



# Chemical Safety and Hazard Investigation Board

OFFICE OF GENERAL COUNSEL

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## Memorandum

To: Board Members

From: Kara Wenzel, Acting General Counsel *KW*

Cc: Leadership Team  
Mark Kaszniak, Senior Recommendations Specialist  
Veronica Tinney, Recommendations Specialist

Subject: Board Action Report – Notation Item 2017-34

Date: March 8, 2017

On March 7, 2017, the Board approved Notation Item 2017-34, thereby rescinding all prior versions of Board Order 046, and adopting a new Board Order 046, the CSB “Advocacy Program and Drivers of Critical Chemical Safety Change.”

### Voting Summary – Notation Item 2017-34

**Disposition: APPROVED**

**Disposition date: March 7, 2017**

	Approve	Disapprove	Calendar	Not Participating	Date
<b>M. Ehrlich</b>	X				3/07/2017
<b>R. Engler</b>	X				3/02/2017
<b>K. Kulinowski</b>	X				3/02/2017
<b>V. Sutherland</b>	X				3/03/2017



# U.S. Chemical Safety and Hazard Investigation Board

**SUBJECT: Advocacy Program / Drivers of Critical Chemical Safety Change**

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1. **PURPOSE.** This Order establishes the U.S. Chemical Safety and Hazard Investigation Board’s (CSB) *Advocacy Program* and as a part of that, the *Drivers of Critical Chemical Safety Change Program*,<sup>1</sup> also known as the Critical Drivers List. The overall goal of the program is to drive chemical safety change to protect people and the environment. As a result of and in concurrence with this program and its goal, CSB safety recommendations will also be brought to acceptable closure. The Advocacy Program includes the following processes:

- a. Establish the CSB advocacy priorities in a collaborative manner;
- b. Identify the most important drivers of chemical safety improvement in the form of a Critical Drivers List;
- c. Establish the CSB’s messages/proposed actions customized for each advocacy priority to various audiences/venues;
- d. Target audiences and venues upon which to focus special advocacy efforts by Board Members and staff; and
- e. Monitor and assess data on the impacts of the Advocacy Program to determine its effectiveness and as a part of a continual improvement process.

As a general rule, active advocacy is preferred over passive advocacy activities. As described in this Order, the extent of CSB advocacy activities will depend upon the resources available. This Order provides policy guidance for the conduct of the Advocacy Program, but does not include specific guidance on developing, approving, and publishing written, video, and social media material.

2. **EFFECTIVE DATE.** This Order is effective upon passage by the Board.

3. **BACKGROUND AND AUTHORITY.** 42 U.S.C. §7412(r)(6)(C)(ii) assigns the CSB the responsibility to “issue periodic reports to the Congress, Federal, State and local agencies [...] 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 [...].”

Guided by our core values, the CSB conducts investigations, studies, and research, and produces reports concerning chemical incidents and hazards (or potential hazards). Preventive, mitigative, and/or corrective recommendations are issued to various parties based upon the findings, analysis, and conclusions from the various CSB products with the primary goal of preventing similar incidents in the future. These CSB products serve as the foundation for the Advocacy Program.

4. **DEFINITIONS.**

- a. **Advocacy Priorities** – A list of important topics/issues selected by CSB staff gleaned from incidents that the CSB has investigated, studied, or about which it has conducted

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<sup>1</sup> Previously called the “Most Wanted Chemical Safety Improvements Program.”

extensive research. Additionally, unresolved items from the Critical Drivers List may be transitioned to the list of advocacy priorities when opportunities for safety change are limited/reduced. These items may also be returned to the Critical Drivers List should opportunities for safety change increase for some reason.

- b. **Critical Drivers List** – A list of critical safety improvements approved and championed by the Board for intensive advocacy and heightened awareness. The list will be based primarily on CSB recommendations and their potential to drive chemical safety change at the national level when implemented. The selection criteria for the Critical Drivers List will consider information such as:
  - (1) The nature of the risk and estimated extent of exposure to workers, offsite populations, and the environment;
  - (2) Previous loss and potential for future loss of life, injury, environmental damage, or damage to property;
  - (3) Very high risks disproportionately affecting discrete but highly identifiable groups of individuals (e.g., a narrow sector of industry, or certain specialized workers facing a very high probability of risk); and
  - (4) Strong concerns of specific sectors of a community, stakeholders, etc.
- c. **Active Advocacy** – Proactive, targeted advocacy activities that include selecting one or more established advocacy priorities to present, targeting specific audiences and venues, and developing general or customized messaging to deliver to those audiences/venues.
- d. **Passive Advocacy** – Evaluating and responding to meeting requests that are reviewed and approved via Outreach Vetting Form (CSB-BF-003).

**5. POLICY.**

- a. CSB staff will develop, maintain, and update the CSB’s advocacy priorities, which will include the Critical Drivers List.
- b. CSB staff will target audiences and venues upon which to focus special advocacy efforts by Board Members and staff.
- c. CSB staff will establish the CSB’s messages/proposed actions customized for each advocacy priority for various audiences/venues that were targeted or that requested CSB to make a presentation.
- d. At least once per fiscal year, the Board will vote to revise or affirm the Critical Drivers List based upon factors such as: a review of the advocacy activities of the previous year, new incidents, staff advice, newly arising or emerging opportunities for driving safety change or making other significant impact, and others. Each Board Member will choose at least one Critical Drivers List item to champion actively with associated advocacy efforts.

