



Chemical Safety and Hazard Investigation Board

Office of General Counsel

Memorandum

To: Board Members

From: Christopher W. Warner

Cc: Leadership Team
Rachael Gunaratnam
Christina Morgan

Subject: Board Action Report – Notation Item 812

Date: December 16, 2010

On December 6, 2010, the Board approved Notation Item 812, thereby designating Recommendation 2008-05-I-GA-R9, to Risk and Insurance Management Society, Inc. (from the Imperial Sugar Company Investigation), with the status of Closed-Reconsidered.

Voting Summary – Notation Item 812

Disposition: APPROVED

Disposition date: December 6, 2010

	Approve	Disapprove	Calendar	Not Participating	Date
R. Moure-Eraso	X				11/23/2010
J. Bresland	X				11/30/2010
M. Griffon	X				12/6/2010
W. Wark	X				11/24/2010
W. Wright ¹		X			11/23/2010

¹ Dissent attached.

Dissent of Board Member Wright:

This recommendation was predicated on the fact that this organization had previously alerted its members to the hazards associated with aluminum dust based on the Hayes Lemmerz case where we said on page 52 of our Imperial Sugar Report “The CSB made a formal recommendation to the Risk Insurance Management Society, Inc. to “communicate the findings and recommendations of [the Hayes Lemmerz] report to your members” (CSB, 2005). In response to the recommendation the organization posted a link to the CSB investigation on its website in December 2005, a link that was later removed. Additionally, its website contains no information about risks associated with combustible dust in the workplace.” I believe we should not be closing this recommendation based on the number of members they will or will not reach with the message but rather that the message be sent warning others of the risks here. They clearly demonstrated an ability to do so in the Hayes Lemmerz case and should be capable of doing so now. It appears to be inconvenient for them now. Our recommendations are not based on how convenient it is for the entity to process the information but rather on the need to process the information in order to reduce the risks of catastrophic events from occurring. In this case we clearly believed RIMS should once again communicate the risks associated with combustible dust. Accordingly, I vote in the negative on this notation item which redesignates this case “closed reconsidered” based in part on it being too hard for RIMS to accomplish.