



## **HAZARDOUS MATERIALS TRANSPORTATION SECURITY PLAN**

This security plan has been developed for:

University of Maryland  
College Park Campus

Department of Environmental Safety  
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# HAZARDOUS MATERIALS SECURITY PLAN

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The University of Maryland is committed to the safety and security of our students, staff, and faculty we serve, as well as the communities surrounding the campus. We continually strive to prevent any unwanted incidents, intentional or accidental, entailing the shipment of hazardous materials by using reputable hazardous materials carriers and providing comprehensive training to university employees.

The security objectives for the University of Maryland Hazardous Materials Transportation Security Plan (Security Plan) include, but are not limited to, the following measures:

- Compliance with the hazmat employee training and Security Plan requirements;
- Implementation and continued evaluation of the Security Plan;
- Preparedness to increase security measures in times of heightened threats; and,
- Cooperation and communication with local, State and federal officials regarding issues of hazardous materials safety and security.

## **SECURITY PLAN REQUIREMENTS**

### **Overview**

The Research and Special Programs Administration (RSPA) has established requirements to enhance the security of hazardous materials transported in commerce. The Final Rule (HM-232) became effective March 25, 2003. Persons subject to the registration requirements in Subpart G of 49 CFR Part 107, and persons who offer or transport select agents and toxins regulated by the Center for Disease Control (CDC), must develop and implement written security plans by September 25, 2003.

The requirement for developing and adhering to a security plan applies to those who offer for transportation or transport hazardous materials in commerce, including loading, unloading, or storage operations incidental to the movement of hazardous materials in commerce. The purpose of the security plan is to address and reduce security risks presented by the transportation of hazardous materials in commerce.

Please note that the transportation of hazardous materials and waste by the University employees is not subject to the Hazardous Materials Regulations (HMR), 49 CFR Parts 171-180, based on the letters of interpretation (LOI), dated January 24, 2001, by Mr. Edward H. Bonekemper, III and a LOI, dated January 6, 1995, by Mr. Delmer F. Billings. (*See Appendix for a copy of the LOIs*) The LOI written by Mr. Billings states that “Hazardous materials transported by university employees in university vehicles for non-commercial purposes are not subject to the requirements of the HMR.” The LOI by Mr. Bonekemper states that “the [Hazardous Materials Regulations] HMR do not apply to the University [of Colorado] as a carrier unless it transports hazardous material in commerce in furtherance of a commercial enterprise.” Therefore, the transportation of hazardous materials and waste by university employees at the University of Maryland meet the descriptions stated in the letters of interpretation and is not subject to Hazardous Materials Regulations (HMR), 49 CFR Parts 171-180.

However, the University of Maryland does contract and utilize private companies to perform hazardous materials transportation functions. University employees who offer for transportation of hazardous materials in commerce will be required to participate in the Security Plan and receive appropriate training to satisfy HMRs.

## **Security Plan Components**

The Security Plan must include an assessment of possible transportation security risks for shipments of hazardous materials and appropriate measures to address the assessed risks. Specific measures put into place by the Security Plan may vary commensurate with the level of threat at a particular time. At a minimum, a Security Plan must include the following elements:

- (1) Vulnerability Assessment;
- (2) Personnel Security;
- (3) Unauthorized Access; and,
- (4) En Route Security.

The requirement for a security plan sets forth general requirements concerning the security plan's components, rather than a prescriptive list of specific items that must be included. The security plan should represent the University's best, good faith effort to address identified security risks.

The security plan must remain current and be updated as new information and technology become available and to reflect the requirements of the hazardous materials regulations and changing circumstances affecting security.

## **VULNERABILITY ASSESSMENT**

In accordance with 49 CFR §172.802(a), security plans must assess potential transportation security risks associated with the materials the University handles and manages. This risk assessment should address possible vulnerabilities within the University's hazardous material transportation operations.

