

TO Public Safety Committee

FROM: JANET GUNTER
SAN PEDRO PENINSULA HOMEOWNERS UNITED
6-13-14

Date: 6/13/14

Submitted in PS Committee

Council File No: 13-0462

Item No.: SPECIAL #1

Deputy: Adam R. Lid

AGENDA ITEM:
SPECIAL #1
13-0462

Submitted to Council File,
FOR REVIEW by Committee &
Public.

Group of Docs -

Incl. 3 Photos - Rancho Tank / House.

- 111 RAILCAR ACCIDENT 3-8-12

PURPOSE TANKS - DESCRIBING SOIL

4. PAGE FROM LA CITY PLANNING SHOW TANKS IN EQ ZONE

5. EMAIL FROM FROG BEA RE: DEFICIENCIES

6. ARCHIVE ARTICLE: "LPG TANKS MAY BE ILLEGAL" 1977

7. ARTICLE NY TIMES - CHEMICAL SAFETY BOARD

8. DOC ON RANCHO FACILITY CONDITIONS

9. TESTIMONY - JANET GUNTER TO PART 6-4-2014

10. COUNCIL ACTION AMERICAS / Rancho 2005

11. EPA SHOW CAUSE LETTER MAR. 2013

12. WAXMAN LETTER July 2013

13. LIEU LETTER AUG 2013



DEPARTMENT OF FORESTRY AND FIRE PROTECTION
OFFICE OF THE STATE FIRE MARSHAL

P O Box 944246
SACRAMENTO, CA 94244-2460
(916) 445-8200
Website: www.fire.ca.gov



August 15, 2013

The Honorable Ted W. Lieu
Senator, Twenty Eighth Senate District
State Capitol, Room 4061
Sacramento, California 95814

Dear Senator Lieu:

Thank you for your letter requesting the CAL FIRE – Office of the State Fire Marshal (OSFM) conduct an investigation and risk analysis of a Bulk Liquefied Propane Gas (LPG) storage facility owned and operated by Rancho LPG Holdings LLC., located at 2110 North Gaffey Street, San Pedro California. The OSFM has broad authority given to it under the Health and Safety Code, however bulk LPG storage facilities is outside of our statutory and regulatory responsibilities. I feel your request is more appropriate for the Office of Emergency Services (OES) which has statutory authority for Hazardous Materials Area Planning and the Los Angeles Fire Department (LAFD) which is the authority having jurisdiction for community risk mitigation and emergency response.

I have copied the OES and the LAFD in this reply so that they are aware of your concerns. If you should have additional questions or if clarification is needed please contact CAL FIRE Deputy Director of Legislation, Caroline Godkin at (916) 653 -5333 or caroline.godkin@fire.ca.gov

Sincerely,

A handwritten signature in blue ink that reads "Tonya L. Hoover".

TONYA L. HOOVER
State Fire Marshal

cc: Caroline Godkin, CAL FIRE
Dawn Mehlhaff, OES
Brian Cummings, LAFD
Mark Storms, LAFD



VOTE DIAZ FOR LOS ANGELES CITY COUNCIL DISTRICT 14

THE PEOPLE'S CHOICE

NADINE MOMOYO DIAZ

Nadine Diaz is the embodiment of the American Dream and a future leader of our community. With two degrees from the University of Southern California (USC) and years of "hands on" experience, Nadine has proven she has the necessary skills, experience and education to be the first successful and worthy councilwoman to represent the City of Los Angeles District 14.

Born September 22, 1962, Nadine is a third generation stakeholder of Boyle Heights who is Mexican American and Japanese American, and has been a community and health advocate for the past 30 years. She is a tireless crusader for social justice, environmental justice and community empowerment. Nadine is a champion of the environment and believes in a level playing field for all businesses and constituents.

She symbolizes east meets west because of her cultural and ethnic identity. Nadine's father who is Mexican American was born in the Ramona Gardens government housing projects in Boyle Heights, and her mother who is Japanese American was born in a concentration camp at Tule Lake, California where the U.S. government interned the Japanese Americans in 1942. Her mother's history and barrack identification number 38776 is archived in the Japanese American Museum located in Little Tokyo in the City of Los Angeles. In the mid-1950's her parents met at Roosevelt High School in Boyle Heights, where they graduated together in 1958. A couple of years later, they married and formed a family that provides a rich historical context which is a testament of Nadine's strength, survival, and perseverance.

Her father Anthony Gene Diaz, Pharm.D., M.D. attended East Los Angeles Community College (ELAC), California State University Los Angeles, and USC where he earned his Doctor of Pharmacy in 1968. He furthered his education and earned his M.D. at the University of Utah in 1979 and is an Anesthesiologist.

Her mother Kimiko Shirley Imai-Diaz, studied banking at East L.A. Community College and worked for the Little Bank of Tokyo, while supporting her husband's education at USC and providing for the family. Nadine's younger brother Dimitri earned his Bachelors of Science in Chemistry at Occidental College, and her youngest brother Gavin earned his Bachelors of Arts in Fine Arts and Graphic Design from Lewis & Clark College in Oregon.

Nadine has been employed at USC for the past 23 years, starting with the Daily Trojan, the Keck School of Medicine and the School of Social Work. Since 1994 she has been part of a research team at the USC Keck School of Medicine, researching "Electromagnetic Fields and the Risk of Breast Cancer Among African American and Latina Women," "The Children's Health Study" and the "Diabetes Medication Compliance Pilot Study."

Since 2007 she has served as the lead social worker and recruitment manager for the USC Memory and Aging Center, where she manages the recruitment and retention of all participants/patients enrolled in research for dementia, Alzheimer's disease and clinical trials. Other responsibilities include advocacy, legislation, policy, public and government relations at the local, state and federal levels. Inasmuch, Nadine is also the Southern California representative for all brain donations that are generated by the International Brain Bank. <http://www.intbbn.org/>

Since 2006, Nadine has been a Clinical Social Worker at the California Hospital Medical Center, located in Downtown Los Angeles. She provides social work consult and clinical evaluations to patients with either health or

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mental health conditions admitted to E.R., Trauma, ICU, CCU, NICU, Med-Surge, and Palliative Care. Nadine is also an active union member of the SEIU UHW.

EARLY –MID 20's

Prior to taking care of her grandfather in 1984, Nadine worked as a Cartographer for the United States government, making government maps of Saudi Arabia, Iran and Iraq. At the age of 22, Nadine decided to relocate to live with her 85 year old paternal Grandfather Antonio Diaz who was blind and an invalid living in Boyle Heights. Her activism began then, as a caregiver and college student, where she learned how to organize, mobilize and strategize with others to make a positive difference for all students. She advocated for the increase of classes offered at the community college level, which is still an ongoing problem today. During this time, she learned about community organizing and the history of Los Angeles City politics from her Grandfather Diaz, who registered people to vote and was a labor organizer in his younger years.

At ELAC, she served as Associate Chief Justice of Student Government and a member of MECHA and Chicanos for Creative Medicine. Nadine graduated on the Dean's List from ELAC with immense opportunities to continue her university education. As a selected honor's student of the UCLA Transfer Alliance Program, she had direct admissions to UCLA and UC Berkeley via the Puente Writing Program. Nadine however decided to follow in her father's footsteps and attended USC.

During her undergraduate years, Nadine worked as a Teacher's Assistant for the Los Angeles Unified School District (LAUSD), first at Roosevelt High School in Boyle Heights, and later on at West Vernon Elementary School in South L.A. At the same time she also helped with the reorganization of the USC MECHA and continues to remain a strong advocate for the preservation of USC MECHA and El Centro Chicana/o which were established in 1972. <http://sait.usc.edu/elcentro/about/history/establishing-el-centro-chicano.aspx>

Nadine received her Associate of Arts degree from ELAC and transferred to USC where she earned both her Bachelor of Arts degree in Cultural Anthropology and her Master's degree in Social Work, one of the top 10 graduate schools in the country. The area of concentration in Social Work that Nadine studied at USC is Community, Organization, Planning and Administration (COPA), along with clinical practice.

EARLY 30's-50's

After earning her Bachelor of Arts degree at USC in 1994, Nadine worked as an English instructor and community organizer at the International Ladies Garment Workers Union, Instituto de Educacion Popular de sur de California (IDEPSCA), Catholic Charities, El Rescate, and the Coalition of Humane Immigration Rights of Los Angeles (CHIRLA). She organized and taught immigration rights, labor rights, housing rights, health care rights, human rights and citizenship.

