



Deer Park Community Advisory Council

Summary of May 22, 2017 Meeting

Homeland Security in Industry

Deer Park Community Advisory Council (DPCAC) invited Steve Roberts, a chemical Homeland Security consultant, to review the major Homeland Security requirements for industry. Roberts described four main federal security regulations for the chemical and petrochemical industry: Chemical Facility Anti-Terrorism Standards (CFATS), Maritime Transportation Security Act (MTSA), Department of Transportation HM-232, and the Transportation Security Administration (TSA) Rail Security Rule.

Chemical Facility Anti-Terrorism Standards (CFATS) -- If a facility has a chemical of interest above a certain quantity, it must notify the Department of Homeland Security (DHS). DHS assesses risk and then decides whether the facility needs a federally enforced security plan. The law covers manufacturing and storage facilities and other establishments. It focuses on several kinds of chemicals: 1) those that pose a risk due to inhalation or because they are flammable or explosive; 2) those that pose a risk due to their potential to be stolen or diverted for use in chemical weapons, weapons of mass effect, or explosives; 3) those that pose a sabotage risk. CFATS has annual audit and compliance inspection requirements, as well as enforcement and penalties for violations.

Maritime Transportation Security Act (MTSA) applies to waterside entities regulated by the Coast Guard. Its requirements focus on facilities with an active marine dock that interfaces with foreign-flagged vessels. Each MTSA facility has a Facility Security Officer (FSO) and must conduct annual, third party audits of its safety plan. The Transportation Worker Identification Credential (TWIC) program is part of MTSA. It requires a security threat assessment (background check) to determine a person's eligibility to access secure areas of maritime facilities and vessels.

Department of Transportation HM-232 requires a safety plan for anyone shipping hazardous materials by rail, truck, etc. The plan must include information about access control, personnel security, and security *en route*. Entities must conduct a risk assessment and review it annually.

Transportation Security Administration (TSA) Rail Security Rule governs the security of rail transportation of hazardous materials (especially those that pose a "poisonous by inhalation" risk). Facilities that ship or receive these chemicals by rail must maintain chain of custody

information, be prepared to report the location of rail cars at all times, identify a Rail Security Coordinator, report any suspicious activity or concerns, and are subject to spot checks and enforcement.

DPCAC meets again on August 28 to discuss how benzene and 1,3-butadiene are used and managed and how the Texas Commission on Environmental Quality (TCEQ) assesses their risk. Visitors are welcome. For an invitation and details about the 6:00 p.m. meeting, contact the DPCAC facilitator at info@deerparkcac.org. Visit www.deerparkcac.org to read about recent meeting topics, find links to useful resources on emergency communications and the environment, see lists of DPCAC community and plant members, and read our mission and purposes.