COMMUNITIES FOR A BETTER ENVIRONMENT

June 20, 2002

South Coast Air Quality Management District
Attn: Kathy Stevens
21865 E. Copley Drive
Diamond Bar, CA 91765-4182

RE: Comments on Ultramar/Valero Wilmington Refinery Expansion for Phase III Clean Fuels

Dear SCAQMD:

After reviewing the Draft Subsequent Environmental Impact Report ("the Report") for the expansion of the Ultramar/Valero refinery in Wilmington, I would like to express my concerns about the Report's failure to require full mitigation of diesel emissions, Ultramar's apparent lack of preparedness to face a potential terrorist attack, and the continued use of hydrofluoric acid in the refinery's alkylation process. 46-1

First, I believe that the Report could more thoroughly analyze ways that Ultramar/Valero can reduce diesel emissions. The refinery's expansion will cause increased emissions from trucks and ships transporting goods to and from the refinery, as well as from diesel-powered construction equipment. Workers and nearby residents may be exposed to dangerous amounts of diesel exhaust. 46-2

The families living around the refinery already suffer more than their fair share of pollution. A recent air district study showed that residents in San Pedro and Wilmington suffer from some of the highest cancer risks in the South Coast from breathing polluted air. Exposure to diesel exhaust has been linked to cancer, lung damage, asthma, and premature death. *(*See *Exhausted by Diesel: How America's Dependence on Diesel Engines Threatens Our Health,* April 1998 report from the Natural Resources Defense Council and Coalition for Clean Air on the impacts of diesel exhaust on human health, available at www.nrdc.org/air/transportation/ebd/ebdinx.asp*)*. 46-3

The Report should discuss less toxic alternatives to diesel such as requiring the use of ultra low-sulfur diesel or a fuel blend called PuriNOx. The Report should also consider ways to control the diesel emissions of ships and trucks servicing the refinery, and require that natural gas (CNG) powered trucks be used instead of diesel engines for on-site construction equipment. The Report should require alternate fuel vehicles for employees and CNG trucks for factory workers. 46-4

Second, the Report ignores the fact that, because the refinery is located on the port and stores and transports explosive chemicals, it is particularly vulnerable to a terrorist attack. I have 46-5

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attached many recent news articles warning that this is a legitimate concern. Ultramar proposes to build new storage tanks only 300 feet away from residences and close to a school. At a minimum, the Report should require that Ultramar prepare an evacuation plan for workers, residents and schoolchildren, increase security, and leave a buffer zone greater than 300 feet between residents and storage tanks. This would better protect the public in the event of an accident or an attack. 46-5 cont'd

Finally, I would like to add that the Report should require the refinery to use an alternative to hydrofluoric acid (HF) in its alkylation process. HF is a deadly chemical that has been virtually phased out in the industry. There are safer and more cost-effective alternatives available. Therefore, SCAQMD should require that the refinery stop using HF as soon as possible. 46-6

Sincerely,

Maria Hall

Maria Hall
Legal Intern

Enclosures:

Letter from Ed Lowry, Department of Toxic Substance Control regarding withdrawal of the Petroleum Refinery Source Reduction Project from the 2002-2004 workplan due to the events of September 11, 2001 and concerns for terrorist attacks on petroleum refineries.

Newspaper Articles:

Cooper, Richard, "Experts Question 'Trade-Offs' in U.S. Security," *Los Angeles Times*, March 17, 2002.
Antosh, Nelson, "Safety on the Ship Channel," *The Houston Chronicle*, January 12, 2002.
Wolfe, Kathryn, "Port Security Gains Attention after Sept. 11," *The Houston Chronicle*, December 23, 2001.
Simon, Richard, "Officials Propose Series of Steps to Tighten Security at Seaports," *Los Angeles Times*, December 7, 2001.
Hind, Rick, "Chemical Plans: Everyday Threat," *Baltimore Sun*, November 27, 2001.
Editorial, "Make Port a Safer Neighborhood," *Los Angeles Times*, November 15, 2001.
Heinauer, Laura, "Watching the Sea to Keep Texas Safe," *The Dallas Morning News*, October 15, 2001.
Sahagun, Louis, "Response to Terror," *Los Angeles Times*, October 2, 2001.
Russell, Jeanne, "Refinery Fire Finally Out," *San Antonio Express News*, July 10, 2001.

Department of Toxic Substances Control

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Winston H. Hickox
Agency Secretary
California Environmental
Protection Agency

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April 22, 2002

TO: Petroleum Project Stakeholders

FROM: Alan Ingham
Office of Pollution Prevention and Technology Development

SUBJECT: PETROLEUM REFINERY SOURCE REDUCTION PROJECT

The purpose of this letter is to inform you that the Department of Toxic Substances Control (DTSC), with advice from the Pollution Prevention Advisory Committee on March 20, 2002, has made the difficult decision to withdraw the Petroleum Refinery Source Reduction Project from our 2002-2004 Workplan. As you are aware, the Project was designed to include community stakeholders working with local refineries to develop pollution prevention projects.

In my February 19, 2002 letter to Petroleum Project Stakeholders, I informed you that due to the events of September 11, 2001, and concerns for terrorist attacks on petroleum refineries, DTSC made the decision not to publish the petroleum refinery profiles compiled in 2001.

We had hoped that we would be able to utilize portions of the refinery profiles as the basis for subsequent discussions among the refineries and local stakeholder groups. DTSC forwarded a request to the California Environmental Protection Agency (Cal/EPA) to transmit a sample profile to the Governor's Statewide Strategic Committee on Terrorism (SSCOT) to determine which sections could pose a threat to refinery security. We have been informed by Cal/EPA that SSCOT is just beginning to investigate guidelines on public information access and that a decision on our request is not likely in the short term.

In light of the delay and uncertainty when SSCOT will respond, DTSC has decided to drop the petroleum refinery project as currently planned.

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at www.dtsc.ca.gov.

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We are now investigating large business project alternatives. We intend to provide a short list of options and DTSC's recommendation around May 1, 2002. We will post these on the DTSC Website. We will seek feedback up through mid May on the new large industry source reduction project. One of the possibilities that we are looking at is some other type of pollution prevention project involving refineries. (Not based on the profiles and public involvement.)

My staff and I are most disappointed that the originally proposed project with active public involvement cannot move forward. We sincerely appreciate the time, effort a support you have given to our pollution prevention efforts.

If you have any questions, please feel free to contact me at (916) 322-5629, aigham@dtsc.ca.gov, or at the letterhead address.

Los Angeles Times March 17, 2002 Sunday

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Los Angeles Times

March 17, 2002 Sunday Home Edition

SECTION: Part A; Part 1; Page 25; National Desk

LENGTH: 1702 words

HEADLINE: The Nation;
;
Experts Question 'Trade-Offs' in U.S. Security;
Terrorism: A mix of safety measures is said to focus too much on aviation, and too little on other likely targets.

BYLINE: RICHARD T. COOPER, RICARDO ALONZO-ZALDIVAR, TIMES STAFF WRITERS

DATELINE: WASHINGTON

BODY:
Six months after the attacks on the World Trade Center and the Pentagon, security experts worry that the nationwide effort to make Americans safer has grown seriously unbalanced, with huge resources allocated to some threats and comparatively little to potentially greater dangers.

The nation, according to this view, has failed to set priorities--to accept lesser risks in order to avoid greater ones. In the language of emergency medicine, it has forgotten the practice of triage.