From 1995 to 2005, she was an elected member of the Community Redevelopment Agency Project Area Committee and the Metropolitan Transportation Authority Review Advisory Committee, representing residents and small business owners. During this time, Nadine was very involved in community organizing that pertained to land use issues. Prior to this, she supported the community opposition to the building of the East Los Angeles Prison, and the incinerator in Vernon. As a community organizer, she recognized the importance of documenting testimony and community issues on film and has an archive of 20+ years that exemplifies many land use issues that continues to impact the district today.

In the late 1990's Nadine became the co-founder of the Evergreen Jogging Path coalition and began to organize the community to demand the city repair the 1.5 mile of buckling sidewalk around the Evergreen Cemetery in Boyle Heights. The objective was to create an improved recreational space for the community due to the lack of fitness centers in the neighborhood, and the fact residents were already utilizing the buckling sidewalk for health and recreational reasons.

Larsen -

Mark Fire Marshal

Fire Dept. Successful -

Course of Inspection - CALARP -
~~Commenced~~ -

Accuracies of RMPs ??

Chem. Safety Board -

Violations on System -

50 faults

EPA Cause Letter

State

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From 2001 to 2016 Nadine has been an active delegate to the Los Angeles County Democratic Party LACDP and the California Democratic Party. She was the recipient of the Franklin and Eleanor Roosevelt Female Democrat of the Year Award in 2001 and 2011. Her passion as a delegate is to maintain the grassroots component of the Democratic Party by engaging and talking to people about the importance of voting and getting involved in the civic and electoral process. These experiences have been very pivotal for Nadine in understanding the needs of all people, especially the working class who are vital to our economy at the local, national, and global level.

In 2006 Nadine began her Social Work profession at the Los Angeles Mission, helping the homeless population living on Skid Row in Downtown Los Angeles. She was part of a Community Outreach Medical Team that worked from 5:30 am to 5:30 pm Monday thru Thursday, providing health and mental health services to the people of all ages, races and ethnic backgrounds. The medical team provided HIV testing, basic health evaluations, mental health referrals, counseling, and sometimes prayer. Moreover, she was also a member of the Skid Row Initiative, who provided input regarding homelessness, mental health and health issues in Downtown Los Angeles.

Presently, Nadine continues to oppose environmental hazards in her own community and other communities outside CD 14. She supports the people against the Exide Company in the City of Vernon, C.A, and the 25 million gallons of LPG/butane stored at 2110 N. Gaffey Street in San Pedro, CA. The Exide Company is an environmental and health problem that has been polluting the community for many years and needs to be closed. The LPG/butane stored at 2110 N. Gaffey Street is an explosion waiting to happen.

Nadine is known as the People's Choice because of her long historical connection to CD 14 and her years of community service and advocacy. Her interests and experience in land use, environmental justice, health, mental health, local city services, job development/training, education, infrastructure, human services, transportation and research make her a viable person to lead CD 14. One of her strengths as an individual is the ability to bring people together to increase community awareness, empowerment and civic participation. Nadine believes all people have a right to opportunities, quality housing and access to education, health and mental health care.

The People's Campaign to elect Diaz to L.A. City Council 2015 is about a leader who has respect, integrity and is transparent. Engaging everyone in the civic process to address district concerns, problems, solutions and ideas are important to Nadine. She will work cohesively with all people, the developers and the private and public entities to address concerns and issues that impact the people's quality of life in the district. As councilwoman, Nadine's main objective is to improve the quality of life for all people living, working and investing in CD 14.

March 3, 2015

Vote

DiazforLACityCouncil2015

Committee ID.No. 1364896

To donate, make checks payable to:

Diaz for L.A. City Council 2015

P.O. Box 33223, Los Angeles, CA 90033

Email : DiazforLACityCouncil2015@gmail.com

Website: Nadine Diaz for L.A. City Council 2015 (In-Process)

Contact: Sofia G. Quinones at (323) 262-9071 or (323) 799-6167

(Printed In-house)

Mail Warren's card

~~Val's PKG~~

✓ on Chris's
1111 Council

note → call

(503)
409 ST 38

~~Mary G? - ticket~~

~~Call Adrian -~~

Questions for Jerry - Franc etc.

forward Bea Story to Chuck
*Wed @ 9:30 Gladwin

HANSI DIALKI
UPA
UPA 1972
213 218-3197

Washu Repair aft. 12

Date for Prep Mtg = Sign up for testimony

Redford City

Chris re flea stuff

Copies for Safety Committee -

RAIL CAR / Chem Safety Info -
House / TANK

Rupture Cone -

ILLEGAL TANKS -

HANA Motion -

Wiscow MR

WAXMAN Letter

Let from FIRE Marshall

Testimony to Harbor Comm -
ON RAIL

Pics of Slide Around TANKS -

REA Copy of Video?

October 14, 2010
Re: Cornerstone Report on Rancho

Hi Janet,

i reviewed the report - and several of the appendices.

the report provides some useful information.

the report does not provide a comprehensive analysis of all of the associated hazardous facilities. given the close proximities of the various types of hazardous facilities, there is high potential for 'domino system failure effects' - failure of one facility leads to failure of another facility.....etc.

the report does not provide quantitative analyses of the major 'demands' (e.g. earthquakes) or of the facility 'capacities' to withstand those demands without failure (e.g. storage tank performance during intense earthquakes).

the report provides useful information on the consequences of tank ruptures in terms of 'losses in containment' effects. these effects are not propagated to determine economic or life impacts given the losses in containment effects.

risk is expressed by the combination of the likelihood of failure (Pf) and the consequences of failure (Cf). based on the results provided in this report, i am not able to determine in any definitive way either of these two elements that express risks. until the Pfs and Cfs are determined in reasonable ways, i am not able to tell if the risks are 'acceptable' to the affected public and industrial enterprises.

an example will help express this requirement. if one were to focus on earthquakes and 'high hazard' facilities (like schools), California's 'structure' performance based codes and guidelines for such facilities would indicate that these facilities must be able to survive without failure (would sustain extensive damage, but not collapse) earthquakes that have average return periods in excess of 10,000 years. the performance based standards define both the likelihood of failure ($Pf=10E-4$ or lower per year) and the consequences of failure (loss of lives, injuries, property associated with the specified facilities). if i determine that the combination of Pf and Cf exceed what California laws have specified, then i must take corrective action or be in potential violation of the law.

i hope this helps.

bob bea

--

Professor Robert Bea, PhD, PE
Department of Civil & Environmental Engineering
212 McLaughlin Hall
University of California Berkeley
Berkeley, CA 94720-1710
Telephone/fax 510-642-0967
Telefax 510-643-8919
Email: bea@ce.berkeley.edu

Home Office
Risk Assessment & Management Services
60 Shuey Drive
Moraga, California 94556

SEE COMMENTS
RE: RANCHO LPG
BY Prof. Bob BEA

Handwritten notes, possibly a list or index, including the word "Cambridge" and other illegible text.



