



**Office of Recommendations**

**Fiscal Year 2010  
Closed Recommendations  
Follow-Up Report**

**August 6, 2010**

# Fiscal Year 2010 Closed Recommendations Follow-Up Report

## Background

Section 7.d. of CSB Board Order 22 requires the CSB to periodically conduct a survey, or equivalent follow-up, of selected major closed recommendations to ascertain continued adherence by recipients to the recommendations' objectives, whether conditions have changed, and, at the discretion of the Board to investigate other matters of interest to the CSB in relation to the effectiveness of its recommendations.

The follow-up of closed recommendations will:

- Be conducted every five years, with the first to be completed in FY 2010;
- Focus on a sample of major recommendations, defined as those with a clear potential to reduce risk for issues of national importance
- Ascertain the extent in which recipients are adhering to CSB recommendations by methods such as questionnaires, site visits, interviews, review of relevant sources of information, and other methods as appropriate
- Investigate ways through which the CSB can improve adherence to recommendations and generally improve their effectiveness; and
- Be issued as a report to the Board

## Methodology

A report containing a listing of all closed recommendations from the CSB TRIM Recommendations database from January 2007<sup>1</sup> until September 30, 2009 was obtained. The list contained a total of 78 closed recommendations. Ten of the 78 closed recommendations were eliminated from the potential pool for follow-up because their closed status was listed as either: unacceptable, no longer applicable, or reconsidered/superseded. Prior to selection, the closed recommendations were grouped into one of seven categories: Fix Corporate, Fix Site, Communicate, Issue/Modify Industry or Consensus Standard, Issue/Modify Regulation, Conduct Research and Other. The breakdown of recommendations according to these categories was as follows:

<b>Breakdown of Follow-Up Recommendations</b>	<b>Number</b>	<b>Percentage</b>
Fix Corporate	26	38%
Fix Site	7	10%
Communicate	13	19%
Industry/Consensus Standard	13	19%
Federal/State Regulation	8	12%
Research	0	0%
Other <sup>2</sup>	1	1%
Total	68	100%

<sup>1</sup> This start date was selected because an earlier IG audit (Report 2007-P-00010) had followed up on CSB recommendations issued prior to this period

Next, the thirteen closed recommendations in the industry/consensus standard category were eliminated as candidates to be selected for follow-up because it is extremely unlikely that after successfully implementing changes to these standards, the standards development organizations who were responsible for implementing them would “go back” on those changes.

Approximately 10 percent (7) of the remaining recommendations were then selected for follow-up<sup>2</sup>. The criteria for selection of the recommendations to be followed-up were to choose from a variety of the categories focusing on those recommendations that were likely to have a major and continuing impact to the recipients based on the criteria listed in Board Order 22. Thus the following recommendations were selected for follow-up:

<b>No.</b>	<b>Recommendation</b>	<b>Company (Successor)</b>	<b>Category</b>	<b>Subject</b>
1	2004-10-I-IL-R2	Formosa Plastics Corp	Fix Corporate	Periodic Audits PVC facilities
2	2007-1-I-NC-R2	ST Mobile Aerospace	Fix Corporate	Policies for hazardous waste
3	2002-2-I-IN-R1	Bethlehem (Mittal)	Fix Site	Work authorization program
4	2002-2-I-NY-R9	OSHA – Region II	Regulatory	Compliant/Referral System
5	2003-9-I-KY-R12	Borden (Hexion)	Communicate	Communicate resin dust hazards
6	2004-1-I-IN-R8	Ajax Tocco	Communicate	Communicate aluminum dust
7	1999-2-I-LA-R2	Sonat (El Paso)	Fix Corporate	Pressure relief on equipment

Consequently, the recommendations that were selected for follow-up deal with a variety important issues designed to reduce risk, such as: periodic audits of facilities in a large corporation manufacturing highly hazardous chemicals; warnings to customers concerning the hazards of combustible dust; appropriate corporate policies for proper handling of hazardous waste; ensuring that oil well equipment is fitted with appropriate pressure relief devices; maintaining an effective complaint/referral system between building inspectors and OSHA to warn of hazards; and ensuring a major steel mill maintains a work authorization program for conducting hazardous work.

Following the selection of the recommendations to be followed up, a survey questionnaire containing five questions was prepared and mailed to each recipient. An example of a survey sent is attached as an Appendix to this report. The first question of the survey asked if the recipient is continuing to implement the CSB recommendation. If not, the recipient was asked to provide a brief explanation of why. The second question asked if the method of implementing the CSB recommendation had changed in any way since the Board informed the recipient that the recommendation had been closed. If any changes had been made, then the recipient was asked to explain them. The third question asked if the CSB recommendation had impacted other operations or activities of the recipient. Again, if they did, the recipient was asked to briefly describe them. The fourth question asked if the recipient understood the CSB recommendation upon initial receipt. If the recipient did not, he/she was then asked to explain. The fifth question asked if the CSB’s expectations regarding the actions needed to successfully close the recommendation were clear. If not, the recipient was asked to explain.

