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February 27, 2008

Office of Information and Regulatory Affairs
Office of Management and Budget
Washington, D.C. 20503

Via Electronic Mail

Attn: Nathan Lesser, Desk Officer
U.S. Department of Homeland Security
National Protection and Programs Directorate

Re: The Chemical Security Assessment Tool – Request for Information

Dear Mr. Lesser:

DCP Midstream, LLC (“DCP Midstream”) is one of the nation's largest natural gas gatherers and processors, the largest natural gas liquids (NGLs) producer, and one of the largest NGL marketers in the United States. As a responsible critical infrastructure operator, DCP Midstream takes environmental, health, safety, and security obligations very seriously and makes every attempt to comply with all applicable laws and regulations.

The Chemical Facility Anti-Terrorism Standards (CFATS) requires the Department of Homeland Security (DHS) to identify “high-risk” chemical facilities. As you know, DHS developed the web-based Chemical Security Assessment Tool (CSAT) as the principal information collection mechanism.

Pursuant to the Notice published in the *Federal Register* on January 28, 2008, DCP Midstream appreciates the opportunity to submit the following comments and observations regarding the CSAT, to include the CSAT Help Desk:

The Help Desk Failed to Provide Meaningful Assistance Via the Telephone: In most instances, the DHS personnel staffing the Help Desk failed to provide meaningful assistance and, in some cases, lacked functional familiarity with CFATS. Help Desk personnel frequently could not answer basic questions. Seeking assistance with technical questions – such as those regarding Chemical-Terrorism Vulnerability Information or the precise manner to calculate release-flammable mixtures, for example – proved futile.

Wait Times to Access the Help Desk Via Telephone Ranged from 30 Minutes to Four Hours: DHS states that the “estimated time per respondent” to the Help Desk is “10 minutes per phone call.” (See 73 Fed. Reg. 4886). However, DCP Midstream experienced wait times ranging from 30 minutes to four hours. The extreme variation loosely correlated to when the call was made: calls that occurred late in the afternoon in the immediate days prior to the January 22, 2008 Top-Screen submission deadline experienced the longest wait times.

The Help Desk Failed to Provide Meaningful Assistance Via Email: Communicating with the Help Desk via email was equally problematic. Rather than answering the question that was posed, Help Desk email replies often deferred to the CSAT Frequently Asked Question website. In other instances, the Help Desk's email responses were vague and lacked meaningful utility.

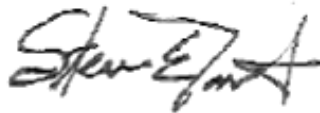
The Top-Screen Questions Available for Download from DHS's Website and the Actual CSAT Top-Screen Questions Were Inconsistent: There were material inconsistencies between the Top-Screen questions that were available for download from DHS's website and the actual CSAT. These inconsistencies resulted from DHS's failure to post revised Top-Screen questions to its website in a timely manner. For example, the actual CSAT Top-Screen questions allowed users to indicate the presence of certain fuels and enter the total quantity of the fuel. These questions or data fields were absent from the Top-Screen questions that were available for download. This caused unnecessary confusion and increased the time burden associated with Top-Screen completion.

How to Treat Release-Flammable Mixtures with Two or More Chemicals of Interest Represented a Significant Issue that Remained Unresolved Until January 8, 2008: DHS did not clarify how to treat release-flammable mixtures containing two or more Chemicals of Interest until January 8, 2008. For facilities that possess NGLs, this matter was paramount: by not clarifying this issue until January 8 – a mere 14 days before the January 22 Top-Screen submission deadline – DHS unwittingly delayed the submission of many Top-Screens.

DCP Midstream recognizes that CFATS represents a significant rulemaking that requires a strong public-private partnership. DCP Midstream looks forward to continuing to work with DHS and hopes that the forgoing comments offer helpful insight. Should you have any questions or require additional clarification, please do not hesitate to contact me by telephone (561-995-4000) or email (roberts@serobertslaw.com).

Respectfully submitted,

Steven E. Roberts, P.A.

A handwritten signature in black ink, appearing to read "Steven E. Roberts", with a stylized flourish at the end.

By: Steven E. Roberts, Esq.
Outside Counsel to DCP Midstream, LLC