

United States Senate

WASHINGTON, DC 20510

April 2, 2019

VIA ELECTRONIC DELIVERY

The Honorable Kirstjen Nielsen
Secretary
U.S. Department of Homeland Security
Washington, DC 20528

Dear Secretary Nielsen:

We write to request that the U.S. Department of Homeland Security (DHS) Cyber and Infrastructure Division categorize ethylene oxide (EtO), which is among the DHS chemicals of interest (COI) under the Chemical Facility Anti-Terrorism Standards (CFATS) program, as “Security Issue: Release – Explosives” in addition to its current status as a “Security Issue: Release – Flammables.”

This update will harmonize the CFATS COI Appendix A’s description of EtO with the commonly accepted understanding that EtO poses an explosive hazard in chemical facility settings. As the American Chemistry Council noted, “[ethylene oxide] has been involved in incidents in both [ethylene oxide] productions plants and [ethylene oxide] consuming plants resulting in major plant damage as well as fatalities.”

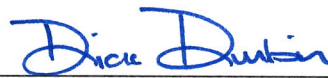
Last month, a Royal Dutch Shell facility in Amsterdam that was already found to be exceeding its EtO emissions limit was also the site of a fire and explosion. This incident was similar to an explosion that took place at a California EtO sterilization facility operated by Sterigenics in 2004.

These incidents involving fires and explosions at EtO chemical facilities warrant DHS updating the CFATS COI Appendix A to recognize the explosive quality of this specific COI. In addition, DHS should continually evaluate and update, as necessary, the categorization of all COI to ensure risk-assessment matches the best available science. We thank you for your assistance and attention to this request.

Sincerely,



Tammy Duckworth
United States Senator



Richard J. Durbin
United States Senator