---

<sup>2</sup> Recommendations Department staff considered this to be an adequate sample based on the number of recommendations available for follow-up. For comparison, the IG looked at 35 of 176 closed recommendations during its previous study.

A cover letter signed by the Director of Recommendations was enclosed with each survey. The cover letter explained the purpose of the survey and asked recipients to return it in provided postage paid envelope within 30 days of receipt. Follow-up e-mails were sent to recipients who failed to return the survey within the 30 day response period reminding them to return the survey. In case they misplaced the cover letter and survey, an Adobe PDF containing a copy of the original cover letter and the survey was attached to the e-mail.

Copies of all letters, surveys (initial and completed) along with background preparation materials and this report were/will be entered into the recommendations TRIM database which was slightly modified so that it could handle and store this information.

## **Survey Results**

The CSB received responses from all seven (100%) of the follow-up questionnaire surveys that were mailed. This response rate exceeds historical response rates to mail surveys conducted by nonprofit associations (e.g., 48-70%)<sup>3</sup>.

### **Question 1 – Are CSB Recommendations Still In Effect?**

All survey respondents (100%) noted that they continue to adhere to the closed recommendation, although one respondent noted that his company has not sent out copies of its safety notice concerning the hazards of handling combustible aluminum dust in its equipment because the firm has had no new customers for this equipment since the notice was distributed in September of 2008. Another respondent indicated that the program for implementing the CSB recommendation struggled for a period of time, but was revitalized in mid-2009 when the company's safety program was reviewed by senior management.

### **Question 2 – Any Changes Made to the Implementation of the Recommendation Since Closure?**

Four out of seven (57%) survey respondents indicated that no changes had been made to the implementation of the CSB recommendation since it had been closed by the Board. The other three respondents (43%) noted that their programs are periodically updated and revised.

### **Question 3 – Impact on Other Operations and Facilities**

Five out of seven (71%) survey respondents indicated that the CSB recommendation had no impact on other operations or facilities. One respondent indicated that it has confirmed and verified with all its subsidiary companies that appropriate waste handling procedures are in place. Another respondent noted that results of audits conducted on highly hazardous facilities were shared with the workforce and the Board of Directors.

---

<sup>3</sup> Hager *et al.*, "Response Rates for Mail Surveys of Nonprofit Organizations: A Review and Empirical Test," *Nonprofit and Voluntary Sector Quarterly*, vol. 32, no. 2, June 2003, pages 252-267.

#### **Question 4 – Understanding of the CSB Recommendation upon initial receipt**

All survey respondents (100%) noted that they understood the CSB recommendation upon initial receipt.

#### **Question 5 – CSB Expectations Clear Regarding Actions Needed For Successful Closure**

All survey respondents (100%) believed that the CSB clearly communicated the agency's expectations for the actions that they needed to take to successfully close the recommendation.

### **Conclusions**

The 2010 Recommendations Follow-Up Survey reinforces the findings from the 2007 IG Audit that CSB recommendations continue to be followed by recipients after the CSB Board has notified the recipient that the recommendation has been successfully closed. The audit results also suggest that implementation of CSB recommendations tends not to change after the recommendations have been closed and that in some cases recommendations can have an impact on facilities and operations beyond their original intent. Also, the survey responses indicate that CSB recommendations are clearly understood by recipients when they initially receive them and that the recipients also understand what responses are expected from them to successfully close the recommendations.

The conduct of this survey involved approximately 100 person hours of staff time. While modest, the conclusions yield little information of value with regard to prevention of hazards at a national level. A more useful exercise for the CSB would be to conduct surveys to ascertain whether nationally significant changes have come about as a result of CSB recommendations. For example, a CSB “before and after” survey of changes that have come about from major recommendations made to the refinery industry would yield far more valuable information about the impact of the CSB's work and the fulfillment of its preventive mission.

# Appendix A

## Example Survey

# 2010 Recommendations Follow-Up Survey

Recommendation Number: 2004-10-I-IL-2

Recommendation Recipient: Formosa Plastics Corporation USA

## Survey Questions:

1. Are FPC USA PVC manufacturing facilities still being periodically audited?  YES  NO

a. If not, briefly explain why: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. Has this audit program changed since the recommendation was first implemented?  YES  NO

a. If so, please briefly describe how: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. Are audit findings being shared with the workforce at the facilities being audited and with the FPC USA Board of Directors?  YES  NO

a. If not, please explain: \_\_\_\_\_  
\_\_\_\_\_

4. Did you understand the CSB implementation clearly upon receipt?  YES  PARTLY  NO

a. If partly or not, please explain: \_\_\_\_\_  
\_\_\_\_\_

5. Were the CSB expectations regarding the actions needed to successfully close this recommendation clear to ST Mobile staff?  YES  PARTLY  NO

a. If partly or not, please explain: \_\_\_\_\_  
\_\_\_\_\_