"We are not consciously making trade-offs," domestic security specialist Frank Hoffman said last week. What's missing, he said, is overall "national risk assessment." In 10 years, Hoffman said, the country may wish it had hired 10,000 more security personnel for nuclear power plants and added 10,000 specialists to deal with biochemical threats, instead of putting all 40,000 airport screeners on the federal payroll.

It may rue the day when it embarked upon a massive effort to tighten airline security, but let border inspectors generally check only a fraction of the 50,000-plus cargo containers entering the United States every day.

After Sept. 11, the pressure to do something visible--and to do it quickly, even hastily--proved irresistible.

"In the first six months, the administration has been influenced by two emotional factors: fear and anger," said William H. Webster, who has headed both the FBI and the CIA. "Both of them were justified. Both demanded action sooner rather than later."

Webster gives President Bush high marks on both counts, saying he assuaged the nation's anxiety and channeled its anger into measured responses. Further, each of the measures already adopted deals with a serious problem and is justifiable when considered alone.

The ragged army of airport screeners will almost certainly meet higher standards than before. Baggage will be checked more thoroughly. Laboratories are already more aware of the need to protect sensitive materials. So are private shipping companies.

From coast to coast, thousands of local fire and rescue teams are preparing to be retrained

and reequipped to handle biochemical and other terrorist attacks.

Moreover, simply by erecting more obstacles, the welter of new procedures forces would-be attackers to expand their efforts, thus increasing the chances they will betray themselves or fail.

Nonetheless, most of the initiatives now in train have been adopted with almost no comprehensive weighing of comparative costs and benefits.

Federal officials plucked many initiatives from existing security studies. Some address what experts consider relatively moderate, self-contained problems, while potentially catastrophic threats get lesser responses.

"Although the United States government has done a great deal to prevent and protect against international terrorism, and to be prepared to respond to it if it comes, we still remain a country greatly at risk," former Sen. Warren B. Rudman of New Hampshire said recently. As a member of the President's National Intelligence Advisory Board, Rudman was a co-author of an exhaustive study of 21st century U.S. security needs.

Over time, some experts suggest, the Bush administration may modify some of the early commitments and readjust its priorities.

A comprehensive security plan that homeland security director Tom Ridge plans to deliver to the president this summer could encourage a balancing of priorities. So could the fine-print scrutiny Congress will give Bush's budget request for $37.7 billion next year to fight terrorism.

Shifting priorities will not be easy. Each program already underway has a constituency and addresses a real need. And the sheer volume of what government officials have on their plates now makes it hard to consider alternatives.

Screening airline passengers is a case in point.

With more than 670 million passengers a year boarding commercial airline flights, security personnel watching for potential terrorists might improve the odds if they could narrow their focus, instead of trying to check everyone.

Inspecting only certain, presumably high-risk racial or ethnic groups is the controversial, discredited practice called "profiling." More benign is singling out low-risk passengers, starting with government workers, government contractors and others with federal security clearances, to issue them "safe-traveler" cards that would let them move quickly through checkpoints.

Experts disagree about the idea. Ridge is interested, while John Magaw, head of the new Transportation Security Administration, is skeptical.

Whatever the merits, the proposal may not get a thorough vetting any time soon because the officials involved are just too busy.

"Mr. Magaw and his fledging organization have their hands full in staffing the organization while at the same time dealing with a continuing crisis in aviation security," said Bille H. Vincent, an aviation consultant who was the Federal Aviation Administration's security chief. "Creating a 40,000-person organization under normal conditions would be a major undertaking. To do so under the existing threat conditions is mind-boggling."

"What people have got to understand," Magaw said recently, "is that four weeks ago, it was just me and a white piece of paper."

It is not immediately clear how the blaze starts aboard the GrandCamp, a French Line freighter nestling against a dock in Galveston, Texas. But at mid-morning, when flames reach the cargo of ammonium nitrate, the ship explodes in a blast that shakes a seismograph in Denver.

Soon, the docks and an adjacent chemical plant are burning. Deadly gases fill the air as the fire jumps to a nearby oil tank farm, then detonates a second freighter loaded with fertilizer chemicals. The disaster leaves 3,500 people dead or injured, a major petrochemical complex in ruins and a community that once housed 15,000 people incinerated.

This is no hypothetical scenario for some future terrorist attack. It actually happened--in 1947. It is just the kind of disaster that many specialists see near the top of the list of terrorist threats that are getting too little attention now.

"The greatest threat to the country today is from weapons of mass destruction--or, in the near term, conventional explosives--coming into the country in cargo that is not inspected," Rudman said.

"We're talking about chemical and biological warfare, as well as potential weapons of mass destruction. We have to protect what is coming into our country," said Sen. Kay Bailey Hutchison (R-Texas), a member of the Senate Commerce Committee. "We need a system to check cargo as well as people."

In a country that imports more than half its oil, every major harbor is lined with tanker terminals, storage farms and petrochemical plants.

What makes them especially attractive targets--beyond the destructive power and economic impact--is the fact that cargo shipping has become one unified global, intermodal system, while security is balkanized. Modular containers, which may travel on trucks, ships and trains, are only loosely monitored as they sit on wharves, warehouse floors and outdoor rail yards.

Big trucks stream through border crossing points from Mexico and Canada by the thousands each day. Trailers are shunted from rail to road and from one shipping concern to another with no comprehensive system to assure the integrity of cargoes or drivers.

The tiny Federal Motor Carrier Safety Administration, with its 275 inspectors, only recently began to focus on terrorism. After Sept. 11, it counted 38,800 trucking companies with access to U.S. highways that haul "high-consequence" hazardous materials such as explosives, toxic chemicals and radioactive materials.

At the federal level, responsibility for border security is divided among the Border Patrol, the Customs Service, the Coast Guard and other agencies--each with its own traditions, priorities, procedures and often-incompatible technology.

"They're going to have to be consolidated in one Cabinet agency," said a veteran of the security policy wars. Ridge suggested such consolidation soon after his appointment last year, however, the idea ran into massive resistance.

Its fate did not reassure Washington insiders, who have watched a succession of other czars--especially in the now-forgotten war on drugs--break their lances against intransigent bureaucracies and special interests.

Almost certainly, it is in commercial aviation that the greatest strides have been made in the last six months. But even here, remaining loopholes and lingering resistance to change demonstrate just how large the challenge remains.

Congress set a Dec. 31 deadline for screening all checked luggage, an estimated 1 billion bags a year, for explosives. But explosive-detection machines are bulky, expensive and scarce, and they are plagued with operating problems. Integrating them into the flow of baggage handling so that passengers avoid long delays will require millions of dollars in reconstruction of existing systems.

Meanwhile, better machines may be developed. "We don't want to be locked into buying machines that will essentially be obsolete," Transportation Secretary Norman Y. Mineta said in a recent interview.

Regardless, bags checked by passengers on multi-flight trips get no enhanced screening after being shuttled to a second plane. Airlines argued successfully that the cost and inconvenience would be too great.

"You've still got the same deference to the airlines that you always had," said Brian Sullivan, a retired FAA agent, "and I don't think that bodes well for the future."

Then there's cargo. Airlines still count on shippers to vouch that their cargo is safe, though several recommendations to improve cargo screening are under review.

From airports and seaports to nuclear power plants, landmark buildings and all other potential terrorist targets; protection is not impossible. But it requires choices.

"You could shut the country down to an absolute stop if you made it impossible for anything to happen. That could have a more deleterious effect than an occasional failure to stop something, " said Webster.

