

**CITY OF BALTIMORE
COUNCIL BILL 07-0310R
(Resolution)**

Introduced by: Councilmembers Curran, Conaway, Welch, Clarke, Mitchell, Kraft, Young,
D'Adamo, Middleton, Crider
Introduced and adopted: July 16, 2007

A COUNCIL RESOLUTION CONCERNING

In Support of Federal Chemical Plant Security Legislation

FOR the purpose of supporting the passage of federal chemical plant security that requires, when feasible, the incorporation of safer and more secure technologies in the manufacture, transport, storage, or use of chemicals.

WHEREAS, Industries that manufacture, distribute, and process chemicals are important components of the national economy and part of the infrastructure of the United States, because they supply resources essential to the functioning of other businesses and the infrastructure; and

WHEREAS, Terrorist attack on a facility that manufactures, processes, stores, or uses potentially dangerous chemicals, or the theft or accidental release of those chemicals from such a facility, could pose a serious threat to critical infrastructure, national security, and public health, safety and welfare; and

WHEREAS, The Federal Bureau of Investigation, the Department of Justice, the Department of Homeland Security, the Government Accountability Office, the Environmental Protection Agency, the Congressional Research Service, and the Agency for Toxic Substances and Disease Registry believe that the possibility of terrorist or criminal attacks on chemical facilities poses a serious threat to public health and safety; and

WHEREAS, Federal, state, and local governments share primary responsibility for preventing, detecting, and responding to terrorist attacks, and the owners and operators of chemical facilities that manufacture, process, or use dangerous chemicals should make every reasonable effort to protect those facilities against the threat of such attacks, which includes a general duty to design, operate, and maintain safe structures; and

WHEREAS, In addition to implementing security improvements, there are significant opportunities to prevent the harmful consequences of a dangerous chemical release by employing inherently safer technologies in the manufacture, processing, use or storage of dangerous chemicals; and

WHEREAS, Inherently safer technologies may offer industry substantial savings by reducing the need for site security, secondary containment, buffer zones, mitigation, evacuation plans, regulatory compliance, and liability insurance; and

WHEREAS, Owners and operators at many chemical facilities have reduced the risk of terrorist attack and the threat to public health and safety by replacing dangerous chemicals with readily available inherently safer technologies; and

EXPLANATION: Underlining indicates matter added by amendment.
~~Strike out~~ indicates matter deleted by amendment.

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1 **WHEREAS**, Recent interim regulations promulgated by the Department of Homeland Security
2 do not provide adequate authority for the federal government to regulate the safety and security
3 of chemical plants, and these regulations will expire in 2009.

4 **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE**, That this
5 Body supports the passage of federal chemical plant security that requires, when feasible, the
6 incorporation of safer and more secure technologies in the manufacture, transport, storage, or use
7 of chemicals.

8 **AND BE IT FURTHER RESOLVED**, That a copy of this Resolution be sent to the Mayor, the
9 Honorable Members of the United States Senate and House of Representatives, and the Mayor's
10 Legislative Liaison to the City Council.