Council
File

Gaffey St

RAILROAD
CROSSING

OXCL

GATX 62128

TRAN

Accident
Rancho

3-8-2012

03/08/2012

Count
7/12

D

1917

Handwritten signature or name

28-5015

Rancho LPG
SP. 90731

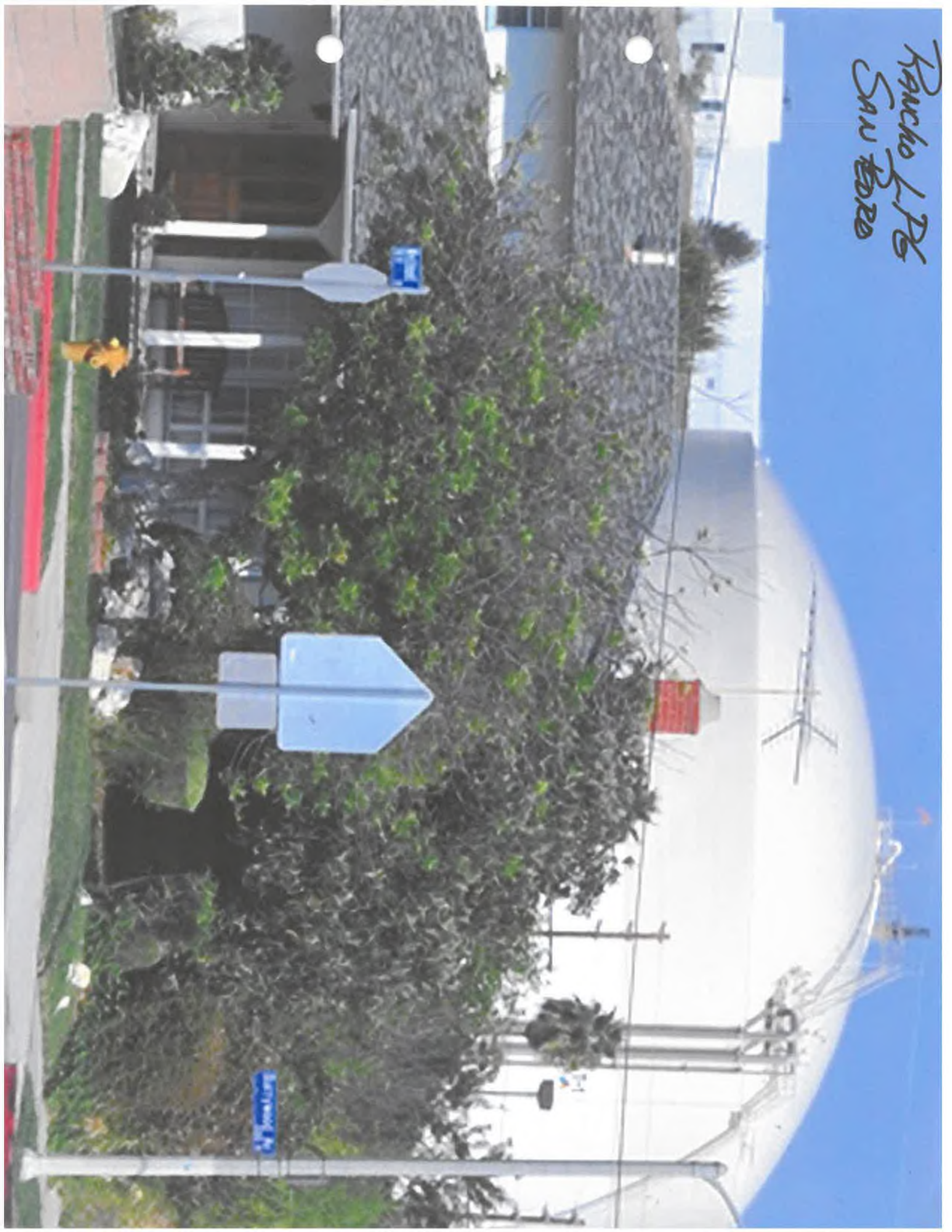


D

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245 89 121
Kawako 1954

Rancho LPS
San Jose



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City of LA Planning
SAFETYBELT
DOCUMENT

Department
2021/2022
University of Toronto

Keywords → •



THE OPINION PAGES | OP-ED CONTRIBUTOR

The Next Accident Awaits

By RAFAEL MOURE-ERASO JAN. 28, 2014

WASHINGTON — THE United States is facing an industrial chemical safety crisis. The horrifying chemical spill that recently contaminated the drinking water of hundreds of thousands of people in West Virginia is the latest in a relentless series of disasters and near-misses across the country.

It is clear to me, as chairman of the independent federal agency charged with investigating industrial chemical accidents, that urgent steps are required to significantly improve the safety of the nation's chemical industry — an industry vital to our economy, yet potentially dangerous to those who live near the thousands of facilities that process or store hazardous chemicals.

Those facilities include ones like the Chevron refinery in Richmond, Calif., where aging, corroding pipes resulted in a huge fire in August 2012, and the fertilizer plant in West, Tex., where stores of ammonium nitrate exploded last year and laid waste to a large part of the town, killing more than a dozen people.

Sifting through chemical-plant rubble from catastrophic accidents year after year, our board has long called on regulators to require — and for industry to adopt — what is known as inherently safer technology. By this, we mean using safer designs, equipment and chemicals, minimizing the amounts of hazardous chemicals stored and used, and modifying and simplifying processes to make them as safe as practicable.

While there is now, at last, a strong current within industry to adopt this safer technology as a best practice, many still oppose any actual

regulatory requirements, arguing they are too costly and prescriptive. We can't wait for corporations to volunteer, because the accidents continue, often with devastating consequences.

What we need is comprehensive regulatory reform. But achieving safety reforms is complicated and time-consuming. In the interim, the Environmental Protection Agency should step in and use its power under the Clean Air Act's general duty clause to compel chemical facilities to take steps to make their operations inherently safer. The law assigns owners and operators of these facilities a general duty to identify hazards, design and maintain safe facilities and minimize the consequences of leaks. The E.P.A. should follow up by adopting specific regulations to meet those goals.

Twelve years ago, the E.P.A.'s administrator, Christine Todd Whitman, proposed regulations that would have encouraged producers and users of high-risk chemicals to find safer alternatives or processes.

But her proposal stalled in the face of strong opposition from American companies, which are already required to use safer technologies and other risk reduction methods at their European operations. (Insurance data indicate that losses from refinery accidents, for instance, are at least three times lower in Europe than in the United States.) In 2012, Ms. Whitman urged the agency to use the Clean Air Act to require safer technology "before a tragedy of historic proportions occurs."

The E.P.A. said recently that it was considering such an approach. The agency's own National Environmental Justice Advisory Council has urged it to issue new rules to reduce the "danger and imminent threat" posed by chemical plants, manufacturing and transport. Across the nation, an estimated 13,000 facilities store or process chemicals in amounts hazardous enough to endanger the public, according to the E.P.A.

But that estimate understates the dimensions of the problem. For example, the West Virginia facility implicated in the recent spill, which stored chemicals used in the coal industry, would not fall under criteria

used by the agency to come up with its estimate.

Consider how a requirement forcing safer practices and technologies might have prevented the three accidents I've mentioned.

The Chevron refinery would have been required to replace aging, corroded pipes with safer corrosion-resistant material that almost certainly would have prevented the rupture that endangered 19 workers caught in the initial vapor cloud, not to mention the smoke plume that sent 15,000 Bay Area residents to hospitals. The refinery industry accident rate overall is unacceptably high.

The agricultural chemical company in West, Tex., would have used safer storage practices and safer fertilizer blends, and kept far less ammonium nitrate on site. The lives of more than a dozen firefighters and residents might have been spared, and the widespread damage to homes, schools, a nursing home and other structures would not have occurred.

And the decades-old chemical storage tank in West Virginia that leaked as much as 10,000 gallons of chemicals used in coal processing into the nearby Elk River, contaminating the water supply of some 300,000 Charleston-area residents, would have been moved and replaced by modern, anti-leak storage tanks and safer containment.

After the West, Tex., explosion, President Obama issued an executive order requiring federal agencies to review safety rules at chemical facilities. I am strongly encouraged by the White House leadership on this issue. The E.P.A. is working with other agencies to comply. But in the meantime, the agency has the authority to act now, on its own, to require inherently safer design, equipment and processes that would go a long way toward preventing more catastrophes.

Rafael Moure-Eraso is the chairman of the United States Chemical Safety Board.

A version of this op-ed appears in print on January 29, 2014, on page A23 of the New York edition with the headline: The Next Accident Awaits.



Quake hazard, building permit at issue

LPG tanks might be 'illegal'

A controversial liquefied petroleum gas (LPG) storage facility built in 1973 in San Pedro could be declared illegal and condemned, according to the Los Angeles Building and Safety Department.

If the tanks cannot be redesigned to withstand current earthquake standards, they might have to be classified as "illegal structures" and condemnation hearings started, according to John Robb, assistant chief of engineering and development.

However, Jack M. Fratt, department executive officer, said that is not a likely prospect. His agency reviews the two tanks at 2110 N. Gaffey St. The tanks can hold 26 million gallons of propane.

When they were built, a building permit was not required, but the building department is now requiring one. This is because of recent publicity about the tanks and because earthquake standards have been raised.

The tanks and related facilities are owned by Petrolane Inc. of Long Beach and cost \$9 million. The facility figures in plans by Southern California Gas Co. to import LPG to mix with natural gas to expand supplies of natural gas.

LPG is similar to natural gas, but can be easily liquefied and

stored at approximately 44 degrees below zero.