GRAPHIC: PHOTO: Some experts say too little is being done to protect potential **terrorist** targets such as the Port of Long Beach and other harbor areas lined with tanker terminals and **petrochemical** plants. PHOTOGRAPHER: Associated Press

LOAD-DATE: March 17, 2002

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Terms: **petrochemical /p terrorist** (Edit Search)
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The Houston Chronicle January 12, 2002, Saturday

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The Houston Chronicle

January 12, 2002, Saturday 3 STAR EDITION

SECTION: BUSINESS; Pg. 1

LENGTH: 618 words

HEADLINE: SAFETY ON THE SHIP CHANNEL;
2 lawmakers visiting port say security needs boost

SOURCE: Staff

BYLINE: NELSON ANTOSH

BODY:
THE seaport security issue that Sen. John Breaux worries about most is a terrorist attack in a U.S. port like Houston, New Orleans or Port Everglades in Florida.

In a scenario similar to the attack on the USS Cole in Yemen, a seemingly harmless small boat slips up to a cruise ship carrying of 3,000 people or a tanker full of dangerous chemicals - and blows it up.

"The consequences would be catastrophic," said the Louisiana Democrat at a hearing in Houston of the Senate Commerce Committee's Subcommittee on Surface Transportation and Merchant Marine.

He chairs the subcommittee, along with co-chair Kay Bailey Hutchison, R-Texas, who also participated in the Friday hearing on a federal port security bill, which has already cleared the Senate. Breaux was not as concerned about grand-scale **terrorist** possibilities, such as someone seizing control of a ship loaded with propane and ramming it into a channelside **petrochemical** complex, as about the possible assaults by smaller craft.

"Controlled access is incredibly important," the senator said during a tour of the port that preceded the hearing.

During that trip he noted the lack of patrol vessels to keep small boats away.

The Houston Ship Channel, dredged some 52 miles long, passes through an area in Galveston Bay that is popular with pleasure boaters and fishermen.

The most industrialized section is off-limits to such small boats, said Capt. Kevin Cook of the U.S. Coast Guard, commanding officer of the Marine Safety Office for Houston and Galveston.

The Coast Guard does random patrols and has chased some boats away from the vicinity of liquefied petroleum gas facilities, he said.

"But we're not there 24 hours a day. We don't have the personnel," Cook said.

Port Authority Chairman Jim Edmonds agreed that the Coast Guard is understaffed.

Breaux also wondered out loud why all ships don't carry transponders to show where they are and how fast they are moving, while every craft that lands at an airport, even small private

planes, carry them.

Hutchison said that Houston's huge refineries and petrochemical plants make this port different.

"Port security cannot just end at the dock in Houston. A terrorist attack here could topple our nation's energy industry," she said.

Houston is the world's second-largest petrochemical port, exceeded in size only by Rotterdam, Netherlands. And it is the location of the world's largest refinery, Exxon Mobil's facility on the Ship Channel.

The Port of Galveston isn't worry-free either. It is a hub for cruise ships, whose high passenger volumes put it at risk, said Rep. Nick Lampson, D-Beaumont.

The magnitudes involved in ocean shipping make security all the more important. One medium-size tanker can carry as much cargo as a train with tank cars stretching 70 miles, according to Breaux.

One shipping container can hold up to 60,000 pounds, which is four times the amount of explosive that Timothy McVeigh used to blow up the Murrah Federal Building in Oklahoma City, he said.

The U.S. Customs Service actually inspects about 2 percent of containers, an agency official said at the hearing.

The security bill would for the first time require that all ports in the United States have a comprehensive security plan.

The reality is that "when everybody is in charge, nobody is in charge," Breaux said.

The legislation would also provide grants of up to $ 703 million and loan guarantees up to $ 3.3 billion for port security upgrades.

The emphasis is fighting terrorism, which is a basic change from when it was introduced in the summer. That measure was concerned mainly with fighting drug smuggling and crime. Sept. 11 made the difference, the sponsors said.

GRAPHIC: Photo: Jim Edmonds, left, chairman of the Port Authority of Houston, returns to dock with U.S. Sens. Kay Bailey Hutchison, R-Texas, and John Breaux, D-La., after a tour of the Ship Channel. The senators expressed concern about the preparedness of the country's ports against terrorist attacks (color); Steve Ueckert / Chronicle

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The Houston Chronicle December 23, 2001, Sunday

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December 23, 2001, Sunday 4 STAR EDITION

SECTION: A; Pg. 33 Metfront

LENGTH: 1374 words

HEADLINE: Port security gains attention after Sept. 11

SOURCE: Staff

BYLINE: KATHRYN A. WOLFE, Houston Chronicle Washington Bureau

DATELINE: WASHINGTON

BODY:
WASHINGTON - In 1947, two ships full of fertilizer accidentally exploded, igniting several nearby refineries like dominoes and raining fire and metal over Texas City, killing at least 576 people.

It remains the most devastating industrial accident in U.S. history.

But what damage to Houston's port, where refineries line the Houston Ship Channel for 25 miles, could a determined terrorist do?

"You could put a bomb on a ship and park it at the Exxon refinery. You could blow up a bridge (or) a pipeline," said Jim Edmonds, chairman of the Port of Houston Authority, the quasi-governmental agency responsible for commerce at the port. "It could really damage a lot of Pasadena, for example. It could wipe out some of those towns." Though the U.S. Coast Guard and U.S. Customs Service are inspecting more ships and cargo in the aftermath of the Sept. 11 terrorist attacks, the vast majority still go unchecked.

But Capt. Kevin Cook, who oversees Houston-area ports for the Coast Guard, said other than the petrochemical complex, Houston isn't any riskier than other ports. And there hasn't been any intelligence saying that any specific facility in the Port of Houston is a target, he said.

"What we recognize is that the **petrochemicals** represent a significant **risk,**" Cook said. "Everything we do is aimed at mitigating that **risk.**"

However, less than 2 percent of the nearly 11.6 million cargo containers coming into U.S. ports each year are inspected, leaving wide the potential for someone to sneak explosives or biological or chemical weapons inside the country.

Many containers aren't inspected at all until they are trucked well into the country's interior, where a terrorist with a cheap global positioning sensor and a remote control could ignite a load of hazardous material.

And last month, a cargo container was opened in Italy only to find a suspected al-Qaida operative living inside, bound for Toronto. His truck trailer-sized home was equipped with a bed, toilet, satellite telephone and laptop. He was armed with security passes to several airports and an aircraft mechanic's license.

"You can put anything in a container. Does that make you feel good? No," said Tom

Kornegay, executive director of the Port of Houston Authority. "But you know, I think the regulatory agencies are doing everything they can do."

The Coast Guard, responsible for ensuring that ships entering U.S. harbors are safe and legal, has stepped up patrols, particularly where refineries are concentrated.

But even with the extra attention, only 30 percent of ships entering Houston's port are inspected.

Ships also are required to transmit their cargo and crew manifests to the Coast Guard 96 hours in advance, allowing time to run crew lists through FBI criminal databases.

In Houston, the Coast Guard has also instituted a new sea marshal program, where armed crew keep a watchful eye on high-risk ships, in case they go astray.

The U.S. Senate approved legislation Thursday to strengthen security at the nation's seaports by requiring ports to better monitor the cargo and crew members of ships. The legislation, which has not yet been considered by the House, would guarantee up to $ 3.3 billion in loans for ports to upgrade their security.

Senate Commerce Committee Chairman Ernest "Fritz" Hollings, D-S.C., chief sponsor of the bill with Sen. John McCain, R-Ariz., said it would help fix a gaping hole in national security.

