



U.S. Chemical Safety and Hazard Investigation Board

MEMORANDUM

May 20, 2011

To: Board Members

From: Rafael Moure-Eraso

A handwritten signature in cursive script that reads "Rafael Moure-Eraso".

Cc: Leadership Team

Subject: Notation Item 852

Attached for your review and vote is Notation Item 852. This item provides for the convening of a Board public meeting to consider and vote on the investigation report and recommendations on the January 2010 incidents at the DuPont plant in Belle, West Virginia. The item also provides for the adoption of a rule of procedure applicable to the meeting.

You may direct any questions about this item to Daniel Horowitz. Please return your completed vote sheets to Chris Kirkpatrick as soon as possible, but no later than the close of business on June 6, 2011. Thank you for your attention to this item.

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



Hon. Rafael Moure-Eraso
Chairperson

Hon. John S. Bresland
Board Member

Hon. Mark Griffon
Board Member

Hon. William B. Wark
Board Member

Hon. William E. Wright
Board Member

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

Notation No.: 852

Voting Period: May 20 – June 6, 2011

Subject: Public Meeting to Consider Investigation Report on the DuPont-Belle, WV Incidents

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. CSB staff have prepared a proposed investigation report, including recommendations, based upon their investigation of three incidents that occurred in January 2010, at the DuPont plant in Belle, West Virginia;
4. Board Order 028 provides that investigation reports are to be approved by the Board;
5. The Board desires to hold a public meeting for the purpose of considering, and voting on the approval of, the proposed investigation report and recommendations on the DuPont Belle, WV, incidents; and
6. The attached proposed rule of procedure is intended to provide for the orderly conduct of the public meeting on the investigation report.

Notation No.: 852
Subject: Public Meeting to Consider Investigation Report on the DuPont-Belle, WV Incidents

Therefore, the Board hereby votes, pursuant to its authority, to:

- (a) Convene a public meeting in the Charleston, WV, metropolitan area, on a weekday evening between June 1 and June 30, 2011, for the purpose of considering, and voting on the approval of, the proposed investigation report and recommendations on the DuPont Belle, WV, incidents;
- (b) Authorize the Chairperson to choose the exact date for this meeting, in consultation with the other Board Members, who will identify a minimum of five available dates in the month of June and forward these to the Chairperson within two days after the approval of this item; and
- (c) Adopt the attached rule of procedure for application to the public meeting on the DuPont Belle incidents investigation report.

_____ 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: _____

CSB Public Meeting -Final Report on Incidents at DuPont, Belle, West Virginia

1. Meeting Agenda

Item	Presenter	Estimated Time (min.)
Introductory Remarks	Chairperson	5
Opening Statements	Board Members	2 per member
Presentation of Staff Draft Report	Investigation Team	75
Board Questions	Board Members	5 per member
Public Comments	Public	3 per commenter
Board Consideration of Report	Board Members	20
Closing Remarks and Adjournment	Chairperson	2

2. Motions in Order

The following motions shall be considered to be in order at the meeting:

- a. A motion to approve the draft report and recommendations on the DuPont incidents, as presented by the staff;
- b. A motion to return the draft report and recommendations on the DuPont incidents to the staff, with or without instructions; and
- c. A motion to add, delete, or modify proposed safety recommendations contained in the staff draft report on the DuPont incidents; provided the following conditions are satisfied:
 - any such motion shall have been provided to the General Counsel for distribution to all the board members at least five business days prior to the scheduled date of the public meeting; and
 - any such motion shall contain the proposed text of any proposed amendment to a safety recommendation.

3. Motions Out of Order

Notwithstanding any provision of Board Order 001 or Robert's Rules of Order, any motion not specifically listed above under "Motions in Order," including any motion to amend the rules or agenda for the meeting, shall be out of order.

4. Presiding Official

The Chairperson shall have sole authority to conduct the meeting, call for a motion, and rule on any point of order.