The risk assessment involves an analysis of the University's operation and characterization of the nature and magnitude of the security risks. Factors considered in the development of the Security Plan include the type(s) of material transported, the quantity of material transported, the areas from or to which the material is shipped, and the mode of transportation used.

The University is vulnerable to the theft of hazardous materials or sabotage of the transportation process by terrorists or criminals through shortcomings in the following areas:

- Attack on physical assets (examples could include the container, infrastructure, physical facilities such as hazardous materials storage facilities or research laboratories, and transport vehicles);
- Security policies for personnel;
- Attack/breach of information systems and technology (including access to and/or destruction of critical data or systems);
- Communication disruption; and,
- Shipping and receiving of hazardous materials or disruption of the transportation process.

## **PERSONNEL SECURITY**

There are numerous ways that employees can pose security risks, including but not limited to: unintentional security lapses due to a lack of employee training and knowledge; applicants intentionally attempting to infiltrate the University for purposes other than legitimate employment; and a disgruntled employee attempting to harm the University. These are factors that must be considered when addressing personnel security.

The University will take measures necessary to assure that only qualified employees are hired and that employees who may affect hazardous materials transportation safety receive all required training. As part of our hazmat employee training, we will ensure that each hazmat employee receives instruction on hazardous materials security awareness, including how to recognize and respond to possible security threats.

### **Security Awareness Training**

No later than the date of the first scheduled recurrent training after March 25, 2003, and in no case later than March 24, 2006, each hazmat employee must receive training that provides an awareness of security risks associated with hazardous materials transportation and methods designed to enhance transportation security. This training must also include a component covering how to recognize and respond to possible security threats.

All new hazmat employees must receive specific training that meets the requirements of 49 CFR §172.704, including security awareness training, within 90 days after employment or a change in job function.

By December 22, 2003, each hazmat employee of entities required to have a security plan must be trained concerning the security plan and its implementation. New hazmat employees must receive this training within 90 days after employment or a change in job function. This in-depth security training must include University security objectives, specific security procedures, employee responsibilities, actions to take in the event of a security breach, and the organizational security structure.

## **Employment of HazMat Employees**

Federal law requires the University to implement measures to confirm information provided by job applicants hired for positions that involve access to or handling of the hazardous materials covered by this Security Plan. The methods used must be consistent with applicable federal and State laws and requirements concerning employment practices and individual privacy.

The hiring official for each job applicant hired for positions that involve access to or handling of the hazardous materials will make a determination of the potential security risk of the job applicant based on, including but not limited to: previous job references, character references, military or federal/State security clearances, and instinct.

## **UNAUTHORIZED ACCESS**

### **Specific Security Procedures**

This section of the Security Plan includes methods to address the possibility that unauthorized persons may attempt to gain access to our hazardous materials or transport vehicles being prepared for transportation. An "unauthorized person" is any person who is not authorized by the University or carrier contracted by the University to have access to hazardous materials or transport conveyances being prepared for transportation.

Facility (for example offices, storage rooms, laboratories, etc.) security begins with evaluating our day-to-day operating procedures and the current state of our facility to determine what improvements or changes may be needed. It is possible that unauthorized persons could attempt to gain access to our facility or transport vehicles for the purpose of theft, tampering, sabotage, or intentional misuse of the hazardous material or equipment. Such activities would pose a risk to our employees and students and to the surrounding communities in which we operate. It is important to maintain awareness and look for suspicious activity or "things out of place."

