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Short Paper – Op-Ed

Terrorism and WMD:

The Unnoticed Chemical Threat

Since the September 11 attacks on the World Trade Center and the Pentagon, great attention has been given – by academicians and policymakers alike – to the possibility of bioterrorism, dirty-bombs, and "briefcase nukes" in a future terrorist attack. The United States, which has vast chemical industries and related infrastructures, need to be more concerned particularly about the use of commercial and industrial chemicals in a future terrorist attack. The key to addressing these threats is to think locally, not nationally.

In the United States, around 850,000 industrial facilities routinely use hazardous and toxic chemicals, according to the U.S. Environmental Protection Agency (EPA).[1] According to the EPA's figures, there are over 100 chemical plants around the country that each could put a million or more people at risk if attacked, and countless more that could threaten thousands or tens of thousands of people, not to mention the horrendous economic and environmental effects.[2] And after nearly two and a half years since the September 11 attacks, the Chemical Security Act,

[1] "Are We Prepared for the Worst?" transcript of an interview with terrorism expert Kyle Olson, *ABCNews.com*, October 11, 2001, available at: http://more.abcnews.go.com/sections/community/dailynews/chat_kyleolson011011.html.
[2] Ibid.

a bill that includes requirements for the industry to submit vulnerability assessments to the Department of Homeland Security and consider inherently safer technologies, is still being debated and fought over in the U.S. Senate.[3] Due to the economic and political impacts of such bills, future considerations of similar legislations are bound to continue to meet strong oppositions.

There are also huge flaws and loopholes in the already existing regulations for the management and transport of chemicals in the United States. To illustrate, imagine thousands of rail cars loaded with hazardous chemicals parked in populated residential areas, retirement homes, schools, and health care centers throughout America. Imagine also thousands of semi-trailer trucks loaded with toxins and chemicals idling unattended at truck stops, rest areas, and bars across the United States. Except these are real situations throughout real American towns and cities everyday.[4] Federal law permits rail cars to park for up to two days in most cases. But since the plants don't own the tracks, and the railroads don't own the cars, no one is ultimately responsible for the security. The trucks on America's highways carrying nitrous oxide, hydrogen chloride, and petroleum gas – all volatile and dangerous compounds if released – are urged by the U.S. Department of Transportation (DOT), as well as chemical and trucking industry groups, to turn off and lock their semis while eating, showering, or sleeping. However, most in the industry admit that this advice is rarely heeded, which allows a potential for the hijacking of any number of such trucks.[5]

Of course, steps are being taken to counter the threat of terrorist attacks on U.S. refineries and other chemical facilities. Some examples include: the federal agencies' reconsideration of

[3] Darren Samuelsohn, "Inhofe Set to Move New Version of Chemical Security Bill," *Environment and Energy Daily*, October 20, 2003, Vol. 10, No. 9.
[4] "Ridge's Terrorist 'Ready' Plan Ignores Chemical Insecurity," *Natural Resources Defense Council*, February 20, 2003, available at: http://www.nrdc.org/media/pressreleases/030220.asp.
[5] Ibid.

"public right-to-know" policies out of concern that uncontrolled access to sensitive information could facilitate future terrorist attacks; the DOT's closing off Internet access to the National Pipeline Mapping System; the Centers for Disease Control taking down its report on America's vulnerability to chemical terrorism; and the EPA's deactivating web access to databases that describe potential disasters at industrial sites and facility safety measures.[6]

But these actions have, for the most part, stirred heated debates and demonstrated the inherently difficult nature of the issue: freedom of information vs. safety and security. Due to pressures from environmental activists, many of these measures face significant delays and other challenges from being carried out. It should be remembered that ensuring that local communities have access to information about local threats due to negligence and irresponsible behavior does not require searchable online databases of industrial facilities nationwide, their vulnerabilities, and worst-case disaster potentials. Protecting communities simply requires local disclosure and cooperation between local chemical facilities and local officials. Local officials are in the best position to work with industrial facilities to identify risks and find ways to protect the public from industrial accidents, while encouraging civic involvement from the local communities. None of this, however, requires allowing access to sensitive data about industrial facilities on the web for D.C.-based environmental activist groups or potential terrorist groups.

[6] Jonathan H. Adler, "Environmental Danger: the EPA stopped assisting terrorists, but some environmentalists are still at it," *The National Review Online*, October 11, 2001, available at: http://www.nationalreview.com/comment/comment-adler101101.shtml.