



# U. S. Chemical Safety and Hazard Investigation Board

## Office of General Counsel

### Memorandum

To: Chairperson and Board Members  
From: Christopher Warner, General Counsel  
Cc: Charles Jeffress  
Subject: Board Action Report – Notation Item 218  
Date: November 26, 2002

On November 22, 2002, the Board approved Notation Item 218, thereby adopting a proposed rule on transcripts of witness testimony in investigations, and authorizing publication of the rule in the Federal Register. There is one minor editorial change in the final version of the proposed rule document, as requested by Dr. Poje. Specifically, the following sentence has been deleted from the fourth paragraph of the “Supplementary Information” section of the document, “Deposition testimony may also include details about a chemical facility’s operations and vulnerabilities, which could be exploited by terrorists.” This revision has no effect on the substance of the rule; the deleted sentence was merely additional explanatory material. Please let me know if you have any questions about this change. Assuming there are no objections to the editorial change, the Office of General Counsel will submit the proposed rule to the Federal Register on Tuesday, December 3.

### Voting Summary – Notation Item 218

**Disposition: APPROVED**

**Disposition date: November 22, 2002**

	Approve	Disapprove	Calendar	Withhold	Not Participating	Date
<b>Chairperson Merritt</b>	X					11/21/2002
<b>Member Poje</b>	X					11/22/2002
<b>Member Rosenthal</b>	X					11/22/2002
<b>Member Taylor</b>	X					11/26/2002
<b>Member Bresland</b>	X					11/22/2002