



U. S. Chemical Safety and Hazard Investigation Board

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Board Action Report

Notation No.: 85

Voting Period: Urgent Notation Item January 19, 2001 – January 26, 2001, but votes are requested as soon as possible

Subject: **URGENT NOTATION ITEM**

Whereas,

1. The CSB seeks to provide for the orderly and fair conduct of depositions during incident investigations by promulgating procedural rules dealing with attorney misconduct, sequestration of witnesses, and exclusion of counsel;
2. The Board has determined that these rules should be published for public comment as proposed rules because they provide for the possibility of suspension of attorneys from practice before the Board; and
3. The attached draft proposed rule, to be published in the Federal Register upon Board approval, sets out procedures for sanctioning attorneys involved in repeated acts of misconduct, issuing suspensions from practice before the Board, sequestering witnesses, and excluding attorneys from multiple representation;

Therefore, pursuant to its authority under 42 U.S.C. § 7412(r)(6)(N), the Board hereby votes to adopt the attached draft proposed rule and to authorize its immediate publication in the Federal Register.

Approval Date: January 25, 2000

	<u>Approve</u>	<u>Disapprove</u>	<u>Not Participating</u>
Isadore Rosenthal	x		
Gerald Poje	x		
Andrea Taylor	x		