Memorandum

To: Board Members
From: Christopher Warner
Cc: Leadership Team
Subject: Board Action Report – Notation Item 747
Date: March 26, 2010

On February 12, 2010, the Board approved Notation Item 747, thereby adopting and authorizing the issuance of the Safety Bulletin entitled, “Seven Key Lessons to Prevent Worker Deaths During Hot Work in and Around Tanks.” Comments submitted by Board Members Wark and Wright with their respective votes are attached to this Board Action Report.

Voting Summary – Notation Item 747

Disposition: APPROVED
Disposition date: February 12, 2010

<table>
<thead>
<tr>
<th></th>
<th>Approve</th>
<th>Disapprove</th>
<th>Calendar</th>
<th>Not Participating</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>J. Bresland</td>
<td>X</td>
<td></td>
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<td>2/12/2010</td>
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<tr>
<td>W. Wark</td>
<td>X</td>
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<td>2/12/2010</td>
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<tr>
<td>W. Wright</td>
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<td>X</td>
<td>2/12/2010</td>
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</tbody>
</table>
Therefore, the Board hereby votes to adopt, and to authorize the issuance of, the attached Safety Bulletin entitled, “Seven Key Lessons to Prevent Worker Deaths During Hot Work In and Around Tanks.”

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.

Note: An urgent notation item is either adopted or disapproved when the affirmative or negative votes of a majority of the participating members are received by the Office of General Counsel.

Date: 2/12/10

Member: William B. Work

Type under picture Philip Sracek Corp., pg 6, Balance. It should read "an" October, not "a".

An outstanding product! Well done to you and his team.
Therefore, the Board hereby votes to adopt, and to authorize the issuance of, the attached Safety Bulletin entitled, "Seven Key Lessons to Prevent Worker Deaths During Hot Work In and Around Tanks."

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.

X I am NOT PARTICIPATING. (Comment attached)

Note: An urgent notation item is either adopted or disapproved when the affirmative or negative votes of a majority of the participating members are received by the Office of General Counsel.

Date: February 12, 2010

Member: William E. Wright

I am not participating as I have several questions and concerns about the document that I have not been able to discuss with the Investigative Supervisor or his team as they are currently engaged in another deployment in CT, and I just returned from travel. First I am curious as to why this is an "urgent" Notation item, as this document was first circulated months ago? Second, I am not sure supervision of contractors is a lesson that should be included as it suggests no one can be trusted to do what they were contracted to do and that "supervising them" (not defined) will ensure adequate resolution of issues. I prefer to have discussed the contents prior to going to a vote, but as travel schedules and investigative demands have prevented such an opportunity I have chosen to not participate.