The legislation, approved by voice vote in the Senate, requires all ports to draw up a comprehensive security plan, to limit access to security-sensitive areas and conduct background checks of employees working in security-sensitive areas.

A spokeswoman for the U.S. Customs Service, which is responsible for inspecting cargo at ports, said more cargo is being looked at, but she could not say how much.

Prior to Sept. 11, seaport security was focused mostly on stamping out drug trafficking and illegal goods. Now the Coast Guard and Customs must add repelling terrorist threats at seaports to their repertoire.

The two agencies are responsible for most of the extra security effort. But how long they can maintain their new focus and vigilance in the face of years of budget cuts and aging equipment is unknown.

"It's hard to know how long we can go," said Cook, the Coast Guard captain. "There will come a time as the fiscal year progresses, just from a financial standpoint, the Coast Guard will have to reckon with how much more we can do."

Cmdr. Stephen Flynn, a professor at the U.S. Coast Guard Academy and fellow at the Council on Foreign Relations think tank, said efficiency has trumped public safety, leading to the current poor state of port security.

Because ports have been nurtured more as revenue centers for commercial cargo than as a critical piece of transportation infrastructure, port authorities have sometimes let security fall by the wayside, Flynn said.

"More security . . . was added cost that made their port less competitive than other ports that were less inclined to be secure," Flynn said. "To some extent, the less capability they have, the less nuisance they may become."

But the wrong port security procedures can pose a risk to the flow of goods, with 95 percent of all cargo entering the United States coming by ship, Flynn said.

"America has to stay open. Ports would be just a piece of coastline if they didn't connect us to somewhere else, and so a perfectly secure port would be a closed one," Flynn said. "But we have to find ways to keep that risk in check."

Customs workers operate scanning equipment for cargo containers, so they don't need to be opened. But the equipment is costly and scarce.

The way to ensure secure ports isn't with "gates, guns and guards" and investing resources into inspecting everything, which would be nearly impossible, Flynn said. Instead, security has to start at the point of origin, where a cargo container is packed and labeled.

Though there is voluminous paperwork to fill out about cargo manifests, little of it is actually policed unless the ship is stopped. And often there is not enough time for government agencies to check before the ship arrives in port.

"The real challenge is getting information up front about who the originator is, what they're bringing," Flynn said. "Most of the smart interceptions are based around looking for anomalies. It's the bananas coming from Iceland thing, doesn't make sense."

To improve the system, America must do a better job of requiring the private sector to report what's inside cargo containers, Flynn said.

Also, the Coast Guard, which does threat assessments of foreign ports now, must help inspect and institute a system to make safe those foreign ports where a lot of trade is consolidated, Flynn said.

"Trying to distinguish the illicit from the licit at America's borders is like trying to catch minnows at the base of Niagara Falls. We need to move upstream," Flynn said. "Then we can let them sail up the Houston Ship Channel without a lot to worry about."

Cook said that it's difficult to know where the answer lies without radically affecting an industry that operates on a tight timeline.

"In all honesty I don't know that anybody has the solution; the volume is just incredible," Cook said.

Complicating matters is the absence of an overarching regulatory agency for port safety, leaving a system that instead divvies up security tasks and responsibility piecemeal to several different agencies that sometimes compete over turf.

"Most Americans would be surprised to discover there is no unified federal plan for overseeing the security of the international borders at our seaports," said Hollings, the sponsor of the Senate bill.

Rep. Gene Green, D-Houston, whose district encompasses much of the port and petrochemical complex, said he is confident that the lines of communication are open between everyone involved.

"Since Sept. 11 in the Port of Houston we have seen more coordination between Customs, INS and the Coast Guard than I've ever seen in my years in Congress," Green said. "I just worry that once the crisis abates then we'll go back to Customs . . . not looking for someone that may fit the profile of a terrorist."

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Los Angeles Times December 7, 2001 Friday

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December 7, 2001 Friday Home Edition

SECTION: Part A; Part 1; Page 6; National Desk

LENGTH: 954 words

HEADLINE: RESPONSE TO TERROR: SECURITY;
;
Officials Propose Series of Steps to Tighten Security at Seaports;
Shipping: Moves include widening Coast Guard's authority, more sea marshals and worker background checks.

BYLINE: RICHARD SIMONBYLOUIS SAHAGUNBDTIMES STAFF WRITERS

DATELINE: WASHINGTON

BODY:
Amid growing concern about the vulnerability of U.S, **ports to terrorist attacks,** the Bush administration and members of Congress on Thursday pressed for new, stronger measures to safeguard the waterfront--from expanding the Coast Guard's authority to check ships to requiring background checks of tens of thousands of **port** workers.

Transportation Secretary Norman Y. Mineta proposed a number of steps to tighten security at the nation's 361 **ports,** but several lawmakers want to go much further.

Congress is soon expected to take up legislation that would, among other things, extend to **ports** some of the post-Sept. 11 measures put into place to protect the air transportation system. These include hiring more sea marshals, providing for U.S. security reviews of foreign **ports** and requiring U.S. **ports** to prepare security plans that would restrict access and mandate background checks for employees working in sensitive areas. The proposals are being closely watched at the Los Angeles-Long Beach **port** complex, the nation's busiest with more than 1 million passengers, 5,500 commercial vessels and $170 billion in commerce a year.

Some of the proposals are sure to be controversial.

The International Longshore and Warehouse Union is lobbying against checks on the immigration status and possible criminal backgrounds of dockworkers--even if they work next to volatile and toxic chemicals, cargo vessels and military equipment.

"Background checks are unnecessary and counterproductive," said Lindsay McLaughlin, the union's legislative director in Washington. "We are pointing out to Congress that, if they are serious about **port** security, they must realize the threats are external, not from within."

Port security, after enactment of new protections for the nation's air travelers in the wake of the Sept. 11 **terrorist attacks** on the World Trade Center and the Pentagon, is becoming the next focus for Congress. Some steps already have been taken to beef up security at **ports.**

At the Los Angeles-Long Beach **port** complex, the Coast Guard has established a 500-yard security zone around all Navy ships and barred other vessels from coming within 100 yards of them.

The guard also has been conducting random underwater sweeps and 24-hour patrols of all terminals, hazardous materials depots, bridges and cruise liners. "Vessels of concern" must provide 96-hour notice of arrival.

Additionally, **port** officials a week ago celebrated the first local graduating class of sea marshals, a new corps specially trained to intercept incoming cruise ships, freighters and tankers about 10 to 20 miles at sea. Departing vessels similarly will be searched and escorted by the armed security teams on board and in boats until they are at least 10 miles out.

During separate hearings before House and Senate panels Thursday, lawmakers expressed concern that only a fraction of the 600,000 cargo containers passing through **ports** every day are inspected.

"You don't have to hijack a plane," said Sen. Ernest F. Hollings (D-S.C.), chairman of the Commerce and Transportation Committee. "You can ship a container [filled with an explosive] for $5,000."

Hollings is sponsoring a bill that would provide about $4 billion in grants and loan guarantees to help finance security improvements at **ports**--the Los Angeles-Long Beach complex would receive a good chunk of it--and to pay for more Customs Service agents and cargo screening equipment.

Appearing before a House Transportation subcommittee, Mineta urged Congress to empower the Coast Guard to stop a ship's movement 12 miles off shore--four times the current limit.

"We would rather the guy be farther away from **port,**" Coast Guard spokesman Capt. Mike Lapinski said, "Because the closer in you get, the higher risk you run."

