Lawmakers: Put Dangerous Chemical Site Info Online

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AUSTIN, Texas (AP) — There are 16 fertilizer production sites in Texas like the one that exploded in West, but authorities aren't clear how many of those might be located near schools or other residential centers, top state officials said Monday.

Texas Department of Public Safety Director Steve McCraw and State Fire Marshal Chris Connealy testified before the House Homeland Security and Public Safety Committee. Connealy said that the facilities are mostly in rural areas, though he wasn't aware if the state had looked at other fertilizer plants for proximity to key community buildings.

Other state officials told lawmakers that 129 facilities store at least 5 tons of ammonium nitrate and other potentially explosive materials. Sixteen of those were fertilizer-mixing facilities similar to the West Fertilizer Co., which blew up following a fire that ignited ammonium nitrate.

A school, apartment complex and nursing home nearby all were damaged, and 15 people were killed. Monday's hearing was the second of its kind since the April 17 blast as the committee works to determine if local, state and federal regulations were followed and if more oversight is necessary.

Committee Chairman and El Paso Democratic Rep. Joe Pickett said since authorities are still conducting a criminal investigation to determine the cause of the explosion, there was little lawmakers could ask state officials about that. Instead, he focused on what Texas should be doing now, saying: "I personally would hope there is more overview at the state level."

Pickett said he'd like to see the state fire marshal's office build a website so the public can see where facilities like the one that exploded in West are located. He said it would help residents and first responders, such as volunteer firefighters, who constituted the bulk of the West victims when they rushed to fight the initial blaze. He suggested modeling it after other online resources, such as those for tracking registered sex offenders.

Connealy said his office could create such a site. Some newspapers have already done so in the wake of the West blast.

The state fire marshal noted that, though the West plant was authorized to have 270 tons of ammonium nitrate on its premises, it only had 150 tons when the explosion occurred, and that only between 28 and 34 tons were actually involved in the blast.

The committee was told that municipalities and counties often set regulations for facilities with hazardous chemicals, but Connealy said neither West nor surrounding counties had regulations in place.

Pickett acknowledged that passing legislation mandating further oversight of facilities with hazardous chemicals could be a tough sell in the Republican-controlled Legislature, suggesting instead that the state fire marshal's office provide a list of "best practices," or rules that have worked in some communities and others might like to follow.

Pickett also suggested that facilities post signs marked "hazardous materials," even though he acknowledged that federal law may already require that.

But some lawmakers worried that adding new rules could place too much oversight burden on nurseries and other businesses that store small amounts of fertilizer.

"You can paperwork a company to death," said Rep. Dan Flynn, R-Van. "I just want to be sure we don't give everybody a lot of disruptions."

McCraw also was asked about the Federal Emergency Management Agency's recent decision not to provide additional money to help rebuild West, and responded, "I think it's an aberration, regardless of what they say."

The committee voted to draft a letter to FEMA, asking it to reconsider.

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