting Summary – Notation Item 801

Disposition: APPROVED
Disposition date: September 23, 2010

<table>
<thead>
<tr>
<th>Name</th>
<th>Approve</th>
<th>Disapprove</th>
<th>Calendar</th>
<th>Not Participating</th>
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<tr>
<td>R. Moure-Eraso</td>
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<td>J. Bresland</td>
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Notation No.: 801
Voting Period: September 21 – October 5, 2010


Whereas,

1. The Board is authorized by 42 U.S.C. § 7412(r)(6)(C)(i) to “investigate . . . and report to the public in writing the facts, conditions, and circumstances and the cause or probable cause of any accidental release resulting in a fatality, serious injury or substantial property damages;”

2. The Board is also authorized by 42 U.S.C. § 7412(r)(6)(F) to “conduct research and studies with respect to the potential for accidental releases . . . where there is evidence which indicates the presence of a potential hazard or hazards;”

3. The Board is further authorized by 42 U.S.C. § 7412(r)(6)(C)(ii) to “issue periodic reports to the Congress, Federal, State and local agencies, including the Environmental Protection Agency and the Occupational Safety and Health Administration, concerned with the safety of chemical production, processing, handling and storage, and other interested persons recommending measures to reduce the likelihood or the consequences of accidental releases and proposing corrective steps to make chemical production, processing, handling and storage as safe and free from risk of injury as is possible;”

4. The Board has issued such recommendations to the American National Standards Institute Z400.1 Committee based upon the findings of the Board’s Combustible Dust Hazard Study and Barton Solvents-Kansas investigation, respectively;

5. Consistent with Order 022, the Board is to vote on changes to the status of recommendations;

6. The staff of the Office of Recommendations proposes that the status of the above-named recommendations should be changed, as described in the attached Recommendation Response Evaluation.
Therefore, pursuant to its authority, the Board hereby votes to designate Recommendations 2006-01-H-R6 and 2007-06-I-KS-R3 with the status of Closed-Acceptable Action.

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: ____________________