Fratt said that when the tanks were built there were differing interpretations as to whether a permit was needed. He now says that a permit should have been required.

John May, a spokesman for Petrolane, said Friday that the company is "not in agreement with the change of mind. We feel it was done right the first time." The company was told that a building permit was not necessary, but it did receive 43 other permits from public agencies.

Even so, May said, Petrolane is cooperating with the building department in seeking a permit. He maintains that the tanks are safe, even based on recent earthquake research.

The building department is currently reviewing plans submitted by Petrolane, its consultants and the designers of the tanks to determine if the tanks could withstand what is now considered the maximum earthquake possible at the site.

Besides condemnation, the city could require some redesign of the tanks or limit the amount of LPG in them, Fratt said.

The updated earthquake data

was revealed in a draft report being prepared by the staff of the State Public Utilities Commission last week. It showed that the tanks were not designed to withstand maximum quakes on the nearby Newport Inglewood and Palos Verdes faults.

The draft does not specify damage that might occur if both tanks were damaged in a quake. However, general descriptions were presented.

"If a hazardous amount of propane were to escape," according to the draft, "two general scenarios could take place. The resulting propane-air mixture could ignite relatively soon after release or ignition could be delayed while propane vapor accumulated in the atmosphere."

"Damage from an early ignition would probably be experienced in the immediate area of the site."

If "ignition" were delayed, damage "could be inflicted over a wider area than the first scenario," according to the draft.

The tanks are on Gaffey Street across from a drive-in theater and large oil storage facilities. They also are next to the Union Oil Co. fuel storage tanks and near the Rolling Hills Highlands housing tract and Navy housing.

Clipped By:



marciesmiller
Sun, Jan 5, 2014

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RANCHO LPG & BUTANE GAS STORAGE FACILITY

**2210 N Gaffey Street
San Pedro
CA 90731**

PART I

Facility Condition

Content

Part I – Facility Condition
Part II – Ground Condition
Part III – Environmental Condition
Part IV – Cumulative Effects & Fall Out
Part V – Terrorism & Human Failure
Part VI – History & Site
Part VII – Facility & Maintenance
Part VIII – Schools & Blast Zone
Part IX – Location Development
Part X – General Information

**Material used herein is all publicly available
or
produced relying on publicly available data**

**The following view of the Rancho LPG &
Butane Gas Storage Facility reflects a complete
lack of professionalism under which
the Quest Consultant Report commissioned by Rancho LPG was
drafted.**

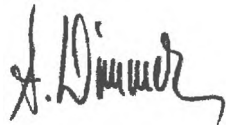
**Critical aspects were not considered and were clearly absent in
establishing the consultant's results.**

**Proof of any calculation can not be relevant when the foundation for
proper analysis is either inaccurate or completely missing.**

General Statement:
In my professional opinion the Risk Analysis
Performed by Quest Consultants for Rancho LPG
lacks any real credibility

A Risk Assessment produced with such assumptions and limitations is worthless.

Alfred Wimmer
MAA/ARCH/CEC/MBA



The below Quest Consultant's photo was taken in a specific direction so that it
Minimizes the degraded soil condition and visible erosion at the facility.



5010



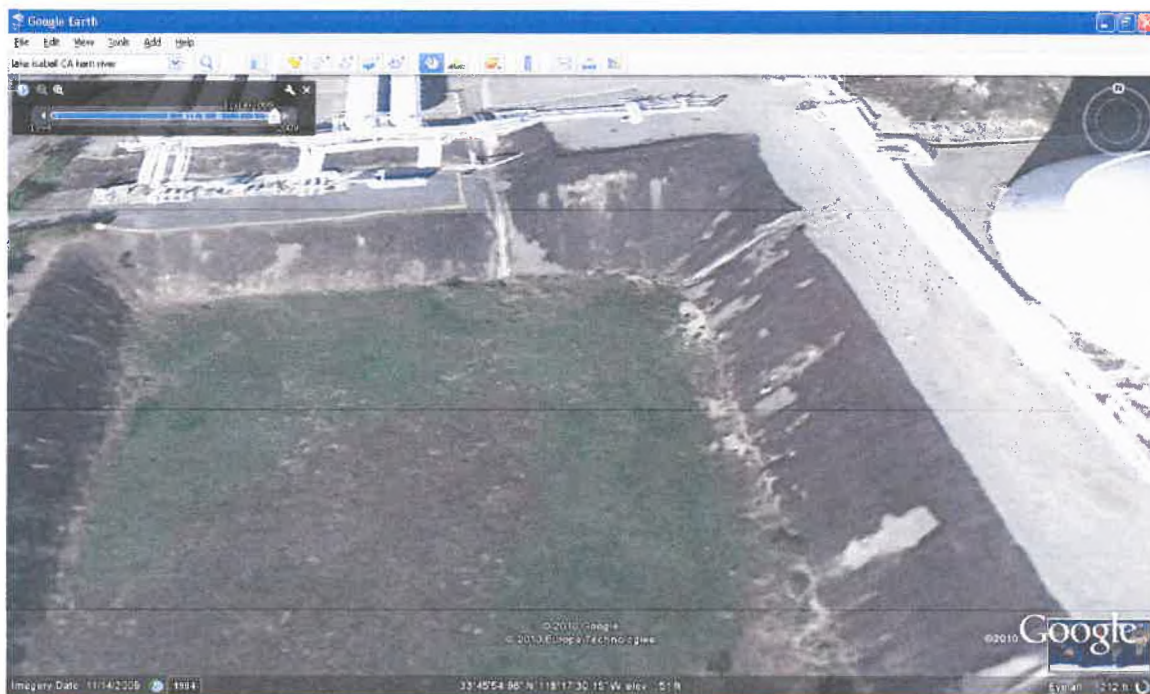
This picture provided by GCI Associates Inc./New Port Beach,
Indicates a perfect up to date condition of the Gas Storage Area.
The text also correlates to the same optimal view of the environmental situation.

Below is a picture taken from Google Earth 2009 reflects the soil condition.
(available on the Internet)

This is the facilities current condition

Severe soil problems and very bad overall ground conditions
Of this area are clearly identified by the USGS Hazardous Maps.

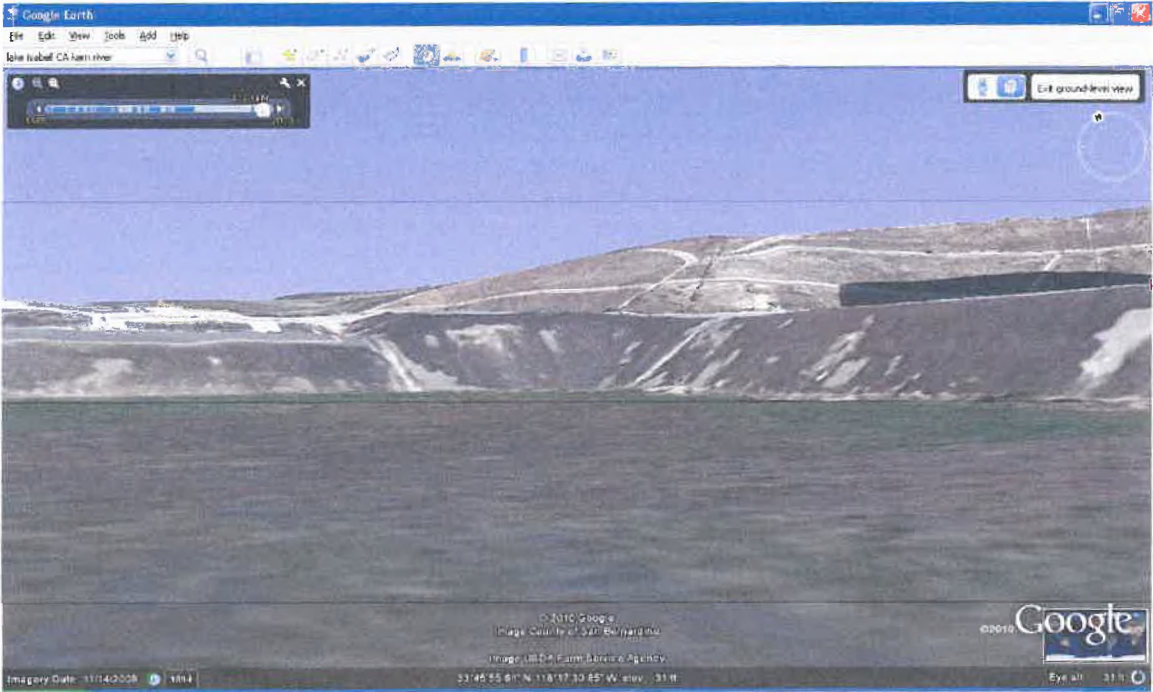
A typical ground survey may satisfy the requirements of building under normal geological conditions. However, because of the extreme sensitivity (hazardous nature) of the geological conditions of the Palos Verdes Peninsula, and specifically this USGS identified "Liquefaction/Landslide Area", a "typical" building requirement does not meet a USGS standard.



