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**House Subcommittee on National Security, Emerging Threats, and International Relations,
Committee on Government Reform
Combating Terrorism: Chemical Plant Security Hearing
Moon Township Municipal Building
Moon Township, PA
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Good morning Mr. Chairman and members of the House Subcommittee on National Security, Emerging Threats and International Relations. My name is Pam Witmer. I am president of the Pennsylvania Chemical Industry Council. (PCIC) PCIC represents over 70 companies involved in the manufacture, distribution, and use of chemicals along with those companies that support our industry.

Pennsylvania's business of chemistry is an approximately \$27 billion a year industry employing almost 62,000 Pennsylvanians. These jobs represent over eight percent of the Commonwealth's entire manufacturing workforce, a workforce that takes home on average over \$68,600 a year.

I am pleased to appear before you today to discuss the efforts that have been undertaken post 9/11 by those involved with Pennsylvania's chemical industry. We are committed to work in partnership with federal, state, and local governments to further ensure the security of materials that are used to make everyday products like Kevlar® for bullet proof vests for our military and law enforcement, water purification systems, bicycle helmets for our children, siding and insulation for our homes and life saving medicines. Hazardous materials are used to make the products that drive our economy and contribute to our well-being. It is equally important to understand that of the hazardous materials manufactured and transported, only a small portion would be considered "attractive" to a would-be terrorist.

The chemical industry has long taken security seriously. In this "just in time" culture, it is imperative that materials are moved from manufacturer to customer in a timely, efficient, cost-effective and secure manner. CHEMTREC®, which I will discuss in more detail later, is an example of the industry's long standing commitment to secure the movement of hazardous materials. As well, the industry has made it a priority to establish a good working relationship with members of the local first response community.

I think the key word used to describe the industry's security efforts to date is – proactive. Efforts to further enhance security through formal industry-wide guidelines were undertaken immediately following the tragic events of September 11th. Shortly following 9/11, industry had developed, distributed, and began training on the use of the Site Security Guidelines for the

Chemical Industry. These guidelines were followed by the more comprehensive American Chemistry Council Responsible Care® - Security Code. These documents were developed jointly by the American Chemistry Council (ACC), CHEMTREC®, the Chlorine Institute, the Synthetic Organic Chemical Manufacturers Association (SOCMA), and subsequently supported by many other chemical industry associations including the Pennsylvania Chemical Industry Council.

PCIC supports efforts to pass federal legislation that would place authority for establishing national standards for chemical site security and overseeing their implementation with the Department of Homeland Security. PCIC also suggests that such federal legislation recognize the ACC Responsible Care® Security Code as an acceptable security standard. PCIC does not support individual states acting on their own in the absence of federal legislation.

There are three themes central to the successful development and implementation of a security plan: use of sound science and actual risk posed, outreach, and training.

Sound Science and Actual Risk

The Site Security Guidelines and the more recent Security Code represent a risk-based approach to identify, assess and address vulnerabilities, prevent or mitigate incidents, enhance training and response capabilities, and maintain and improve relationships with key stakeholders. The Guidelines and Security Code were written specifically for those who have responsibility for the safe and secure management and distribution of their products and raw materials. The Responsible Care® Security Code outlines a three-tiered risk based approach to identifying vulnerabilities and implementing security programs and practices that managers can consider and tailor to a company's specific situation as identified in the vulnerability assessment. The documents offer flexibility to design a program according to the chemical being used and the actual risk posed.

Some of the more obvious strategies being employed include:

- Changing the direction trucks enter a facility;
- Use of employee identification cards;
- Background checks for employees and contractors;
- Additional surveillance in the form of obvious cameras as well as the more covert; and
- Additional fencing, more security guards, etc.

As I mentioned these are some of the obvious methods employed to better secure the sites that manufacture, store, use and distribute hazardous materials. Actual security plans are of course, confidential, and, on the advice of law enforcement are not discussed.

Outreach and Information Sharing

Hazardous materials security is a shared responsibility. It is not just the job of government agencies, law enforcement or a particular industry sector. It is all of these groups working together that will provide the best opportunity to prevent or respond appropriately to an act of terrorism, international or domestic. Information sharing is a critical element to effective security. Along with understanding the real risk posed by a particular chemical, being provided with accurate information can trigger heightened or tightened security.

This shared responsibility extends to those involved in the manufacture and distribution of chemicals. A number of initiatives have been established that do enable government agencies,

law enforcement, and various industry sectors to interact on information sharing. Some of these efforts include:

- Chemical Sector Information Sharing and Analysis Center (ISAC) – In April 2002, ACC and the National Infrastructure Protection Center (then part of the FBI) signed a formal agreement establishing a communications network that operates 24-hours a day to provide an exchange of security and threat information between the federal government and chemical manufacturers, carriers, and distributors. PCIC is also a subscriber of the Chemical Sector ISAC to ensure that chemical manufacturers and distributors not affiliated with ACC are also provided with the latest security and threat information.
- Railroad Alert Network (RAN) – The rail industry and the chemical industry work cooperatively on the exchange of information that is pertinent to the secure movement of hazardous materials by rail.
- Surface Transportation Information Sharing and Analysis Center (ST ISAC) – The ST ISAC operates similarly to the Chemical Sector ISAC and is open to all providers and users of surface transportation.
- Chemical Transportation Emergency Center (CHEMTREC®) – CHEMTREC® has been in operation since 1972. Operating “24/7”, it employs individuals qualified to assist emergency responders involved in virtually any type of emergency involving hazardous materials. CHEMTREC® maintains the world’s largest electronic database of Material Safety Data Sheets. (MSDSs) In addition, if the circumstances warrant, CHEMTREC® staff can establish communications between a very large network of chemical and hazardous materials experts, CHEMTREC® personnel and the responders at the scene of the incident.
- *Association of American Railroads and the American Chemistry Council Security Task Force* – An inter-industry task force designed to discuss and make recommendations to address security issues of interest to both groups. The three primary areas of work for the task force are: communications, plant access and storage-in-transit.

