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Associations urge Congress to renew chemical facility security law

Nick Snow

OGJ Washington Editor

WASHINGTON, DC, June 15 -- Thirty-four trade associations, including the American Petroleum Institute and six others from the oil and gas industry, asked Congress on June 11 to reauthorize the chemical facility security law without significant changes.

HR 2477, the Chemical Facility Security Authorization Act, would reauthorize US Department of Homeland Security chemical security standards that Congress enacted in 2006 by extending their sunset date to Oct. 1, 2012. This would provide owners and operators of such installations the necessary certainty to protect citizens and contribute to the economic recovery, the letter said.

"However, we strongly urge you to oppose disrupting this security program by adding provisions that would mandate government-favored substitutions, weaken protection of sensitive information, impose stifling penalties for administrative errors, create conflicts with other security standards, or more away from a performance (or risk-based) approach," it continued.

The bill was introduced on May 19 by US Rep. Charles W. Dent (R-Pa.) and referred to the Energy and Commerce Committee.

In addition to API, the National Petrochemical & Refiners Association, American Exploration & Production Council, International Association of Drilling Contractors, Petroleum Equipment Suppliers Association, National Propane Gas Association, and Petroleum Marketers Association of America signed the letter.

The groups, which also include agricultural, chemical, transportation and manufacturing associations, said that a bill introduced in 2008, the Chemical Facility Anti-Terrorism Act, would have disrupted new federal security standards in the short term and weakened infrastructure protection and economic stability in the long run.

"Our top concern is that legislation could go beyond security protections by creating a mandate to substitute products and processes with a government-selected technology," the letter said. "Congressional testimony found that this could actually increase risk to the businesses that the bill is supposed to protect. Such a standard is not measurable and would likely lead to confusion, loss of viable products, prohibitive legal liability, and business failures."

It also asked that federal lawmakers ensure that any security legislation avoid overlapping or conflicting with existing federal security requirements such as the US Coast Guard's Marine Transportation Security Act. "Any proposal must also protect from release any sensitive security information on site vulnerability," the letter said.

Contact Nick Snow at nicks@pennwell.com.

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