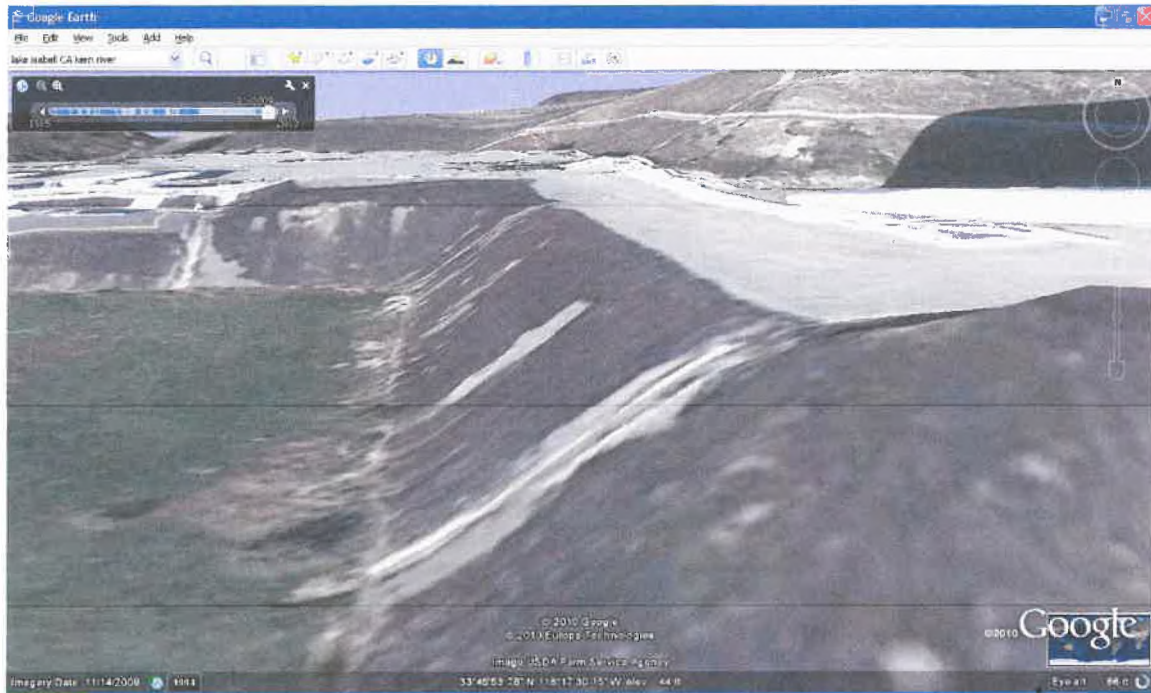
2010
January 2001
Vvimmerarchitect

0105

A special classification as well as standards for soil conditions exists. In cases like this one that demands a higher level of construction "static" stability, laboratory soil tests are an essential part of the calculation and design process.



2019



Soil DEGRADATION
"SAND"

Prepared By:



it states:

Geological Description

The facility is relatively level, and records indicate the land was used as a dump and fill area in the past. Numerous chunks of asphalt and concrete were present in the foundation, and the subsurface conditions are known to be relatively uniform for at least a depth of 35 feet. The fill materials that had been previously dumped in the subsurface varied between five and ten feet in thickness and had consistencies ranging from loose to medium-soft. After a depth of about 60 feet, it is postulated that the underlying geological materials consist of medium-firm clays and medium-firm to firm silts. Below this depth, it is estimated that the ground materials are dense deposits of sands and silts.

Ground survey Experts prior to construction in 1971

Handwritten text, possibly a signature or name, appearing as "A. J. ...".

<http://www.converseconsultants.com/index.html>

.....used as a dump and fill.....

Dump and landfill areas never provide a secure foundation for construction. Attention is imperative in creating the proper foundation and efficient drainage for liquids as well organic gas in the underground. Land fill is recognized as being unstable ground for well over a hundred years.

Land fill is not recommended for placement of hazardous plants. Unique and stringent regulations apply to construction of such a facility on landfill areas. Precautions are necessary to avoid acid deterioration of supporting foundation pertaining to steel and concrete preservation.

The most critical question of all:

Was the construction performed correctly?
What have been the impacts on physical structural conditions of the tank farm from environmental influences over the past 35 years.

These questions can be answered only by taking concrete test pieces and undergoing all required laboratory tests. Such testing would have been required throughout the concrete building process. It would be initialized upon mixing and tested at various stages of foundation construction. The final concrete test would take place 24 days after hardening period, proving that it has reached the calculated strength necessary. (i.e. too much water in concrete, too hot, concrete not compacted properly, too fast drying etc. reduces needed quality and strength for pressure and weight bearing.)

A very critical problem is pressure on pipe and pipelines. Any momentum or torque on gas pipes will provide the opportunity for a fatal disaster.

—5010

Clay, because of its water tightness is causing unstable ground and moving ground conditions

Also at the Palos Verdes landslide area (closed for construction) the drifting of surface and rock bed can be seen.



← Soils

Sandbags protecting unstable soil
Ground condition unstable due to landfill quality

Conclusion
Landfill material poorly compacted
High soil content in surface water causes clogging of drainage

Handwritten signature or initials.

Surface water = Acid Rain reaches facility components =
Higher threat from corrosion
Increased risk of flooding foundation
No known resource for Quest's evaluation of "no groundwater"

Certain pictures provide the image of a degenerated and ill-serviced plant.
This is emphasizing the question of the integrity of the structure of the tanks and pipelines.



Condition of soil disruption exists on the entire hillside.
A ground shake of 7 – 8 magnitude will move the ground by 3 feet at minimum.
The magnitude (M) 7.9 Fort Tejon earthquake in 1857 caused a horizontal shift
of about 30 feet

<http://www.life.com/image/97669463>



15010



All Drainage is filled with sand and dirt. (seen in photo)
This allows the surface water to flood areas of tanks promoting corrosion. Flood control is improperly handled by use of sand bags (picture)

Flooding also accelerates ground movements around and under the tanks and pipelines. This impact will not to be seen on the surface.

Port of LA Harbor Commission Testimony of Janet Gunter

June 4, 2014

My name is Janet Gunter. My homeowners group in San Pedro has been extremely active on quality of life issues in this community.

I want to welcome the new executive director and new board members today. I also want to call your attention to a very critical issue of safety that is posing an extraordinary threat to both citizens and to the port complex itself.

In 1972 the City and Port of Los Angeles championed a highly explosive 25 Million Gallon Butane and Propane storage facility to be placed just outside the boundaries of the port for receiving and sending highly explosive liquefied petroleum gas via pipeline to a wharf on the inner harbor for ocean transport. In 2004 the Port denied the renewal of the wharf lease due to safety concerns and in 2010 sealed the original pipeline. Yet, the LPG company is being permitted by the port (who rolls over a monthly rail permit) to regularly transport the hazardous gas by using the rail that runs through port property.

