



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.

OTHER ITEMS OF INTEREST

Each CAC agenda offers time for Updates of various types. On a set schedule, at each meeting, two or three DPCAC plants provide written updates on safety and environmental performance and business news. At any meeting, plants with significant news make verbal reports. Members report on community activities or ask questions related to the CAC. The CAC also makes decisions on organizational matters as needed. Below are a few highlights from the April 2017 updates, covering from November 2016 to May 2017.

Plants often report injuries or illnesses with the OSHA recordable rate—the rate of injury for 100 workers working one year. A recordable rate of 1.00 is the equivalent of one injury per 100 workers in a year.

Shell Deer Park

Shell employees and contractors work 8-9 million work hours per year. Since mid-November, employees have had 3 OSHA recordable injuries and contractors have had none. The site continues to work toward a goal of zero injuries and incidents by investigating all incidents internally to determine the cause and how to keep them from happening again. Shell Deer Park will have a major planned maintenance turnaround in the fall, lasting about 1.5 months and adding about 1,200 contractors per day at its peak.

“The refinery began operation in 1929 and today is among the largest in the U.S. with a crude oil capacity of 327,000 barrels a day (42 gallons per barrel). It operates as Deer Park Refining Limited Partnership, a 50-50 joint venture formed in 1993 between Shell Oil Company and Petroleos Mexicanos or Pemex. Products made in the refinery are the types most people associate with an oil company, such as gasoline, aviation fuels, furnace oil/diesel fuel, marine fuel and petroleum coke.

“The chemical plant started up in the 1940s and has been expanded several times over the years. Very few final “consumer products” are made at the plant. Rather, it manufactures base chemicals or raw material chemicals that are sold to other companies that make them into thousands of consumer products, such as carpeting, paint, plastics, antifreeze, pharmaceuticals, adhesives and ink.”

Clean Harbors

The site's Resource Conservation and Recovery Act permit renewal is ongoing. Texas Commission on Environmental Quality performed air, hazardous waste, and water discharge inspections between November and April.

"Clean Harbors is a RCRA and Texas Substance Control Act (TSCA) permitted incineration facility. We store and treat hazardous, non-hazardous, TSCA, and medical waste. We also provide incineration services for witness burns to the Drug Enforcement Administration (DEA), Department of Homeland Security (DHS) and various police forces."