



Statement

For Immediate Release

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ACC SUPPORTS EXTENSION OF CHEMICAL SECURITY REGULATIONS

WASHINGTON (September 11, 2019) – Congress should pass legislation to extend the Chemical Facility Anti-Terrorism Standards (CFATS) and provide the Department of Homeland Security (DHS) with additional tools to enhance security across the chemical sector. That’s according to Scott Whelchel, Chief Security Officer and Global Director of Emergency Services and Security for Dow, who [testified](#) today on behalf of the American Chemistry Council (ACC) before the House Committee Energy and Commerce Subcommittee on Environment and Climate Change.

“The long-term security of our nation is a goal and a commitment that we all share,” Whelchel told the members of the committee. “ACC and its member companies encourage you to provide the much-needed stability to this important security program through a long-term reauthorization, and make the necessary improvements to the program while providing DHS with the appropriate Congressional oversight and guidance.”

In addition to providing a long-term extension, Whelchel offered several changes that Congress could adopt to help ensure the future success of CFATS. Specifically, these changes include reducing the risk of putting sensitive personal data at risk and improving the transparency of the program – particularly relating to the process of tiering facilities.

He also recommended that DHS be directed to create a recognition program under CFATS for industry stewardship programs as a way to help drive increased security performance throughout the chemical sector. “Performance data show facilities that participate in well-established stewardship programs outperform their peers and the industry overall,” Whelchel explained. “By providing regulatory incentives, DHS can influence improved performance beyond the universe of the CFATS-regulated community and prioritize their efforts where they are most needed.”

Whelchel’s testimony also addressed two other topics that have been the subject of much discussion during previous House and Senate hearings on chemical security - information sharing and cybersecurity.

“Facilities must protect sensitive information from individuals that might pose a threat to employees, property or surrounding communities,” he said. “Sensitive information—such as security system designs, control system schematics, worst case scenario discharge data, Chemical of Interest (COI) records, Chemical-terrorism Vulnerability Information, and tactical response



information for emergency personnel—could threaten security if it falls into the wrong hands. The current regulatory framework strikes the right balance to ensure that those with a need-to-know have the information they need to respond effectively.”

“Cybersecurity is an important element of a comprehensive security risk management system,” he explained. “Cyber requirements and needs vary greatly across the chemical sector,” he explained. “ACC believes that DHS could do a better job in sharing cyber threat information with CFATS facilities. This type of data would be very helpful for facilities to prioritize their risk evaluation and security planning. DHS inspectors should also be trained in the latest cybersecurity threats, techniques and incidents against chemical operators and handlers so it can be shared with regulated facilities and plans adapted accordingly.”

Whelchel concluded his testimony by expressing support for allowing DHS to expand its voluntary initiatives. “Since its inception, the DHS infrastructure protection program has developed a wealth of valuable tools and voluntary programs which have made a considerable difference in reducing the risk of hazardous chemicals,” he said. “These tools and outreach activities should be expanded and made available to the broader chemical community including non-CFATS regulated facilities. DHS should embrace a comprehensive strategy to effectuate meaningful chemical risk reduction including regulation, voluntary programs and recognition of industry programs.”

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