As you see much has been done in the way of providing better access to information, however, there still exists a reluctance to pass along critical intelligence because of the sensitive nature of the intelligence or its source. Consideration should be given the federal Department of Homeland Security to developing a process to provide top security clearance for certain chief security executives within companies. Many of these individuals come from the intelligence and law enforcement community.

Training

The third theme of all hazardous materials security efforts – training – is essential. PCIC member companies participate in drills to determine whether or not the plan is effective, sharpen skills and responses, and to determine what needs to be done better.

An example of a cooperative training effort that took place this past November was the national-level terrorism related preparedness drill involving the U.S. Coast Guard, the FBI, PCIC member company ConocoPhillips, and state and local law enforcement agencies from Pennsylvania and New Jersey. This particular training exercise utilized a scenario involving a simulated terrorism-induced oil spill in the Delaware River to test the Unified Command’s capability to respond to a breach in port security while at the same time containing and responding to a major oil spill.

PCIC and many of our member companies also voluntarily participate in and support a national organization called TransCAER® which stands for Transportation Community Awareness Emergency Response. PA TransCAER® is a unique organization that counts among its members the federal Environmental Protection Agency, the federal Emergency Management Agency, the Pennsylvania Emergency Management Agency, the Pennsylvania Department of Transportation, and the Keystone Emergency Management Association (county emergency coordinators) in addition to chemical manufacturers, distributors and hazardous materials cleanup companies. PA TransCAER®, an award winning affiliate of the national TransCAER® organization, has as its mission outreach and training to communities in which our facilities are located and through which our materials are transported.

PA TransCAER® has just completed its second consecutive year of providing free hazardous materials incident response training to county and local first responders. This unique training, utilizing actual scenes from within the county in which the training is being held, allows first responders to role-play all elements of a hazardous materials transportation incident from the initial call reporting the incident to managing the incident to cleanup to reporting relevant information to medical and hospital personnel to working with the media.

I am pleased to announce that this voluntary effort will be offered free to an additional seven Pennsylvania counties in 2004. The counties selected for the 2004 training are: Berks, Cambria, Carbon, Erie, Lackawanna, Montgomery, and Northampton. I would like to point out that Allegheny County was one of the first counties to be offered this free training in 2002 and Beaver County participated in the PA TransCAER® training event in 2003.

On a more local level, many employees of PCIC member companies are active participants in their county's Terrorism Task Force, they are volunteer firefighters, or are emergency medical technicians. (EMTs) As well, some of our member companies have agreements with their local emergency planning coordinator (LEPC) that allow the company's hazardous materials response team to go off site and assist in a hazardous materials emergency.

This unprecedented information sharing, outreach, and training is taking place not just between law enforcement and industry, but also with other federal and state agencies. An example of this cooperation on a national level is the industry's participation in a federal Department of Transportation study that is currently underway to field test various new technologies that may be beneficial for tracking shipments of hazardous materials under a variety of scenarios. PCIC is a member of security discussion group created by Pennsylvania's Homeland Security Director, Keith Martin.

As you can see, the manufacture and distribution of hazardous materials is more secure today than it was last year and certainly more secure than it was five or ten years ago. Transporters and facilities have assessed their risk and are working to enhance plans to address those vulnerabilities. Information sharing is occurring on a level not previously seen. Training and drilling are involving all the appropriate groups.

This does not mean that we are done, nor does it mean that there will never be a successful terrorist attack. It does mean that we recognize our responsibility to try and secure our employees and communities through which our materials are transported and manufactured. Nationally the chemical industry is four and a half times safer than all other industries. This long held positive record on safety has translated into the chemical industry being further ahead than

many industries in the area of transportation security. A number of positive, proactive, and voluntary initiatives have already been developed to better secure hazardous materials. Research will continue; looking for better ways to improve approaches to security that are based on sound science and developed on the basis of actual risk. But society as a whole faces the problem that in response to all types of threats, terrorism, natural disasters, etc., in general there is no such thing as zero risk. Whether it is airports, water treatment plants, high-rise buildings, or hazardous materials we must all realize there are real costs to every person for each effort made to reduce the likelihood of risks negatively impacting us. Some of these costs are too high because they will impair our quality of life and livelihoods. As I stated earlier, hazardous materials security is a shared responsibility and the next steps must be developed collaboratively to make the most sense.

Thank you for the opportunity to provide you with an outline of some of the proactive and voluntary activities undertaken by Pennsylvania's business of chemistry and the industry nationally to better secure hazardous material. I would be happy to answer any questions you may have.