Mineta also proposed extending to foreign **ports** a program now used to determine whether airports in other countries meet international safety standards.

Sen. John F. Kerry (D-Mass.), who is pushing for increased U.S. inspections of foreign **ports,** said that if such a **port** does not meet security standards, then U.S. cruise ships could be prohibited from "visiting those **ports** and bringing our tourist dollars to their economies."

"We need to demonstrate some resolve--before terrorists find our vulnerabilities and exploit them," Kerry said, "National security does not begin at our **ports** and harbors, but rather at the **port** of embarkation."

The Bush administration also is pushing to increase funding for the Coast Guard. The Republican-controlled House has approved $145 million instead of the $203 million in emergency funding sought by the administration for the guard. The Democratic-controlled Senate is considering a $273-million figure.

Congress also is poised to improve the Coast Guard's intelligence-gathering capabilities. House and Senate negotiators agreed this week on language that would make the guard's surveillance unit part of the U.S. intelligence community, alongside the CIA and other spy agencies.

The move is designed to give the Coast Guard greater access to the, nation's spy resources, said Sen. Bob Graham (D-Fla.), chairman of the Senate Intelligence Committee. As an example, Graham said the Coast Guard would have new authority to direct U.S. satellites at overseas **ports** suspected of loading weapons, drugs or other illicit cargo aimed at U.S. shores.

"Every day, [thousands of] containers around the world are delivered to U.S. seaports and less than 3% are inspected," Graham said. "We need to make sure they're the right 3%."

*

Simon reported from Washington, Sahagun from Los Angeles. Times staff writer Greg Miller contributed to this report.

LOAD-DATE: January 16, 2002

Source: All Sources > News > By Individual Publication > L > **Los Angeles Times**
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What is a Terrorist?
by Jeff Cohen

Thursday, June 13, 2002

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Published on Tuesday, November 27, 2001 in the Baltimore Sun

Chemical Plants: Everyday Threat

by Rick Hind

WASHINGTON -- The magnitude of a terrorist attack on U.S. chemical facilities could easily exceed the loss of life suffered on Sept. 11 in New York. So it is time to address the vulnerability of this industry.

Recent events underscore the immediacy of this threat, including the two nationwide security alerts by the FBI and a 72-hour moratorium by the railroad industry on carrying chemicals such as chlorine.

Even President Bush was at risk. On Sept. 11, when Air Force One landed in Louisiana, the president joined more than a million Louisiana residents who live every day in a region that is blanketed by chemical "kill zones." They surround more than 100 petrochemical facilities situated along the Mississippi River between Baton Rouge and New Orleans. A new federal study of the U.S. chemical industry found security against terrorists to be "fair to poor."

Thankfully, there has never been a terrorist attack on a U.S. chemical facility. But there have been more than 3,000 accidents involving more than 10,000 pounds of hazardous materials since 1987, with smaller incidents occurring daily.

About 15,000 facilities across the United States are required to report their worst case accident scenarios to the Environmental Protection Agency. These reports contain estimates on the distance that a super toxic chemical cloud could extend over neighboring populations. Pressure has recently been put on the EPA to deny public access to this basic information.

Denying access to these reports will only accomplish one thing: It will leave the members of the public without vital information needed to protect themselves in the event of an attack or an accident. Hiding basic hazards information from the public undermines the credibility of government and industry and will lead to dedicated terrorists being the only non-governmental people outside industry to have this information.

Unfortunately, after using terrorism as an argument to hide potential chemical disasters, the U.S. chemical industry has done little to eliminate the threats posed by chemical facilities.

Earlier this year, Greenpeace exposed a significant example of this failure by publishing photographic evidence from inside a Dow Chemical plant in Plaquemine, La. The photos show the internal control panels and operating instructions of an unguarded pump house that releases 550 million gallons of wastewater into the Mississippi River every day.

While investigating Dow's Clean Water Act violations, Greenpeace activists entered this facility undetected. There were no guards at the perimeter, no security

cameras and no burglar alarms. In fact, the door to the building was unlocked. All of these are rudimentary security measures that the EPA recommended in a February 2000 security alert. The EPA also recommended "design" changes in plants that fewer facilities have implemented.

Greenpeace recommends a set of short- and long-term steps to eliminate these unnecessary and preventable disasters.

In the short-term, these include the immediate implementation of a program to end the transport of large quantities of poisonous chemicals, reduced storage of similar substances to quantities that cannot threaten area populations and decentralized production of these substances to eliminate the need for large container transport and storage.

In Washington this month, the local sewage treatment plant announced that it has accelerated by one year an end to its use of highly toxic chlorine gas because of its potential use by terrorists. The plant is only four miles from the U.S. Capitol. According to the National Transportation Safety Board and the Coast Guard, a large leak of chlorine gas can travel two miles in only 10 minutes and remain acutely toxic to a distance of about 20 miles.

In the long-term, virtually all of the ultra-hazardous chemicals used in the United States have safer substitutes, and conversion to them should begin today.

The United States needs many things to function. What it does not need is to continue producing obsolete and ultra-hazardous chemicals that pose enormous risks to the public -- with or without the threat of terrorist attack.

Rick Hind is the legislative director of the Greenpeace Toxics Campaign.

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Los Angeles Times November 15, 2001 Thursday

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Los Angeles Times

November 15, 2001 Thursday Home Edition

SECTION: California; Part 2; Page 14; Editorial Writers Desk

LENGTH: 351 words

HEADLINE:
Make **Port** a Safer Neighbor

BODY:
Twenty-five years ago, a city task force recommended that waterfront tanks storing jet fuel and other flammable cargo be relocated away from the **Port** of Los Angeles' cramped inner harbor and, not incidentally, away from family neighborhoods in San Pedro and Wilmington. The impetus was the explosion of an oil tanker at a Union Oil terminal that killed nine crewmen, caused $21.6 million in damage and jolted the then-president of the Los Angeles City Council--a San Pedro resident--out of bed.

The recommendations made it into the 1979 **port** master plan but no further, at least until Sept. 11 sounded another alarm. As this bit of history attests, the renewed call to move the tank farms is no mere knee-jerk reaction to the **terrorist attacks.** It was a good idea two decades ago when accidents were the **port's** main concern and it is a better idea now. But it is still just a notion that has lost momentum before and could again.

The encouraging news is that even before September **port** officials were talking about moving at least two major cargo terminals that handle gasoline, diesel fuel, jet fuel and additives for glues, paint and solvent. With the election of San Pedro's own James K. Hahn to the mayor's office and his sister, Janice Hahn, to represent the **port** area on the City Council, community members feel that their concerns about the **port** are getting a more sympathetic hearing than they have in years. The **port** is financially self-sufficient and presumably able to finance the proposed relocation.

Like Los Angeles International Airport, the **Port** of Los Angeles plays a vital role in the city's and region's economy. It moves $101 billion worth of cargo each year, employs up to 25,000 workers and indirectly supports countless other jobs throughout Southern California, from international trade to the fashion industry. And like LAX, this economic engine can be a noisy and polluting neighbor.

The long-promised relocation of tank farms would benefit residents and also keep the **port** itself operating more smoothly and increase the safety of those who work there.