- e. The Critical Drivers List and the other advocacy priorities will be published on the CSB website and through other means, such as videos, speeches, and printed materials.
- f. Board Members and staff will forward all outreach and advocacy activities and invitations to the Office of Congressional and Public Affairs and to Board Affairs to process/address.
- g. All external presentation requests (passive advocacy) will be reviewed by the appropriate Board Members and staff to ensure there are no conflicts of interest and that the audience/venue is an appropriate use of CSB resources.
- h. Targeted audiences/venues that the CSB has committed to attend must be attended in the manner agreed, barring exigent circumstances such as a government shutdown.
- i. Advocacy priority items and a developed message should be included in CSB presentations. For Board Member presentations, the Critical Drivers List and/or specific Critical Drivers List items should be presented as part of a developed CSB message.
- j. Board Members and staff will advocate for the items on the Critical Drivers List (and the other advocacy priorities, as appropriate) through these and similar tools/methods:
  - (1) Web announcements, safety videos, press releases, press conferences, interviews, editorials, safety alerts, op-eds, rulemaking comments, training/awareness materials, and social media;
  - (2) Provide testimony at Federal, state, or local legislative, administrative, and rulemaking hearings, and similar venues; and
  - (3) Feature the Critical Drivers List in Board and staff speeches at meetings, conferences, and workshops, especially before groups that may advance the implementation of issues on the list.
- k. The Advocacy Program will be used to inform the CSB's deployment decisions and strategic allocation of staff resources.

**6. RESPONSIBILITIES.**

- a. Board Members will:
  - (1) Annually vote on the selection of the Critical Drivers List;
  - (2) Select one or more specific Critical Drivers List items to champion for associated advocacy efforts through speeches, editorials, scientific and other articles, interviews, contacts with potentially influential stakeholders, press conferences, videos, and similar activities;
  - (3) Prioritize active advocacy over passive advocacy when developing outreach and advocacy schedules; and
  - (4) Funding permitting, each Board Member will attend at least 2 events per quarter to support active advocacy efforts.

b. Staff Offices will:

(1) Office of Recommendations.

- (a) Act as the primary staff office responsible for coordinating the implementation and execution of the Advocacy Program;
- (b) Annually prepare a Critical Drivers List for a Board vote;
- (c) Identify, recommend, and participate in advocacy opportunities consistent with available resources;
- (d) Recommend updates to the Critical Drivers List, as necessary;
- (e) Collaborate with the Offices of Congressional and Public Affairs, Board Affairs, Investigations, and others, as appropriate, in the execution of the Advocacy Program; and
- (f) Assist, as needed, in preparing speeches, articles, editorials, and similar written pieces, electronic publications, audio-visual materials, etc., for other staff and Board Members.

(2) Offices of Congressional and Public Affairs and Board Affairs.

- (a) Prepare and distribute written, audio-visual, and other relevant materials to encourage coverage of the Advocacy Program priorities and appropriate messaging;
- (b) Contact media sources to encourage coverage of the Advocacy Program priorities and appropriate messaging;
- (c) Post the Advocacy Program priorities, messaging, and other related information on the CSB website and update it, as needed;
- (d) Coordinate the passive advocacy process;
- (e) Prior to their presentations, ensure presenters have the necessary Advocacy Program priority information and the most current applicable messaging for the audience/venue. Remind presenters to request attendee information and/or lists in order to expand the CSB list of potential audiences/venues for targeting;
- (f) Oversee Advocacy Program information management (e.g. Outreach Vetting Forms, conference/meeting attendee lists, etc.);
- (g) Board Affairs will track Board Member events for subsequent analysis of impact and effectiveness;
- (h) Board Affairs will identify and assist in resolving Board Member scheduling conflicts for advocacy events; and
- (i) Collaborate with the offices of Recommendations and Investigations in establishing CSB advocacy priorities, targeting audiences/venues, and developing appropriate messaging.

(3) Office of Investigations.

- (a) Collaborate with the Offices of Recommendations, Congressional and Public Affairs, and Board Affairs in establishing CSB advocacy priorities, targeting audiences/venues, and developing appropriate messaging;
- (b) Provide subject matter experts, as needed, for specific advocacy priorities;
- (c) Support advocacy activities through testimony, hearings, contacts with recipients and potential supporters, public presentations, interviews, and similar activities as resources allow; and
- (d) Assist, as needed, in preparing speeches, articles, editorials, and similar written pieces, electronic publications, audio-visual materials, briefing memos, etc., for other staff and Board Members.

c. Presenters.

- (1) For passive advocacy, submit a completed Outreach Vetting Form (CSB-BF-003) to Board Affairs to distribute for clearance/approval;
- (2) Coordinate with the Offices of Recommendations, Congressional and Public Affairs, and Board Affairs to ensure they have consistent presentation material/information;
- (3) Acquire attendee information at the venue to provide to the Offices of Congressional and Public Affairs and Board Affairs; and
- (4) Update the [SharePoint Staff Outreach List](#). (Board Affairs will track the activities of Board Members.)

7. **REVIEW AND UPDATE**. The Office of Recommendations (in consultation with the Chairperson) will be responsible for reviewing this Order on a biennial basis and for proposing revisions to the Board when appropriate.

**U.S. CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD**

June 12, 2012.

March 7, 2017.