

NASTTPO

HAZMAT SECURITY

APRIL 7, 2004

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OVERVIEW

- **HISTORY**
- **TECHNOLOGY**
- **PLANNING**
- **QUESTIONS**



HISTORY

“If we become so failsafe that it interferes with the flow of commerce then the bad guys have won”.

Rep. Don Young, Alaska

**Chair House Transportation and
Infrastructure Committee**

February 2005



HISTORY

- **REGULATION OF THE TRANSPORTATION OF DEFINED “HAZARDOUS MATERIALS” BEGAN 100 YEARS AGO.**
- **TRANSPORTATION “HMs” USUALLY INCLUDE EPA’S DEFINITION, HOWEVER OSHA’S IS MUCH BROADER.**



HISTORY

- **SECURITY AND PLANNING HAVE ALWAYS BEEN PART OF TRANSPORTATION; MORE SO SINCE OK CITY AND 9/11, BOTH TRANSPORTATION RELATED INCIDENTS.**

**RAILROAD PLANNING FOR DEFENSE, 1956,
“ESPIONAGE AND SABOTAGE”, AAR - to -
TRUCKS AND TERRORISM, 2003, FMCSA**



HISTORY

- **49 CFR PARTS 100 – 1550**
- **PART 130 – OIL SPILL PREVENTION AND RESPONSE PLANS >3500 GALS / PKG**
- **PART 172.800 *et seq.* SECURITY PLANS, APPLICABILITY: SAME AS DOT REGISTRATION CLASSES / QUANTITIES, PLUS CDC AGENTS / TOXINS**



172.800 CONTINUED

MUST INCLUDE

PERSONNEL SECURITY

UNAUTHORIZED ACCESS

EN ROUTE SECURITY



HISTORY

- **PART 1500 – HOMELAND SECURITY**
- **1520 – “SECURITY SENSITIVE”**

**US COAST GUARD – MARITIME
FACILITY PLANS**



HISTORY

- **FUTURE POSSIBILITIES**
- **CHEMICAL PLANT SECURITY LEGISLATION**
- **PLACARD REMOVAL, RAIL INHALATION TOXICS FIRST – DHS SAYS NO 4/7/05**
- **EXTREMELY HM TRANSPORTATION SECURITY – Rep. Ed Markey (MA): ROUTING, PACKAGING CHANGES, ADVANCE NOTIFICATION TO LOCALS etc.**

HM 223 – TRANSPORTATION

EPA UNSURE OF HOW TO PROCEED
OSHA ?



HISTORY

- **APPROXIMATELY 3000 NAMED “HMs”, TENS OF THOUSANDS MORE IN GENERIC AND “N.O.S.” ENTRIES.**
- **CAN BE CHANGED AT ANY TIME BY SEC’Y OF DOT. NUMEROUS EXCEPTIONS TO ALL FACETS: PLACARDS, ROUTING ETC.**



HISTORY

- **APPROXIMATELY 800,000 SHIPMENTS DAILY; SIGNIFICANT NUMBER EXTERNALLY UNIDENTIFIED – UPS / FEDEX / VEHICLES NOT IN COMMERCE: GOVERNMENT / SCHOOLS / HOSPITALS, OR EXEMPT: DOD / DOE / “MATERIALS OF TRADE” etc.**



INCIDENTS

- **UNINTENTIONAL: PACKAGE FAILURES / LOOSE FITTINGS / IMPROPER ID**
- **MT. to S.C. / VALUJET**
- **INTENTIONAL: VANDALISM / TERRORISM – OH 2003 NYC BRIDGE PLOT (AL QUEDA)**
- **TOKYO SUBWAY / MADRID TRAIN BOMBING**
- **PROPANE TRUCK HIJACKINGS**



TECHNOLOGY

- **CONTINUOUS IMPROVEMENTS: WOODEN BARRELS OF CRUDE TO PLASTIC CARGO TANKS OF CORROSIVE MATERIALS**
- **FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION FIELD OPERATIONAL TEST, 2004, WWW.SAFEHAZMAT.COM**



FMCSA (CONTINUED)

- **HIGHWAY, APPLICABLE TO ALL MODES**
- **6 COST TIERS: \$800 = LOW, \$3500 = HIGH**
- **WIRELESS / MOBILE COMMS, INCLUDE GPS**
- **ON BOARD COMPUTERS**
- **PANIC BUTTONS**
- **ELECTRONIC CARGO SEALS**
- **BIOMETRICS**



FMSCA (CONTINUED)

- **GEOFENCING FOR ROUTING**
- **TRAILER TRACKING**
- **PRE APPROVED ROUTING (SOME HIGH LEVEL RADIOACTIVES CURRENTLY)**
- **REMOTE DISABLING:MANUAL/ELECTRONIC**
- **OTHERS**



TECHNOLOGY

- **DOUBLE HULL SHIPS: EXXON VALDEZ vs WA BARGE 3/2005. LNG?**
- **RAIL CAR “BLEVEs”, CARS AT 40 YEARS**
- **INTERMODAL CONTAINERS**
- **INTERMEDIATE BULK CONTAINERS**
- **NON BULK CONTAINERS, PERFORMANCE ORIENTED PACKAGING (POP)**
- **CYLINDERS – POP IN PROGRESS**



PLANNING

- **THERE IS NO CHEMICAL PLANT SECURITY PLANNING REQUIRED OTHER THAN DOD / E**
- **BHOPAL / INSTITUTE W.VA – ON GOING,**
- **EPA TOXIC RELEASE SCENARIO REQUIRED, “WORST CASE”, PLUME MODELING**
- **CASE STUDIES / RECOMMENDATIONS:**
www.csb.gov www.nts.gov



PLANNING

- **IN TRANSPORTATION ALL JURISDICTIONS ARE PREEMPTED BY FEDERAL LAW WITH FEW EXCEPTIONS, e.g. SOME FEES, BUT COMMODITIES, ROUTING ETC ARE PREEMPTED.**
- **WASHINGTON D.C. BAN ON RAIL TIH, FEDERAL COURT OFFERS COMPROMISE, Washington Post 4/6/05**



PLANNING

- **MOST LIKELY SCENARIOS**
- **MATERIEL THEFT - “DIRTY” BOMB**
- **INTERCEPTIONS – DIVERSIONS**
- **LEGAL EXPLOITATION**



PLANNING

- **WHAT CAN BE DONE?**

TAKE AWAY OPPORTUNITY

- **KNOW YOUR FEDERAL / STATE / LOCAL CONTACTS: DHS / JTTF / BATF / POLICE, ONE # REPORTING: OERS / NRC / DOT THREAT ASSESSMENT CENTER**
- **INTEGRATE EXISTANT SECURITY PLANS, IF AVAILABLE, INTO PROCESS**



PLANNING

- **FUTURE FUNDING**
- **TRANSPORTATION EQUITY ACT, LEGACY FOR USERS (TEA-LU): FEDERAL RAILROAD ADMINISTRATION: 5.8% INCREASE FOR SAFETY AND OPERATIONS (WA AMTRAK 4/3/05 INCIDENT) TO \$146MILLION**



PLANNING

- **DEPARTMENT OF HOMELAND SECURITY, TARGETED INFRASTRUCTURE PROGRAM (TIP). PROTECTION OF RAILWAY, PUBLIC TRANSPORTATION, SEAPORTS AND ENERGY FACILITIES.**
- **TRANSIT AGENCIES = \$36.5 MILLION**
- **FRA = \$700,000**



QUESTIONS

“LET’S ALL BE SAFE OUT THERE”

QUESTIONS?

