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ARMANDO B. FONTOURA

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On

“Agents of Opportunity: Responding to the Threat of Chemical Terrorism”

Before the

HOUSE COMMITTEE ON HOMELAND SECURITY

SUBCOMMITTEE ON EMERGENCY PREPAREDNESS,

RESPONSE AND COMMUNICATIONS

19 March 2015

Madame Chairwoman, Representative Payne, distinguished members of Congress, ladies and gentlemen...

My name is Armando Fontoura. I am the Sheriff of Essex County, New Jersey and the Coordinator of the Essex County Office of Emergency Management.

I thank you for this opportunity to appear today before you to address the topic of “Responding the Threat of Chemical Terrorism”.

For those who are unfamiliar with northern New Jersey, please know that Essex County is a core member of the Urban Area Security Initiative, commonly known as UASI.

As reported in the New York Times, federal counter-terrorist officials have categorized parts of Essex County, the financial, industrial, cultural and the transportation hub of New Jersey, as “America’s Two Most Dangerous Miles”.

Those of us charged with protecting the people of our community and our critical infrastructure do not disagree with this “Most Dangerous” classification.

As one of our nation’s most densely populated regions, Essex County is also home to a wide variety of potential terrorist targets, including chemical manufacturing plants, refineries, propane gas farms, and natural gas storage facilities, among other obvious infrastructure targets.

As background, please know that Essex County and our northern New Jersey neighbors are no strangers to incidents of terrorism and terrorist plots.

On December 10, 1994, Mr. Thomas Mosser of North Caldwell in Essex County, was killed when he opened a mail bomb sent by Ted Kaczynski, the notorious Unabomber.

Jersey City was the headquarters for the so-called “Blind Sheik”, Omar Abdul Rahman, and staging ground for the 1993 terrorist attack on the World Trade Center.

The follow-up investigation to the 2001 attacks upon our country documents that 19 of the 21 terrorists traveled through northern New Jersey, plotting their assault right in our own backyard, and as many as eleven of the terrorists assimilated our culture and lived among us.

Also, captured documents specifically reveal that Newark’s Prudential complex has been of particular interest to Al-Qaida terrorists. Because of this 2004 threat, law enforcement surveillance at Prudential continues.

On February 21, 2015, security at shopping malls in New Jersey, as with other states, went on high alert following a video released by the Somali-based terrorist group al-Shabab in which violence against American citizens was advocated.

With these many targets simultaneously in play, local, regional and state Homeland Security personnel, emergency preparedness responders and law enforcement agencies have intensified our vigilance, analyzed and investigated every potential lead and shared all intelligence as it relates to threats upon us.

New Jersey has more than 3,000 plants that either produce, store or utilize toxic chemicals. Essex County is home to many of these plants and a release of lethal chemical clouds could threaten a million lives or more within one-half hour.

Many of these chemical facilities have been with us since New Jersey's industrial heyday and, to many, these great white tank farms seem a curious welcome to the most densely populated region in the country.

The short list of these companies would include the General Chemical, Universal Chemical, Shamrock Technologies, L & R Manufacturing, and Elan Chemical. Other entities would include Colonial Pipeline, Sun Oil Pipeline, Amerada Hess and Getty Terminals. All are located at or adjacent to Port Newark, the third largest and busiest port in the United States.

These companies produce, store and transport chlorine, sodium hypochlorite, hydrochloric acid, aluminum sulfate, aqua ammonia, fluorocarbons, petro-chemicals and other toxic chemicals in significant quantities.

Although there have, to date, been few terrorist attacks or plots on chemical facilities, this does not mean that threats are merely hypothetical.

In 1997, an explosive device was detonated at a natural-gas processing facility in the town of West, Texas which released large quantities of hydrogen-sulfide gas into the environment.

The explosion killed 15 persons and wounded an additional 200 individuals.

In 1999, a bulk propane storage facility in Elk Grove, California, was targeted by suspects later identified as extreme right-wing militia members.

While both of these plots involved facilities that can be classed as petrochemical in nature, there is no reason to think that a potential perpetrator would limit itself to this particular type of facility.

While Essex County has never experienced an attack on its chemical facilities we have had accidents and fires. Fortunately, the number of casualties was few although the injuries were severe.

We know that exposure to chlorine leaks and other toxic chemicals cause severe lung damage, even death.

As a result of these incidents and the direct terrorist attacks on our nation, we have bolstered our protocols with those private-sector industries that produce, store and transport chemicals.

We have also conducted drills and exercises in response to chemical releases, chlorine leaks, nuclear threats and other HAZMAT dangers.

As to future chemical threats, our boots are on the ground in Essex County. Our law enforcement officers, emergency preparedness personnel and other First Responders are proactively training, exercising and watching.

We thank our federal partners for their technical expertise and past financial support to acquire vital protective gear, communications, rolling stock and other counter-terrorism hardware.

The target-hardening of critical infrastructure where toxic chemicals are present remains a top priority.

From 2004 to the present, my department has acquired just over one million dollars in Federal Homeland Security funding which has been expended on the protection of critical infrastructure related to the storage, distribution and refining of chemical and fuel substances throughout Essex County, New Jersey.

All of this funding was utilized for target hardening at these critical sites. After a series of meetings with our chemical and petrochemical industry neighbors it was determined that this vital funding would best be spent on high security fencing and gates, controlled access systems, video surveillance systems, security barriers and motion detection equipment.

We are doing all we can at the local level. More must be done and our federal government must lead the way.

Security monitoring efforts must be stepped up for chemical facilities both large and small. It is my understanding that the security monitoring of these sensitive facilities is uneven at best and in some cases non-existent.

The industry must also fully share in the financial investment our taxpayers have made in securing their private-sector infrastructure.

We commend Congress for extending the Chemical Facility Anti-Terrorism Standards program for another four years so the government and chemical companies can better improve information sharing and plan for longer-range security.

It is my further understanding that Department Homeland Security grants exemptions to a number of industries, including water and wastewater treatment, which use high amounts of chlorine. All chemical industry loopholes must be closed.

Finally, safer alternatives to current toxic chemicals must be aggressively developed.

More than 21 million people live in our metropolitan area. Locally, the stakes are extremely high. We urge you enact increased security measures for chemical plants.

I thank you for this opportunity to appear before you today.

