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Senate Panel Backs Chemical Safeguards

Bill Would Compel Government to Create Standards for Securing 15,000 Plants

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A Senate committee yesterday approved a measure to beef up security in the nation's chemical industry, signaling lawmakers' impatience with the Bush administration's handling of security questions affecting thousands of plants near populated areas.

The bill, approved 19 to 0 by the Environment and Public Works Committee, would require the government to develop safety standards and to identify "high priority" plants producing or handling hazardous substances that are vulnerable to terrorist attacks. Plant operators would have 18 months to certify their compliance with prevention-and-response plans developed by the government.

Government officials and lawmakers moved swiftly after the Sept. 11 terrorist attacks to address security lapses at airports, municipal water facilities and food processing facilities. But the administration has done little to shore up security at chemical plants, leaving it to industry leaders to adopt their own security code.

But the industry's guidelines for assessing and correcting vulnerabilities cover only 1,000 plants, a fraction of the facilities with potential security problems. Sen. Jon S. Corzine (D-N.J.) and committee Chairman James M. Jeffords (I-Vt.), chief authors of the bill, blamed the Bush administration for relative inaction. Corzine said it has left a "gaping hole" in the security of thousands of chemical plants.

Corzine and Jeffords enhanced the prospects for passing their bill this year by making numerous concessions to the chemical industry and key Republicans, including Sens. Robert C. Smith (N.H.) and Christopher S. Bond (R-Mo.). The bill would govern security operations at 15,000 industrial chemical sites instead of the 40,000 plants and refineries covered by an earlier version.

Corzine and Jeffords also agreed to drop proposed regulations governing the transportation of hazardous chemicals, and they softened a section that would have imposed stronger criminal penalties on sites that failed to meet security standards.

Senate Governmental Affairs Committee Chairman Joseph I. Lieberman (D-Conn.) said the measure may be offered as an amendment to legislation creating a Homeland Security Department when that bill reaches the Senate floor.

"I don't want the homeland security bill to become a Christmas tree for people to keep attaching things to," Lieberman said. "On the other hand, this certainly seems relevant to the goals of [the homeland security] bill."

Chris VandenHeuvel, a spokesman for the American Chemistry Council, said chemical manufacturers fear the legislation could undermine steps the industry initiated in January to assess and correct problems with plant security. "Our main concern is that we get recognition for the work we already have underway and that the bill doesn't slow down or stop that effort," he said.

The committee also approved a bill to toughen security at nuclear power plants and facilities. It would require the U.S. Nuclear Regulatory Commission to review security plans at each of the nation's 103 commercial reactors and design a system of threat levels.

The bill, drafted by Senate Majority Whip Harry M. Reid (D-Nev.), also would allow hired security guards at nuclear plants to carry automatic weapons and arrest terrorist suspects. Some states now prohibit armed guards.

Experts and lawmakers say there is little doubt that plants storing large amounts of toxic chemicals are potential terrorist targets. But sharp divisions within the administration and strong opposition from the industry have frustrated efforts to approve legislation or new regulations. The Environmental Protection Agency has repeatedly put off

announcing its own "principles" for chemical plant security.

"The EPA has been negligent in taking real action on this issue for 10 months," said Rick Hind of Greenpeace.

EPA spokesman Joe Martyak disputed the criticism, saying his agency has been "very active" in studying chemical site security and is close to issuing guidelines.

"We've been looking carefully at what can and can't be done under current law," Martyak said. "There are always questions raised as to what is the extent of the authority at EPA on numerous issues."

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