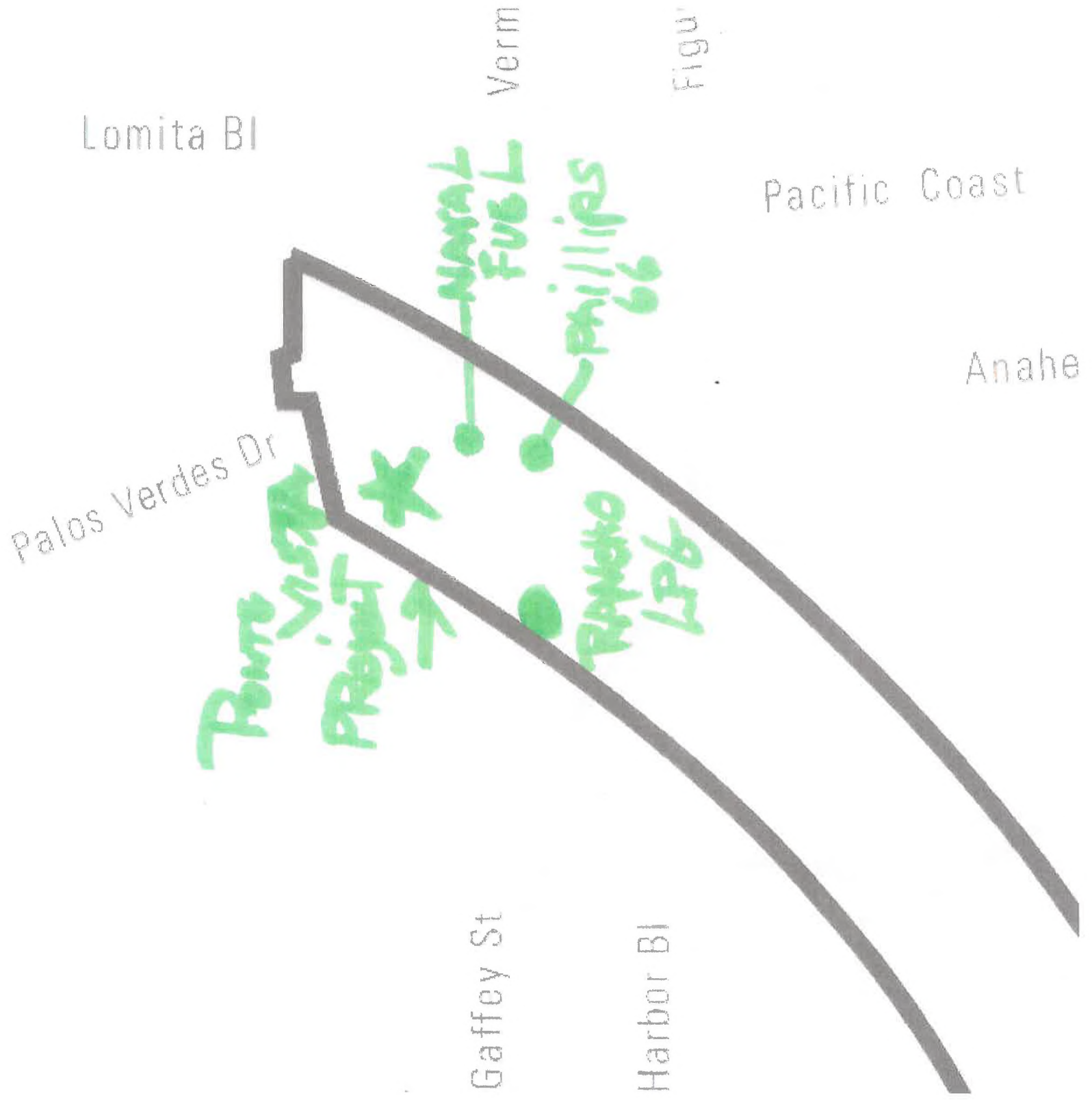
In 1972, the US was facing the Arab/ Israeli oil crisis and the CEO of Petrolane LPG, RJ Munzer, was a close friend of President Richard Nixon. The nonsensical spin from Munzer at that time was that Butane and Propane gasses would become the broad energy source of the future. Suffice it to say that this facility was then "fast tracked" through their permitting, and "exempted" from proper public process and LA City Fire regulations. This facility (now under it's 3rd ownership) sits in an earthquake rupture zone, with its massive, antiquated 40+ year old tanks built to a seismic sub-standard of 5.5 – 6.0 and standing on soil identified by USGS as "liquefaction" and "landslide" areas. Pre-existing homes and schools fall between 1,000 to 1,500 feet from the location. The gas stored at the site represents the energy equivalent of over 50 atomic bombs.

On June 19th, the State Lands Commission will be addressing this facility and the Port of LA's permitting of Rancho LPG's use of public trust land to facilitate a private business that has no existing lease agreement with the Port of LA. As recently witnessed by the multiple of rail catastrophes across the US and Canada, the transport of highly explosive gas invites serious risk at a net benefit to the Port of approximately \$1400/mo and a rail spur insurance liability policy of \$1 million. The natural gas explosion of San Bruno has a recent estimated cost of over \$2.7 Billion thus far. Rancho LPG is a "limited liability corporation" that appears to be an "insolvent" entity as an independent going concern. The Port has not incorporated Rancho's rail use into any risk management plan, whatsoever. In essence, the Port is promoting a policy of the "privatization of profits while the company is allowed to socialize their incredibly high risks on the backs of the unsuspecting public."

I therefore bring this issue up to you today for your immediate attention. "Why" would the Port continue to allow this bizarre and reckless behavior that jeopardizes their own assets and the innocent? We have been working very diligently on this issue for many years. We would like very much to meet with the new Executive Director and Board members to discuss the issue.

CITY OF LA
DEPT. OF
PLANNING

EARTHQUAKE
RUPTURE ZONE



Gaffey St

Harbor Bl

Lomita Bl

Pacific Coast

Anahe

Palos Verdes Dr

Pointe Vista
Project

MARAT
FUEL

Phillips
66

Rancho
LP6

Verm

Figure

Title

AMERIGAS PROPANE, LP / PERMIT / TERMINATE

Subject

Motion - AmeriGas Propane, L.P., reputed to be the nation's largest propane company, has been operating a liquefied petroleum gas (LPG, such as butane or propane) receiving and loading facility at Berth 120 in the West Basin of the Port of Los Angeles under a Port permit for use of a pipeline right-of-way and a tertiary berth assignment. AmeriGas has been receiving excess butane by underground pipeline primarily from two oil refineries (BP North America and Valero) and has been storing the butane in two 12 million-gallon, refrigerated storage tanks, which are located on privately-owned land on North Gaffey Street in San Pedro. AmeriGas has been transporting its butane by pipeline to Berth 120 for loading onto ships for export. Knowing that its permit for use of the pipeline right-of-way was to expire on May 27, 2004, AmeriGas asked the Port in December 2003 to begin negotiations for a successor permit. The Harbor Department notified AmeriGas in February 2004 that its permit would not be renewed because, under the Port Master Plan, the preferred use for the area occupied by the pipeline is to be for expansion of the adjacent container storage uses. On February 19, 2004, the Port Community Advisory Committee (PCAC, a standing committee of the Board of Harbor Commissioners), approved a Motion proposing that the Board of Harbor Commissioners not renew the pipeline permit with AmeriGas. PCAC's action was in response to local residents who have feared that the flammable material stored in AmeriGas' tanks pose a dangerous risk to nearby communities. Prior to the expiration of AmeriGas' pipeline permit in May 2004, the Board granted "month-to-month holdover status" to AmeriGas, pending the outcome of a public forum on the permit, to be sponsored by local neighborhood councils. News articles indicate that the three neighborhood councils in San Pedro have supported the immediate termination of AmeriGas' pipeline permit, but that neighborhood councils in Wilmington and Harbor City have preferred to allow AmeriGas to continue using its pipeline until it can relocate its storage tanks. If AmeriGas cannot use its pipeline, its representatives have said that they will have to transport butane supplies by truck and by rail through local neighborhoods - an undesirable result from the neighborhoods' perspectives. The public forum for neighborhood councils, held on July 18, 2004, concluded with a request that AmeriGas and its two oil refinery clients find a way to terminate the storage tank facility operations on North Gaffey Street. Unfortunately, during the intervening year, the Harbor Department and AmeriGas have been unable to find another suitable location for its storage tanks in the vicinity of either the Port of Los Angeles or the Port of Long Beach. While AmeriGas says that it needs 20 acres to operate its two storage tanks, no land area that large has been identified to be available. On Tuesday, June 21, 2005, the Commerce, Energy & Natural Resources Committee recommended that the Harbor Commission be asked to postpone for 30 days any action on the PCAC Motion proposing that AmeriGas' pipeline permit not be renewed, pending an attempt by a proposed City-led task force to work with the involved parties to find a solution for relocation of AmeriGas' storage tank operation. The Committee felt, on a vote of 2-1, that the City should make one last effort to find a way to avoid the dangerous transport of butane by truck or rail through local communities. However, the Board of Harbor Commissioners chose to act on Wednesday, June 22, 2005 to concur with the Port Community Advisory Committee, and terminated AmeriGas' permit for use of the pipeline right-of-way that connects Berth 120 with AmeriGas' storage tanks in San Pedro. THEREFORE MOVE that, pursuant to Charter Section 245, the City Council hereby asserts jurisdiction over the action taken by the Board of Harbor Commissioners on June 22, 2005 to terminate AmeriGas' permit for use of a pipeline right-of-way at the Port (Board Agenda Item E.III.1 re PCAC Recommendation No. 17 - Unloading of LPG and Like Products at Berth 120 and the Pipeline Permit Not Be Renewed), in order to allow the Council the opportunity to hold a broader discussion of the potential impacts of closing AmeriGas' access to its pipeline, as well as to allow additional time for efforts to be made to relocate AmeriGas' huge butane storage tanks; and FURTHER MOVE that, upon

assertion of jurisdiction, this matter be referred to the Commerce, Energy and Natural Resources Committee for further review.