LOAD-DATE: November 15, 2001

Source: All Sources > News > By Individual Publication > L > **Los Angeles Times**
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THE DALLAS MORNING NEWS, October 15, 2001

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The Dallas Morning News

October 15, 2001, Monday SECOND EDITION

SECTION: TEXAS & SOUTHWEST; Pg. 22A

LENGTH: 1154 words

HEADLINE: Watching the sea to keep Texas safe;
In a channel full of potential targets, Coast Guard boosts anti-terror efforts

SOURCE: Staff Writer

BYLINE: LAURA HEINAUER

DATELINE: HOUSTON

BODY:
HOUSTON - Probably in the moments before the great Texas City calamity of 1947, the waters were as tranquil as they are on this overcast fall day.

In a split-second, an explosion erupted, so devastating that it disintegrated boats and barges around it, so powerful that two airplanes were blown out of the sky, with such force that one ship's anchor was found 12 miles away.

The Texas City blast was the result of an industrial accident. But today, Capt. Joe Morgan, commander of the Coast Guard cutter Manowar, can only guess about the potential effect of a **terrorist** attack at the largest **petrochemical** complex in the United States. He and his crew have been ordered to protect the area since Sept. 11. "We've got every toxin and flammable object known to man coming through these waters," Capt. Morgan said, surveying the industry-lined and visibly polluted waterway with his binoculars. "Put that with malicious intent, and you have a risk you cannot eliminate completely, but only do your best to contain."

Realizing how devastating a **terrorist's** ship's cargo could be, the Coast Guard has taken a lead role in Texas' homeland defense campaign by providing protection for the state's 880 miles of coastline. Nationwide, the Coast Guard's assignment is to protect 92,000 miles of U.S. shoreline with a particular focus on **petrochemical** complexes such as the Houston Ship Channel, where hundreds of ships pass daily.

By increasing the number of patrols and undertaking more frequent and thorough boardings, the Coast Guard hopes to complete its mission without unduly harming the shipping industry's tight schedules or profits.

Even before the FBI and President Bush alerted citizens to be on the lookout for suspicious people lurking around petrochemical plants, Capt. Morgan and his crew were aware of what just one lax moment could mean for public safety.

"We've definitely answered the call of the president," said Manowar crewmember Todd Hegemier, a reservist. "It's made me really appreciate what the Coast Guard has to offer and how impressive this geographic area really is and how important the state of Texas is from a strategic standpoint."

Since the terrorist attacks, Coast Guard patrols have increased at the Port of Houston and

Port of Corpus Christi, both regarded as strategically important. An attack could not only devastate the area but also clog shipping channels. In Corpus Christi it could threaten Naval Station Ingleside and Naval Air Station Corpus Christi.

That's why, while cruising the 80-mile-long Houston ship channel, half of the Manowar's crew at any one time will be stationed on the cutter's bridge, looking for anything suspicious.

"It's hard to say exactly what we're looking for," Capt. Morgan said. "Being out here as much as we are, you just know what doesn't seem right."

New rules

New security zone regulations allow some insight into what the Manowar searches for.

No vessels are allowed to approach within 500 feet of other ships, and all vehicles on shore must be no closer than 100 yards of a ship. Additionally, any ship wanting to enter port must provide notification of its arrival 96 hours in advance, up from 24 hours. The additional time lets authorities run crewmembers though FBI and intelligence databases and assess the cargo threat.

If an inspection is deemed necessary, boarding officers will conduct a search nine miles off the coast, as compared with three miles before. They carry 9 mm sidearms. Before, officers carried weapons only if a background check identified a potential criminal threat.

"From Day One, we have been more proactive," Lt. Troy Davis said. "It's good because it gives us more visibility and puts us in a position to be prepared if anything out of the ordinary comes up. Since this whole thing started on the eleventh, I've often thought it gives us a bigger sense of purpose and brought us all a lot closer together as a crew."

Working with customs patrols, harbor police and local law enforcement agencies, the Coast Guard also has onshore agents working on facilities inspections.

Traffic watch

Much of the Manowar's patrol this day was focused on monitoring traffic and using the radio to inquire where boats were going and why.

At one point, Executive Petty Officer Catharine Gross, who was navigating the boat, informed a nearby ship that the Manowar would be turning around.

"OK, just don't shoot us " comes a joshing voice from the other end.

"Roger," she said turning away from the radio. "We're getting that all the time. It's either that or a lot of tug drivers will go out of their way to give us some kind of signal, a salute or a wave or something, just to tell us that they appreciate that we're here."

Even though machine guns on board are threatening, intimidation is not normally the Coast Guard way.

Below deck on the 87-foot-long vessel, several members of the crew take a shift break. An Indiana Jones video plays on a small television while they eat a lunch of Popsicles, hamburgers and fries prepared by ship cook, Petty Officer Rudy Duran. The crew affectionately refers to him as the best cook in the Coast Guard.

'Why I joined'

"For me, what we're doing right now, this is why I joined," Petty Officer Duran said, referring

to his 101/2-year service in the Coast Guard.

These increased national security duties are in addition to the regular services that the ship provides - conducting search-and-rescue missions, intercepting drugs, enforcing safety regulations, and tending to the buoys that guide ships along the coasts.

"You're sitting down here, and a lot of times it feels just like a long trip at sea," said Chief Petty Officer Ed Lewis. "But then you go up on deck and see those machine guns on the front of the boat, and then a kind of reality sets in."

It's a reality in two parts - one taking into account this new danger that members of the Coast Guard now face and another that recognizes the problems associated with the long-term anti-terrorism commitment.

'Not sustainable'

"This posture is not sustainable," said Adm. James M. Loy at a Senate Commerce Committee hearing last week on Capitol Hill. "Nor is it an efficient and effective use of resources. Our people are working long hours, other important missions are being curtailed, and almost 30 percent of our reservists are on active duty."

Despite the strain, the recent events have also brought a renewed sense of commitment, say some on the Manowar.

"Ever since the eleventh, this crew has been dedicated to giving it everything we got, and that, in turn, has generated a real sense of unity that I think mirrors what's going on across America," Petty Officer Duran said. "Yeah, we're tired, yeah we're working longer hours than ever before, but it makes you proud to be in the Coast Guard, proud to be a Texan, and even prouder to be an American."

GRAPHIC: PHOTO(S): (1-2 PHILLIPPE DIEDERICH/Special Contributor) 1. Executive Petty Officer Catharine Gross navigates the Coast Guard cutter Manowar along the Houston Ship Channel. Since Sept. 11, the Coast Guard has taken a lead role in Texas' homeland defense. 2. The Manowar crew keeps watch for suspicious activity from the bridge. "Being out here as much as we are, you just know what doesn't seem right," says Capt. Joe Morgan. MAP(S): (Staff graphic) Coast Guard patrols channel.

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Los Angeles Times October 2, 2001 Tuesday

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Los Angeles Times

October 2, 2001 Tuesday Home Edition

SECTION: California; Part 2; Page 10; Metro Desk

LENGTH: 688 words

HEADLINE: RESPONSE TO TERROR;
;
Officials Call for Tighter Security at L.A. and Long Beach Harbors;
Safety: Activists and residents fear the complex could become a target for terrorists.
Congresswoman urges intense searches of cargo ships and trucks.

BYLINE: LOUIS SAHAGUN, TIMES STAFF WRITER

BODY:
Fearing that terrorism could target the nation's busiest **port** complex, federal and local officials on Monday called for new security measures, such as intensified searches of cargo ships and trucks, at the harbors in Los Angeles and Long Beach.

The public forum convened by U.S. Rep. Jane Harman (D-Redondo Beach) also listened to **port**-area residents fret about the potential environmental and health consequences of any assault on the many fuel and chemical storage facilities at the **port.**

Among them was San Pedro resident and activist Janet Gunter.

