




U.S. Chemical Safety and Hazard Investigation Board

MEMORANDUM

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April 6, 2022

To: Board Members

From: Katherine A. Lemos   
Chairman

Through: David LaCerte  
Senior Advisor and Executive Counsel

Cc: Leadership Team  
Mark Kaszniak, Senior Recommendations Specialist

Subject: Notation Item 2022-18

Per Board Order 001, subsection 8.e., Notation Item 2022-18 proposes that Notation Item 2022-14 be withdrawn for reasons explained by Board Member Owens. Please see his attached e-mail.

If you have any questions, please contact Senior Advisor and Executive Counsel, David LaCerte. Please return your completed vote sheets to Assistant General Counsel Michele Bouziane **as soon as possible**, but no later than the close of business on April 13, 2022. Remember to sign and date your vote sheet. Thank you for your attention to this item.

**Katherine A. Lemos**  
Chairperson and Member

**Sylvia Johnson**  
Board Member

**Steve Owens**  
Board Member



**CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD  
MEMBER VOTING RECORD**

**Notation No.: 2022-18**

**Voting Period: April 6, 2022 – April 13, 2022 (however, we are requesting your vote as soon as possible)**

Subject: Withdrawal of Notation Item 2022-14

Whereas,

1. Notation Item 2022-14 was distributed to the Board on April 1, 2022, and the voting sheet is due April 8, 2022;
2. Notation Item 2022-14 provided for a Status Change to recommendation 2011-H-1-R3 from the Public Safety at Oil and Gas Storage Facilities safety study (2011-H-1);
3. The recommendation to the Oklahoma Corporation Commission proposed a status change of “Closed – Unacceptable Action/No Response Received”;
4. Board Member Owens has raised issues with the CSB’s practice of closing recommendations because of inaction or unresponsiveness of the recipient;
5. The Board, as presently constituted, has not yet had discussions about this CSB practice;
6. Board Order 001, subsection 8.e., authorizes a Member to withdraw a notation item;
7. Board Member Owens proposes that Notation Item 2022-14 be withdrawn from the Board’s consideration; and
8. Board Member Owens’s proposal is attached.

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**U.S. Chemical Safety and  
Hazard Investigation Board**

Notation No.: 2022-18

Subject: Status Change – Withdrawal of NI 2022-14

[continued from preceding page]

Therefore, the Board hereby votes to withdraw Notation Item 2022-14.

\_\_\_\_\_ 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: \_\_\_\_\_

**From:** [Owens, Stephen](#)  
**To:** [LaCerte, David](#)  
**Cc:** [Klejt, Stephen](#)  
**Subject:** Request to Remove the Proposed Status Change for Recommendation 2011-H1-R3 from Notation  
**Date:** Tuesday, April 5, 2022 12:38:48 PM  
**Attachments:** [image001.png](#)

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David:

I request that the proposed status change for recommendation 2011-H-1-R3 to the Oklahoma Corporation Commission in the Public Safety at Oil and Gas Storage Facilities study be removed from notation.

I previously have raised issues with the CSB's practice of simply closing recommendations due to inaction or unresponsiveness by a party without more, and I believe that changes are needed to the way in which the CSB handles recommendations designated as "Closed – Unacceptable Action/No Response Received". Because we have not yet had the opportunity to discuss the matter substantively (or taken steps toward making any changes), I request that the proposed status change for recommendation 2011-H1-R3 be removed from notation at this time.

Steve Owens

**Member, U.S. Chemical Safety and Hazard Investigation Board**

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