




# U.S. Chemical Safety and Hazard Investigation Board

## Office of General Counsel

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### Memorandum

To: Susan Casper

From: Christopher Kirkpatrick 

Cc: Manuel Gomez

Subject: Board Action Report – Notation Item 333

Date: January 18, 2005

On December 7, 2004, the Board approved Notation Item 333, thereby designating recommendations 2001-03-I-GA-R1 through R3 (to Solvay Advanced Polymers, LLC) (from the BP Amoco investigation) with the status of "Open-Acceptable Response or Alternate Response." One Board Member's editorial comments are attached.

### Voting Summary – Notation Item 333

**Disposition: APPROVED**

**Disposition date: December 7, 2004**

	Approve	Disapprove	Calendar	Withhold	Not Participating	Date
<b>Chairperson Merritt</b>	X					11/22/2004
<b>Member Bresland</b>	X					12/3/2004
<b>Member Visscher</b>	X					12/7/2004

Therefore, pursuant to its authority, the Board hereby votes to designate Recommendations 2001-03-I-GA-R1 through R3 with the status of **Open-Acceptable Response or Alternate Response**.

I **APPROVE** this notation item **AS PRESENTED**.  
 *Minor editorial suggestions are marked on attached pages.*

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**.

I **WITHHOLD** my vote pending staff response to the following comments or proposed revisions and will vote on the revisions after reviewing the staff response.

Date: December 7, 2004

Member: Ray L. Visscher

I have a concern that information we are requesting to close these recommendations is potentially sensitive (new processes, etc.). From my discussions with the General Counsel I understand that as long as information is "voluntarily" submitted, it can likely be protected from disclosure under FOIA. To help insure that our letter to the company does not end up working against us on that score, I request that the GC's office review the letter before it is sent. Thank you

Ray Visscher