"**Port** and city officials have been deficient in making people aware of the materials located at the terminals, the risks they pose or how to respond in the event of an emergency," she said. "There isn't even an evacuation plan in place. Yet, we are on a peninsula with only three roads out of town." A **terrorist attack** at the **port** could also pose a threat to the entire nation, according to Harman, who is a member of the House subcommittee on terrorism and homeland security.

In a letter sent to President Bush two days after the Sept. 11 attacks, Harman requested federal assistance in conducting a security assessment at the adjacent **ports,** which together handle about 5,000 vessels a year ferrying cargo valued at more than $190 billion.

She urged the deployment of additional U.S. Customs and Coast Guard officers and equipment to inspect cargo ships and oil tankers, and conduct background checks on crews.

"**Terrorist attacks** are asymmetrical and unpredictable," she said. "We have no time to waste in making this a totally safe facility."

Los Angeles City Councilwoman Janice Hahn, who represents the **port** communities of San Pedro and Wilmington, announced she will introduce today a motion urging that the city's emergency preparedness, police and fire departments and related agencies work with **port** authorities to develop a comprehensive response to emergencies.

Of particular concern, she said, are the thousands of trucks owned by mostly independent drivers who haul nearly 5 million containers a year from the harbor to train yards 20 miles to the north and retail outlets across the country.

"There are no comprehensive security measures in place with regard to checking the contents

of those containers, or the identification of the drivers," she said. "It's a big hole in the system, and it's right here on the docks."

On another front, Hahn said she will urge **port** authorities to begin drawing plans for relocating liquid fuels and hazardous chemicals "as far away from surrounding communities as possible."

"The **port** has been reluctant to even talk about such things in the past," she said. "But now these issues are at the forefront. What was once a local annoyance has become a national security issue."

In an interview, Bruce Seton, chief operating officer at the **port,** insisted that the **port** facilities are "safe as can be."

"I'm not saying we can't do better," he said. "But the process should be well thought out, and not knee-jerk."

In any case, "it would take a decade, maybe longer, to dismantle potential terrorist targets, clean up the premises and move them someplace else."

"Where's the new land for them supposed to be built? Outside the breakwater?" he asked. "There's some major challenges there."

After the forum, Harman and Hahn boarded a 41-foot U.S. Coast Guard cutter for an hourlong tour of the harbor, and a mock inspection of a cargo container vessel.

Plying past a dozen terminals handling such hazardous liquids as crude oil and gasoline, Coast Guard Capt. J.M. Holmes described the Coast Guard's increased presence in the **port** since Sept. 11.

The agency is conducting 24-hour patrols of the waterfront, and its boats escort all large passenger cruise ships and tankers to dock. Multi-agency teams, including immigration officers and sometimes FBI agents, are boarding ships and conducting background checks on their crews.

"A month ago, you might have seen one Coast Guard vessel on a given day," he said. "This evening, you'll see at least six Coast Guard boats out on patrol."

GRAPHIC: PHOTO: (B1) Honoring the Missing--L.A. Councilwoman Janice Hahn and Fire Battalion Chief Lou Roupoli hug as U.S. Rep. Jane Harman looks on during a ceremony honoring New York police and firefighters. Officials met with harbor-area residents to discuss security at L.A. **ports.** PHOTOGRAPHER: ANACLETO RAPPING / Los Angeles Times PHOTO: Josh Gunn of the U.S. Coast Guard rides back to **port** after demonstrating a search and inspection procedure of a cargo ship. PHOTOGRAPHER: ANACLETO RAPPING / Los Angeles Times

LOAD-DATE: October 2, 2001

Source: All Sources > News > By Individual Publication > L > **Los Angeles Times**
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Refinery fire finally out

By Jeanne Russell and Dane Schiller
San Antonio Express-News

Web Posted : 07/10/2001 12:00 AM

THREE RIVERS — The "what if" question has loomed quietly over this small city as surely as its largest employer — the Ultramar Diamond Shamrock oil refinery — juts out of the hard, flat land.

An unexplained explosion Monday that spit black smoke, flames and hydrofluoric acid into the sky left three refinery workers hospitalized and brought residents' fears to the forefront.

The three, two of whom were contractors, were in serious condition at Christus Spohn Hospital in Corpus Christi, said hospital spokeswoman Rita Patrick. A Three Rivers volunteer firefighter was treated at the scene for heat exhaustion.

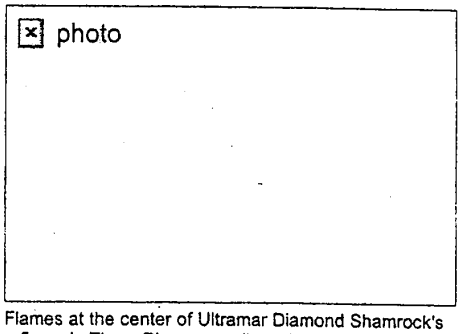
The stubborn fire that followed the explosion was finally extinguished late Monday, according to the Live Oak County Sheriff's Department.

The 11:30 a.m. explosion in the plant's alkylation unit prompted the refinery's evacuation, then emptied Three Rivers' storybook main street. Within the hour, it closed the Dairy Queen, the Ford dealership and the Handi-Stop.

People in homes, businesses and churches were told to leave — or decided not to wait to be told.

Authorities could not release an exact number of residents evacuated, but UDS officials said they found hotel rooms for hundreds of people who reside within a seven-block area of the refinery. Live Oak County Fire Marshal James Jungman said about 200 were evacuated.

A decision will be made this morning on whether residents will be able to return to their homes.



Flames at the center of Ultramar Diamond Shamrock's refinery in Three Rivers are allowed to burn off Monday. Gloria Fermiz/Express-News

• San Antonio drivers may face higher prices

Three Rivers Refinery

Owner: One of seven refineries owned by San Antonio-based Ultramar Diamond Shamrock

Capacity: About 95,000 barrels per day

Supplier: Uses crude oil from South America

Employees: 279

Close to 100 refinery workers and area residents took shelter a few miles away at Wolff's Travel Stop & Restaurant, a truck stop off Interstate 37 where they competed for shade or studied the distant fireworks from tailgates.

"I saw all the smoke and decided it was time to get out of Dodge," said Rod Crawford, a contractor renovating the old-fashioned Rialto Theater.

One injured worker was identified as Greg Likens of nearby George West. A family member said he was "fine, but being kept overnight for observation."

Company officials could offer no clear account of what caused the blaze, but said a mix of hydrocarbons and acids ignited in the alkylation unit, where premium gasoline is made.

"It's not dissimilar to if you have a charcoal grill," said Paul Eisman, executive vice president of corporate development for UDS.

The three workers were sent to the hospital because of fears they had been exposed to hydrofluoric acid, an extremely corrosive substance, Eisman said. Workers in the unit wear acid suits to prevent exposure to it, he added.

The blast rattled windows at the Pizza Hut, whose customers were among the first to be evacuated.

A five-block evacuation area grew to include eight blocks making up most of downtown, then downwind as far as Choke Canyon State Park.

Forced to knock on doors after a siren malfunctioned, the Three Rivers Police Department moved about 200 people out of the refinery area and downtown, Jungman said.

Looking down Three Rivers' main street, Harboth Avenue, residents saw a steady plume of smoke from flame sources resembling torches belching against the sky.

Construction worker Jesus Carillo, 25, was at the refinery at the time of the blast and heard the plant alarm sound.

