



U. S. Chemical Safety and Hazard Investigation Board
Office of Investigations
MEMORANDUM

To: Board Members Griffon and Rosenberg February 28, 2014

CC: Chairman Rafael Moure-Eraso
Managing Director Daniel Horowitz

From: Investigation Supervisors and Team Leads

Subject: Rebuilding Trust and Communication

Thank you for your February 18, 2014 reply to our memorandum dated February 10, 2014, a document in which we outlined a number of problems and concerns that we believe have contributed to the loss of trust between the agency's investigative leadership/staff and yourselves.

Let us state at the outset that we appreciate, and are even in agreement with, a couple of the broader points you raised. Internal communications within the agency can be improved. This is especially true when you consider the level of activity our agency supports with such a busy staff that has always tried its best to focus its energies first and foremost on supporting investigative deployments and then managing the massive ensuing workload that comes from such activities, despite the agency's small size and limited resources. Additionally, ongoing project management efforts and work planning activities could also be improved, especially with the constant redirection of staff time and attention from one chemical disaster to another; this is particularly challenging considering we have only fifteen FTEs serving as investigators (including supervisors). We are open to discussing new and different ideas with you that could enhance these areas. To that end, we are anxious to meet as soon as possible to resolve all open issues.

However, we understand from Daniel that you state you are both unavailable until mid-April to discuss our concerns. We are very discouraged that neither of you attended the scheduled Board Quorum meeting to discuss our memo on Thursday February 27. We respectfully suggest that such an elongated timeframe before we begin a constructive dialogue is not conducive to resolving the critical issues that remain open. Specifically, our core mission work of issuing investigation reports is currently paralyzed. At present, we are unable to bring the Chevron, Macondo or Tesoro investigative reports to closure due to unresolved issues on the Board, and an unclear path forward pertaining to the safety case. We see that similar roadblocks are likely with cases like West Fertilizer and Freedom Industries where the investigation team has uncovered chemical safety issues of national significance. While we understand the desirability of a face-to-face meeting to discuss such sensitive and important topics, it is difficult for us to believe there is not a single date available for the two of you to make yourselves available over nearly two months. Despite heavy travel schedules for all investigative staff, we are all willing to

prioritize a meeting at any time (including over a weekend) so we can work to resolve our differences, keep our reports on track, and deliver to our stakeholders what they deserve in the performance of the CSB mission.

Moreover, we still have some significant concerns that are not adequately addressed by your reply. We are not going to go through all of them now, and instead we plan to revisit them with you during our forthcoming meeting. But suffice it to say, we do not believe that the factual issues we raised in our letter were responded to in a meaningful way. Blanket denials will not move us forward and rebuild trust. We cannot improve agency communications—something we all support-- when we cannot set a meeting to communicate. Unless there is genuine acknowledgement of the destructive series of events that occurred and agreement that it won't happen again, we fear the conduct will continue and the important work of the CSB will be grievously harmed.

We again implore the Board to make time for a meeting as soon as possible with the investigative leadership team in order to chart a positive course forward. To this end, we propose four WebEx meeting dates and times: 1-4 pm EST (6-9 pm GMT) March 3, 1-4 pm EST March 8, 1-4 EST March 9, and 10-1 pm EST (3-6 pm GMT) March 12.



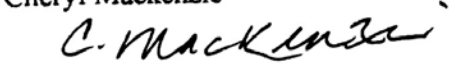

There are obviously a number of issues, and hard feelings, that have been generated by the effective rejection or delay of the Chevron and Tesoro reports. We need to come together quickly and work to resolve our issues in a collaborative manner. This endeavor must trump petty disagreements, interpersonal rivalries, and power struggles. We have to do this for the protection and advancement of our agency's mission, which—at the end of the day—must be everyone's top concern.

Johnnie Banks

Don Holmstrom

Cheryl Mackenzie

Dan Tillema





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