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Department of Homeland Security
245 Murray Lane SW
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Arlington, VA 20528-0610

January 19, 2015

RE: Revision Of Information Collection Request: 1670 0007, Chemical Security Assessment Tool (CSAT), Docket Number: DHS-2015-0058-0001

Dear Sir or Madam:

The Chlorine Institute ("CI" or the "Institute") is a 190 member, not-for-profit trade association of chlor-alkali producers worldwide, as well as packagers, distributors, users, and suppliers. The Institute's North American Producer members account for more than 93 percent of the total chlorine production capacity of the U.S., Canada, and Mexico. The Institute's mission chemicals, namely chlorine, sodium hydroxide and potassium hydroxide, and hydrogen chloride, are used throughout the U.S. economy and are paramount to the protection of public health.

With reference to the November 18, 2015 Federal Register "Chemical Security Assessment Tool (CSAT)" (80 FR 72086), CI members request the following changes to the screen process.

CSAT Tool

The CSAT tool has repetitive questions throughout the document that extend the time to complete. For example, Risk-Based Performance Standard (RBPS) 4, repeats questions from RBPS 1, 2 and 3. If the questions must be asked multiple times, it would be helpful to identify questions that would elicit a similar response.

DHS should consider the format of RBPS 18. RBPS 18 stipulates that every answer to every question must be yes. Instead of filling out a form by checking a series of boxes, those requirements could be explicitly stated with a simple signature or check box at the bottom.

Some of the questions are phrased as a double negative, making the question unnecessarily confusing. The questions should be phrased in such a way that the expected answer is abundantly evident. If the answer is a simple yes or no, indicate that in the question and provide a text box. If the question requires supporting information, indicate what types of supporting documentation would be acceptable and unacceptable.

DHS should develop a Compliance Guide for performing audits at each Tier Level. This will assist regulated communities in preparing for audits and achieving the intended objectives of CFATS.

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Additionally, some CI members have observed that some DHS auditors completely ignore CSAT questions during an audit; a Compliance Guide could standardize the auditing process.

Risk Tiering Methodology

DHS should consider combining the Top Screen and Security Vulnerability Assessment processes. Combining the processes would save time for both the regulated community and DHS as each process has similar goals. DHS should also consider factors/measures/conditions that if existing or present would effectively lower the risk ranking of the security issue and effectively lower the Tier Level. This may reduce the number of facilities that are reassigned to a different tier later in the process.

Theft and Diversion

DHS should consider removing the chlorine rail car as a theft issue in the tiering process. Chlorine rail cars weigh between 83,000 and 93,000 pounds when empty. Loaded rail cars weigh in excess of 263,000 pounds. Due to the extreme weight and the necessity to transport them on permanent rails using powerful mechanized systems, chlorine rail cars should not be considered man-portable.

Chlorine Dispersion Estimates for the Top Screen

Since 2013, CI has had a Cooperative Research and Development Agreement (CRADA) with Chemical Security Analysis Center (CSAC) within DHS. With the support of the Chlorine Institute, CSAC has conducted a series of field experiments to study the dispersion patterns and the nature of reactivity of chlorine to its surroundings. From these tests, CSAC then modeled chlorine releases and contributed those results to the newly updated Chlorine Institute *Pamphlet 74, Guidance on Estimating the Area Affected By A Chlorine Release*. These models are based on real-world, large-scale chlorine releases, modeled by DHS scientists. For this reason, some members have elected to use the release estimates of *Pamphlet 74* in lieu of RMP*COMP, and have received notification from DHS that RMP*COMP must be used. RMP*COMP is based on a computational model, not real-world tests studied by DHS scientists. DHS should consider, for chlorine, allowing the use of *Pamphlet 74* dispersion estimates in lieu of RMP*COMP due to the higher level of accuracy and to conserve resources by using already existing dispersion analysis.

Additionally, CI members have received feedback on Top Screens regarding the release volume. For EPA's RMP submissions, the single largest container is used as the release scenario. When this volume was submitted on a Top Screen, CI members were asked to instead use the full inventory of the COI within a 170 foot radius. Especially for members who package chlorine into multiple smaller containers, such as cylinders and ton containers, this scenario is highly impractical and improbable and has the potential to affect tier determination. It is also unclear the origins of the 170-foot radius specification.

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CI members believe making the mentioned changes will accomplish the objectives of CFATS in a more efficient manner.

Thank you for your time and attention.

Best Regards,

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