



CROSSTEX

ENERGY SERVICES

February 27, 2008

Mr. Nathan Lesser, Desk Officer
U.S. Department of Homeland Security/NPPD
C/O The Office of Information and Regulatory Affairs
Office of Management and Budget
Washington, D.C. 20503

Via Electronic Mail

Re: The Chemical Security Assessment Tool

Dear Mr. Lesser:

Crosstex Energy Services, L.P. ("Crosstex") is a leading independent midstream natural gas company that operates over 5,000 miles of pipeline, 13 processing plants, four fractionators, and approximately 200 natural gas amine-treating plants and dew-point control plants. Crosstex currently provides services for over 3.5 billion cubic feet per day of natural gas, or approximately seven percent of marketed U.S. daily production.

As a critical infrastructure owner and operator, safety and security are among our highest priorities. Independently and through trade associations, Crosstex has monitored the development of the Chemical Facility Anti-Terrorism Standards (CFATS).

A Notice published in the January 28, 2008 edition of the *Federal Register* solicits comments regarding the Chemical Security Assessment Tool (CSAT). In particular, the Office of Management and Budget (OMB) seeks comments discussing the utility of the information that was collected and the time burden associated with the CSAT collection process.

The following comments are in response to the Notice:

Chemical-Terrorism Vulnerability Information (CVI) Training Inadequately Addresses the Complexity of CVI: Only authorized users with a need to know may access CVI, and DHS conditions access to CVI on, among other things, the completion of the online CVI training module. The online CVI training module takes approximately 30 minutes. While it provides a general overview of CVI and requires the user to take a short quiz, the training fails to address the complexities and nuances of CVI compliance.

To understand CVI, users must consult DHS's CVI guidance material, especially the *Safeguarding Information Designated as Chemical-Terrorism Vulnerability Information Procedural Manual*. Because the online CVI training does not adequately address much of this information, some CVI authorized users may have a false sense of understanding regarding CVI, notwithstanding the fact that the CVI non-disclosure agreement is conditioned on the signatory's familiarity with all statutory, regulatory, and DHS guidance documents.

The CSAT Help Desk Provided Limited Assistance: Generally, the personnel staffing the CSAT Help Desk failed to provide meaningful assistance and could not answer the question that was posed by the caller. On some occasions, the representative simply deferred the caller to the CSAT Frequently Asked Questions webpage. Considering that the wait time to speak with a CSAT Help Desk representative could exceed one hour, this lack of assistance was frustrating.

Data Entered During User Registration had to be Entered Again During the Top-Screen: The User Registration process required the entry of data such as facility name, address, latitude, and longitude. Although this information should have been retained by the CSAT, it was not. The information had to be entered again upon login into the CSAT, thereby causing a replication of effort. For submitters with numerous facilities, this redundant effort and time burden was multiplied by the number of Top-Screens that required completion.

DHS Failed to Explain How to Treat Release-Flammable Mixtures with Two or More Chemicals of Interest Until January 8, 2008: DHS did not explain material issues regarding the treatment of release-flammable mixtures with two or more Chemicals of Interest until January 8, 2008. The absence of this information *significantly* complicated the calculation of Top-Screen data for Crosstex facilities and could have compromised our ability to meet the regulatory submission deadline.

Crosstex appreciates the opportunity to comment and looks forward to a continued partnership with DHS. Should you have any questions or require additional clarification, please do not hesitate to contact our outside counsel on this matter, Mr. Steven Roberts, Esq., by telephone (561-995-4000) or email (roberts@serobertslaw.com).

Sincerely,



Oksana A. Howard
Manager of Environmental Compliance
Crosstex Energy Services, L.P.
Dallas, Texas

cc: Steven Roberts