Date Received / Introduced

06/28/2005

Last Change Date

07/12/2005

Council District

15

Mover

CINDY MISCIKOWSKI

Second

BERNARD PARKS

File History



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

MAR 14 2013

CERTIFIED MAIL NO.:
RETURN RECEIPT REQUESTED
In Reply Refer to:
Rancho San Pedro Terminal, San Pedro, CA

Mr. Tony Puckett
Rancho LPG Holdings, LLC
2110 North Gaffey Street
San Pedro, California 90731

RE: Notification of Potential Enforcement Action for Violation of Section 112(r)(7) of the Clean Air Act

Dear Mr. Puckett:

On April 14, 2010, and January 11, 2011, the U.S. Environmental Protection Agency ("EPA") conducted inspections at the San Pedro Terminal ("the Facility") owned by Plains LPG Services and operated by Rancho LPG Holdings, LLC (the "Companies") at 2110 North Gaffey Street, in San Pedro, California. The purpose of the inspections and subsequent information requests were to evaluate the Companies' compliance with the requirements under Section 112(r) of the Clean Air Act ("CAA").

Based upon the information obtained during our investigation, EPA is prepared to initiate a civil administrative action against the Companies to ensure compliance with federal law and assess a penalty pursuant to Section 113 of the CAA, 42 U.S.C. § 7413. The anticipated allegation includes violation of Section 112(r)(7) of the CAA, 42 U.S.C. § 7412(r)(7), and its implementing regulations.

Specifically, the anticipated allegations against the Companies include:

1. The Companies failed to identify and assess its rail storage area as a process for inclusion in its Risk Management Plan ("RMP"). The rail storage area should have been included as a covered process where a regulated substance was present above a threshold quantity when it submitted an RMP. As a result, the Companies failed to conduct a hazard assessment of that process, in violation of Section 112(r)(7) of the CAA, 42 U.S.C. § 7412(r), and 40 C.F.R. § 68.12(a) and (b).

2. The Companies failed to adequately evaluate potential seismic stresses on the support structure for the emergency flare in accordance with design codes. As a consequence, the Companies violated Section 112(r)(7) of the CAA, 42 U.S.C. § 7412(r), and 40 C.F.R. § 68.65(a) and(d)(2-3), which requires that the owner or operator ensure that complete process safety information is compiled on the technology of the process and that the equipment complies with recognized and generally accepted good engineering practices.
3. The Companies did not appropriately address the consequences of a loss of the city water system for fire suppression in the event of an earthquake. This omission is a violation of Section 112(r)(7) of the CAA, 42 U.S.C. § 7412(r), and 40 C.F.R. § 68.67(c)(4), which requires that the owner or operator address the consequences of the failure of engineering and administrative controls in the process hazard analysis.
4. The Companies failed to internally inspect Tank 1 according to a timetable set forth in API Standard 653, in violation of Section 112(r)(7) of the CAA, 42 U.S.C. § 7412(r), and 40 C.F.R. § 68.73(d)(2), which require that the owner or operator ensure that inspection and testing procedures follow recognized and generally accepted good engineering practices.
5. The Facility's emergency response plan identified the facility as a responding facility for which employees will take response action in the event of a release, per 40 C.F.R. 68.90(a). However, the Facility's emergency response plan developed under paragraph (a)(1) of that part was not coordinated with the community emergency response plan developed under 42 U.S.C. 11003. In addition, the Facility Manager and employees stated to EPA that they are not emergency responders for the Facility, but are only authorized to take life safety and evacuation actions. The Companies failed to develop and implement an emergency response program for the purpose of protecting public health and the environment, including at a minimum, procedures for informing the public and emergency response agencies in the event of a release. The Facility failed to clearly indicate to their own employees whether they would be emergency responders or would evacuate. This is in violation of Section 112(r)(7) of the CAA, 42 U.S.C. § 7412(r), and 40 C.F.R. § 68.95(a)(1)(i), which requires an owner or operator to develop and implement an emergency response program including a plan that shall be maintained at the stationary source and contain procedures for informing the public and local emergency response agencies about accidental releases.
6. The Companies failed to ensure that the drain pipe located in the base of the containment basin and the valve located near Gaffey Street were included in the mechanical integrity program. This is in violation of Section 112(r)(7) of the CAA, 42 U.S.C. § 7412(r), and 40 C.F.R. § 68.73(d), which requires inspection and testing procedures to follow recognized and generally accepted good engineering practices.

Before filing a Determination of Violation, Compliance Order and Notice of Right to Request a Hearing ("Complaint"), EPA is extending to the Companies an opportunity to advise EPA of any other information that the Companies believes should be considered before the filing of such a Complaint. Relevant information may include any evidence of reliance on compliance assistance, additional compliance tasks performed subsequent to the inspection, or financial factors bearing on the ability to pay a civil penalty.

Your response to this letter must be made by a letter, signed by a person or persons duly authorized to represent the Companies. Please send any such response by certified mail, return receipt requested, addressed to:

Ms. Mary Wesling (SFD-9-3)
Environmental Scientist
U.S. EPA Region IX
75 Hawthorne St.
San Francisco, CA 94105

Please provide such information by no later than April 15, 2013. EPA anticipates filing a Complaint in this matter on or about May 15, 2013, unless the Companies first advise EPA, with supporting information, of substantial reasons not to proceed as planned. Any penalty proposed for violation of the CAA will be calculated pursuant to EPA's "Final Combined Enforcement Policy for the Clean Air Act Section 112(r)(1), the General Duty Clause, and Clean Air Act Section 112(r)(7) and 40 C.F.R. Part 68, Chemical Accident Prevention Provisions," dated June 20, 2012, a copy of which is enclosed (the "Penalty Policy"). Civil penalties may be mitigated, under the EPA "Supplemental Environmental Projects Policy,"¹ which describes the terms under which a commitment to perform an environmental project may mitigate, in part, a civil penalty. Even if the Companies are unaware of any mitigating or exculpatory factors, EPA is extending to the Companies the opportunity to commence settlement discussions concerning the above described violations.

Additionally, to fully consider application of the Penalty Policy, EPA is additionally requesting responses to specific questions set forth below. EPA makes this request for information pursuant to 42 U.S.C. § 7414(a). Failure to comply with the information request in this letter may result in enforcement action being taken in accordance with Section 113 of the Act, 42 U.S.C. § 7413. This may include civil and administrative penalties of up to \$37,500 per day of noncompliance, pursuant to section 113(b)(2) and 113(d) of the Act, 42 U.S.C. §§ 7413(b)(2) and 7413(d). Instructions regarding the requests also are set forth below.

///

¹<http://www.epa.gov/compliance/resources/policies/civil/seps/fnl-sup-hermn-mem.pdf>, and <http://cfpub.epa.gov/compliance/resources/policies/civil/seps/>.

If there are any questions, please contact **Mary Wesling** of my staff at (415) 972-3080 or Wesling.Mary@epa.gov. Please direct any questions or inquiries from legal counsel to **Andrew Helmlinger**, EPA Counsel, at (415) 972-3904 or Helmlinger.Andrew@epa.gov.

Thank you for your prompt attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Meer', with a long horizontal flourish extending to the right.