"They told us to get out of town," he said. "At first we thought it was no big deal, then we sort of got scared with the smoke and the flames and everybody leaving town."

Rowdy Slaughter, 28, a contractor from Beaumont who was working in the plant about 700 yards from the explosion, said he saw a small vapor release, and later, black smoke.

He said he's known friends who have worked in alkylation units. "If it gets on you, it searches for calcium," he said of hydrofluoric acid, "unless you neutralize it."

The company carried out contingency plans for the release of hydrofluoric acid, part of which involves evacuating residents, said Tara Ford, a UDS spokeswoman.

Ford could not say immediately how much acid was released or how much is stored at the plant. The company planned to open an investigation today.

At nearby Choke Canyon State Park, several campers had to be evacuated from the 385-acre South Shore Unit, one of two camping areas. The 1,100-acre Calliham Unit had about 25 campers who were told to be ready to move if the wind shifted.

It wasn't clear Monday what impact the explosion and fire had on the environment. The Texas Natural Resource Conservation Commission asked Ultramar Diamond Shamrock to set up air monitors to test the air, but agency spokesman Dick Lewis said he was unsure whether testing had begun.

He said TNRCC would test the Frio River, which supplies drinking water to Three Rivers and Beeville, to see if it had been contaminated. Three Rivers officials tested the city's drinking water Monday night and found no problems.

By the time the agency's emergency response team arrived at the plant, the stormwater outfalls that direct water off the property had been closed. That would contain any liquid, including leaks or spills, on the property, Lewis said.

The dam at Choke Canyon was closed to reduce river flow. If the Frio were contaminated, a weak flow would shorten the distance the pollutants would travel.

"We do not have any confirmed report of any contamination into the water of the rivers yet," Lewis said, adding that the smoke itself could contain hydrofluoric acid and sulfuric acid, as well as particulates.

A check of the plant's recent inspection history by TNRCC showed what Lewis called minor violations. The plant incurred an industrial hazardous waste disposal penalty in 1996, and was fined $4,000 in December 1994 and $4,370 in April 2000, both times for air emissions violations.

This spring, the plant was found to have made an industrial hazardous waste disposal violation, also minor in TNRCC's view, Lewis said.

TNRCC meteorologists did not pick up the smoke plumes on satellite in the late afternoon, Lewis said.

"Obviously those persons who experience any breathing difficulty such as asthma, emphysema or are prone to allergies, they may want to go inside," he said.

The presence of hydrofluoric acid in the plant concerned environmental groups. Neil Carman, director of the clean air program for the Lone Star Chapter of the Sierra Club, called the chemical "probably the single most dangerous material in the refineries."

Carman, who used to inspect refineries for TNRCC, said of hydrofluoric acid: "It's the only chemical known to chemistry to eat glass."

Located between Corpus Christi and San Antonio, Three Rivers was named for its location near the Frio, Nueces and Atascosa rivers. The two largest employers in this town of fewer than 2,000 residents are the refinery and a federal prison.

The prison, eight miles west of the plant, was prepared to evacuate — or provide shelter to city residents, said associate warden Tom Wiemann.

About 25 miles north of Three Rivers, firefighters and deputies in Campbellton went door to door to caution residents to limit their time outdoors in case the smoke carried harmful chemicals, said Chris Llamas, assistant chief of that city's volunteer fire department.

The refinery is one of two owned by Ultramar Diamond Shamrock in Texas, and is considered a mid-sized facility producing about 95,000 barrels of gasoline, diesel, jet fuel and other petrochemicals daily from South American crude oil.

It employs 279 people, but fewer than that number are at the plant at any given time, company employees said.

Joe Davila, who runs a welding shop several miles northeast of the refinery, said the roar of fire trucks from Corpus Christi and the buzz of media and public safety helicopters added to the excitement during a frightening day.

Roma Memorial Nursing Home, which sits on a hill east of the plant, did not have to evacuate, said Susan Graves, an administrator there. But after the blast, the staff moved residents to a hall just in case, singing songs to pass the time.

"Three Rivers residents who were evacuated can call toll-free at (888) 422-2524 to coordinate reimbursement for expenditures verified by receipts, UDS officials said.

jeanner@express-news.net

Staff Writers David Eggert, Kate Hunger, Scott Huddleston, Daryl Bell, Bill Day and Jeffrey Hipp contributed to this report.

07/10/2001

COMMENT LETTER NO. 46
LETTER FROM COMMUNITIES FOR A BETTER ENVIRONMENT

Maria Hall
June 20, 2002

Response 46-1

This comment provides a summary of the comments raised in the other portions of the letter. See Responses 46-2 through 46-4 regarding mitigation of diesel emissions. See Response 46-5 regarding terrorist attacks. See Response 46-6 regarding HF acid.

Response 46-2

All identified feasible mitigation measures for construction-related emissions have been imposed. Please see the Final SEIR pages 4-28 through 4-31. The proposed project is not an expansion since there will be no increase in the amount of crude processed by the Refinery. No feasible mitigation measures have been identified for emissions from trucks and ships. Please see the Final SEIR pages 4-31 through 4-55 for a discussion of the mitigation measures for trucks and ships. Also see Response 45-10 for a discussion of the SCAQMD's authority to mitigate the emissions from marine vessels. No additional mitigation measures have been identified by the commentator to address potential diesel emission impacts.

Response 46-3

Your comments regarding air quality in the area are noted and the SCAQMD is aware of the regulatory efforts to reduce diesel exhaust emissions and supports those efforts. In fact, the SCAQMD has adopted a number of fleet vehicle rules that require purchasing alternative clean fuel vehicles when replacing diesel vehicles in fleets with greater than or equal to 15 vehicles.

Response 46-4

Mitigation measure A-9 requires the use of low-sulfur diesel during the construction phase (see page 4-30). Mitigation measures A-8 requires the use of PuriNOx in construction equipment, if it is commercially available and if the fuel is compatible with the engine. See Response 46-2 regarding the control of diesel emissions from ships and trucks. Natural gas-powered construction equipment is generally not available and, therefore, not a feasible mitigation measure. The emissions from employee vehicles associated with the proposed project are minor, i.e., less than one pound per day for VOCs, NOx, and PM10, and about four pounds per day for CO (see Page A-30 of the Final SEIR). Mitigation measures to reduce the emissions from employee vehicles are not required. It should be noted that use of the CARB Phase 3 reformulated gasoline is expected to result in regional emission benefits from vehicles that utilize the fuels. Air quality benefits of using CARB Phase 3 reformulated gasoline will also occur in the local Wilmington area.

It is uncertain what is meant by the comment that the report should require "CNG trucks for factory workers," since the proposed project does not include modifications at any local factories. See the preceding paragraph regarding emissions from employee vehicles associated with the proposed project.

Response 46-5

See Response 45-11 regarding the hazards related to terrorist attacks. There are currently storage tanks located about 300 feet away from residential areas near the Olympic Tank Farm. The proposed project will not place any new tanks closer to residential areas than currently exist. The maximum distance that a fire hazard is expected to migrate is about 60 feet from the Olympic Tank Farm which is within an industrial area. Therefore, there is sufficient distance between the existing Olympic Tank Farm and any residential areas and no further buffer is required. It should be noted that the residential area referred to in this comment is about 50 feet from the railroad tracks associated with the Alameda Corridor.

Response 46-6

As noted in previous responses, neither new equipment using HF acid nor existing equipment that uses HF acid are components of the proposed project. See Responses 7-26 and Response 44-9 regarding the use of HF acid in connection with the proposed project.