



Chemical Safety and Hazard Investigation Board

Office of General Counsel

Memorandum

To: Board Members

From: Christopher Warner *Chris Warner*

Cc: Manuel Gomez
Rachael Gunaratnam
Christina Morgan

Subject: Board Action Report – Notation Item 802

Date: October 22, 2010

On September 23, 2010, the Board approved Notation Item 802, thereby designating Urgent Recommendation 2010-12-I-NC-UR1, to the National Fire Protection Association (from the ConAgra-Garner Investigation), with the status of Open-Alternative Response.

Voting Summary – Notation Item 802

Disposition: APPROVED

Disposition date: September 23, 2010

	Approve	Disapprove	Calendar	Not Participating	Date
R. Moure-Eraso	X				9/20/2010
J. Bresland	X				9/30/2010
M. Griffon				X	
W. Wark	X				9/23/2010
W. Wright	X				9/22/2010



Chemical Safety and Hazard Investigation Board

Rafael Moure-Eraso, Ph.D., CIH
Chairperson and CEO

John S. Bresland
Board Member

Mark Griffon
Board Member

William B. Wark
Board Member

William E. Wright
Board Member

CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD MEMBER VOTING RECORD

Notation No.: 802

Voting Period: September 21 – October 5, 2010

Subject: Status Change – Urgent Recommendation to the National Fire Protection Association (2010-12-I-NC-UR1) from the ConAgra-Garner Investigation (2009-12-I-NC)

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 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;”
3. The Board has issued such a recommendation, on an urgent basis, to the National Fire Protection Association based upon the findings of the Board’s ConAgra-Garner investigation;
4. Consistent with Order 022, the Board is to vote on changes to the status of recommendations;
5. The staff of the Office of Recommendations proposes that the status of the above-named urgent recommendation should be changed, as described in the attached Recommendation Response Evaluation.

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Notation No.: 802
Subject: Status Change – Recommendation 2010-12-I-NC-UR1

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Therefore, pursuant to its authority, the Board hereby votes to designate Urgent Recommendation **2010-12-I-NC-UR1** with the status of **Open-Alternative Response**.

_____ 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: _____