Daniel A. Meer, Assistant Director
Superfund Division

Enclosures:

Final CAA §112(r) Combined Enforcement Policy

cc (w/enclosures):

T. Puckett, Plains LPG Services, LLC, Houston, TX

M. Wesling, U.S. EPA Region IX

A. Helmlinger, U.S. EPA Region IX

ENCLOSURE

INSTRUCTIONS

1. Please provide a separate response to each request, and identify each response by the number of the request to which it corresponds. For each document produced, identify the request to which it is responsive.
2. Knowledge or information that has not been memorialized in any document, but is nonetheless responsive to a request, must be provided in a narrative form.
3. The scope of this Information Request includes all information and documents obtained or independently developed by the Companies, their attorneys, consultants or any of their agents, consultants, or employees.
4. The Companies may not withhold any information from EPA on the grounds that it is confidential business information. EPA has promulgated regulations, under 40 C.F.R. Part 2, Subpart B, to protect confidential business information that it receives. The Companies may assert a business confidentiality claim (in the manner specified in 40 C.F.R. § 2.203(b)) for all or part of the information requested by EPA. However, business information is entitled to confidential treatment only if it satisfies the criteria set forth in 40 C.F.R. § 2.208. EPA will disclose business information entitled to confidential treatment only as authorized by 40 C.F.R. Part 2, Subpart B. If no claim of confidentiality accompanies the information at the time EPA receives it, EPA may make it available to the public without further notice.
5. Notice is hereby given, pursuant to 40 C.F.R. § 2.310(h), that EPA may disclose confidential information provided by the Companies to EPA's authorized representatives, including its contractor, Science Applications International Corporation ("SAIC"). Confidential information may be disclosed to EPA's authorized representatives for the following reasons: to assist with document handling, inventory and indexing; to assist with document review and analysis for verification of completeness; and to provide expert technical review of the contents of the response. Pursuant to 40 C.F.R. § 2.310(h), the Companies may submit, along with its response to this Information Request, any comments regarding EPA's disclosure of confidential information to its authorized representatives.
6. If information or documents not known or available to the Companies at the time of any response to this Information Request later become known or available to it, it must supplement its response to EPA. Moreover, should the Companies find at any time after the submission of any response that any portion of the submitted information is false or misrepresents the truth, the Companies must notify EPA as soon as possible and provide EPA with a corrected response.
7. If information responsive to a request is not in the Companies' possession, custody, or control, identify the persons or entities from whom such information may be obtained. For each individual or entity that possesses responsive information, please provide the following: name, last known or current address, telephone number, and affiliation with the Companies or the Facility.

8. If you believe that there are grounds for withholding information or documents that are responsive to this request, e.g., attorney-client privilege, you must identify the information or documents and state the basis for withholding.

INFORMATION REQUEST

1. Provide cost information for the development and implementation of the Facility's RMP. Disaggregate the RMP development costs by capital and one-time non-depreciable expenses. Regarding implementation costs, provide actual or estimated incremental (above the Facility's previously existing level-of-effort) annually recurring costs (e.g. Operation & Maintenance).
2. Provide a statement and supporting documentation indicating the Companies' present net worth.

FRED UPTON, MICHIGAN
CHAIRMAN

HENRY A. WAXMAN, CALIFORNIA
RANKING MEMBER

ONE HUNDRED THIRTEENTH CONGRESS
Congress of the United States
House of Representatives
COMMITTEE ON ENERGY AND COMMERCE
2125 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-6115
Majority (202) 225-2927
Minority (202) 225-3641

July 31, 2013

The Honorable Janet Napolitano
Secretary of Homeland Security
Washington, DC 20528

Dear Madame Secretary:

This week, explosions at a propane gas plant in Florida underscored the potential dangers to local communities from facilities that store liquefied gas. The Florida plant was relatively small, but the incident there injured workers, some critically, and forced an evacuation of the surrounding community.

In my district, there is a facility with much larger tanks that stores liquefied gas. My investigation indicates that the Department does not appear to be taking the steps necessary to protect the public from the risks of explosions. In fact, the Department is reaching conclusions that conflict with those of EPA inspectors, creating confusion and potentially delaying safety measures. I am writing to call this facility to your attention and to urge the Department to take all necessary steps to safeguard the local community.

Earlier this year, community leaders brought to my attention the liquefied petroleum gas storage facility owned by Rancho LPG Holdings LLC in San Pedro, California. Like the Blue Rhino facility that exploded in Florida, Rancho holds significant quantities of flammable gases, including propane. Unlike the Florida facility, the Rancho facility's holdings are stored in large tanks, posing a threat of a larger scale explosion than what was seen in Florida.

The community leaders in Rancho Palos Verdes are concerned about the risks Rancho poses to its neighboring residents. They told me that unexplained flaring has occurred at the site without proper notification and that mitigation measures have not been performed at the site to prevent an accident or terrorist attack. They are concerned that the tanks are simply too close to homes and schools, given the possibility of a large-scale explosion.

On March 14, 2013, the U.S. Environmental Protection Agency (EPA) initiated an enforcement action against Rancho for violations of legal requirements of EPA's Risk Management Program. Rancho was cited for failure to share the facility's emergency response plan with first responders who would have a role in responding to a release at the facility, failure

The Honorable Janet Napolitano

July 31, 2013

Page 2

to assess risks in its rail storage area, and a failure to properly plan for seismic events. Essentially, EPA said that Rancho is not prepared for an earthquake or accident.

When I learned of these facts, my staff contacted the Department of Homeland Security (DHS) to learn what the Department was doing to protect the community. Under the current system, federal oversight of a facility like Rancho is split between EPA, which is charged with protecting against chemical accidents, and DHS, which is charged with protecting against chemical releases that are caused by terrorist or criminal acts.

What we learned from DHS was surprising. While EPA has taken action to protect the community from deficiencies in the Rancho facility's preparedness, DHS found no significant or disqualifying problems at Rancho. An official of the Department told my staff that the facility had just undergone a "successful CFATS inspection."¹ No explanation was given as to how Rancho could be a danger to the community according to EPA but perfectly safe according to the Department of Homeland Security.

Last week, my staff reviewed the records from that inspection, and they reveal serious inadequacies in the DHS inspection at the facility. Most of the information DHS relied upon was self-reported by the facility. And when the inspectors went to the facility to conduct the inspections, their verification efforts were minimal.

For example, the DHS inspector "verified" that the facility's emergency response plan had been communicated to local emergency responders based on an interview with a senior representative of the company's management who did not work at the facility, whereas EPA found by checking with employees and local emergency responders that the facility's emergency response plan was not on file.

Similarly, the DHS inspector "verified" that employees had been trained on their roles and responsibilities in emergency situations by reviewing training records and interviewing the same senior manager, but EPA discovered by checking with the employees that they did not know what their roles and responsibilities are for emergency response.

As I hope you can understand, the DHS actions have the potential to create considerable confusion for the community. EPA says Rancho is not prepared for an accident; DHS says the company is prepared for an intentional attack. The EPA inspection appears thorough; the DHS inspection seems cursory. The EPA findings are alarming; the DHS conclusions are reassuring.

I believe the root cause of the problem may be deficiencies in the Chemical Facility Anti-Terrorism Standards (CFATS) program administered by DHS. The CFATS program has a long

¹ Oral communication between DHS staff and Energy and Commerce Committee staff (Mar. 21, 2013).

The Honorable Janet Napolitano
July 31, 2013
Page 3

record of ineffectiveness. As Rep. Bennie Thompson, the Ranking Member of the Committee on Homeland Security, and I wrote President Obama earlier this year, CFATS appears to be a “failing” program that has shown a “distressing lack of progress in securing these facilities since the program was established nearly six years ago.”² Now, this example suggests that the benchmarks for progress through the CFATS program are not reliable indicators of a facility’s security. It is troubling to think that we might never have become aware of the deficiencies in the CFATS inspection if not for EPA’s work. Significant changes to the CFATS program appear warranted.

I urge you to review the Department’s actions at Rancho and the larger CFATS program. I hope you will then take whatever steps are necessary to ensure public safety.

Thank you for your attention to this matter.

Sincerely,



Henry A. Waxman
Ranking Member

² Letter from Rep. Henry A. Waxman, Energy and Commerce Committee Ranking Member, and Rep. Bennie Thompson, Homeland Security Committee Ranking Member, to President Barack Obama (May 2, 2013) (online at <http://democrats.energycommerce.house.gov/index.php?q=news/ranking-members-waxman-and-thompson-urge-president-to-establish-blue-ribbon-commission-on-chemi>).