The security of the University's facility is a necessity, not only to safeguard the hazardous materials, but also to assure employee and public safety. We must weigh our options for levels of access, preventing unauthorized entry, detecting intruders, monitoring restricted areas, and countermeasures in the event of an incident. Since it is impossible to completely eliminate all security risks and exposures, reasonable security procedures for our facility and equipment have been established. The following measures will be implemented to reduce the risk of unauthorized access:

- Restrict the availability of information related to the University's facility, employees, and the hazardous materials handled;
- Limit and track keys/entry cards;
- Limit access to the University's facility and, wherever possible, control who enters and leaves the facility;

- Require contractors or other visitors to show photo identification and require a designated University employee to accompany them while they are at our facility;
- Be familiar with vendors who visit or service our facility and confirm legitimacy of new vendors;
- Assure that vehicle keys are stored in a secure manner or in an area that prevents access by unauthorized personnel;
- Inventory records of hazardous materials on paper should be kept in a locked container or file cabinet, if applicable;
- Electronic inventories of hazardous materials that are processed or stored on any device that is routinely or temporarily connected to a local or wide area network must be secured. Access to electronic inventory data must be password protected;
- Conduct frequent facility and equipment inspections, looking for signs of tampering, theft, vandalism or any evidence of unauthorized access;
- When the National Threat Level is heightened, the University may conduct security spot checks of personnel and equipment; and,
- Any time the National Threat Level increases, we will cooperate with local, State and federal law enforcement officials concerning security checks.

### **Shipping Hazardous Materials and Receiving Deliveries**

Hazardous materials shipped from or received at the University's facilities, including hazardous materials loaded or unloaded to and from transport vehicles, are to be secured immediately against unauthorized access. University procedures include:

- Loading hazardous materials or receiving shipments must only occur in authorized areas;
- Visitor access to hazardous materials storage and handling areas, including truck drivers and delivery people, will be on a strictly controlled basis;
- Security devices, including locks, gates, doors, and other barriers will be utilized to the greatest extent possible to protect against unauthorized access to hazardous materials;
- All deliveries will be inspected for shipping documentation and damage to packages that may cause a release of the hazardous material;
- The shipper will be notified immediately of missing or damaged items;
- Deliveries of hazardous materials will only be accepted when verified as expected and when delivered by a carrier known to the University;
- Hazardous materials will only be received when authorized personnel are available to receive and promptly store them in a secure manner; and,
- Personnel observing the delivery of hazardous materials will watch for abnormal behavior.

## **Employee Responsibilities**

The following additional measures should be taken by all employees to further enhance security at our facility:

- Be aware of your surroundings at all times;
- Report suspicious activities to University supervisors/managers, the University's Environmental Compliance Manager, and to the University of Maryland Police Department or local law enforcement authorities;
- Make sure not to leave vehicle engines running unattended and do not leave keys in transport vehicles that are unattended;
- Lock unattended transport vehicles or vehicles not in use, making sure that the vehicle keys are secure or returned to the designated key storage area;
- Do not preload hazardous materials shipments during times of heightened threat levels;
- When the threat level is heightened, periodically test communication devices (e.g., cell phone, two-way radio, etc.) to ensure that the devices are working properly; and,
- Be prepared for emergencies and increased law enforcement any time the National Threat Level increases.

## **Actions to Take in the Event of a Security Breach**

In the event of an actual security breach, including suspicious incidents or individuals, University employees should immediately contact University of Maryland Police Department.

## **En Route Security**

En route security is a critical component of our University's hazardous materials transportation security effort. This section of the Security Plan will establish procedures to address the assessed security risks of shipments of hazardous materials from origin to destination, including shipments stored incidental to movement.

## **Specific Security Procedures**

Managers/supervisors should adhere to and review the following information with hazmat employees, as appropriate:

- Assure that University hazmat employees have a means to communicate with the University of Maryland Police Department (e.g., cell phone, two-way radios, etc.);
- Stress the importance of keeping vehicles locked when parked and avoiding casual conversations with strangers about cargo and routes;
- Advise hazmat employees any time the National Threat Level is increased or changed;

- As applicable, verify the identity of carrier and/or driver prior to loading a hazardous material. Ask the driver for photo identification and commercial drivers license and compare with information provided by the carrier;
- As applicable, identify preferred and alternative routing, including acceptable deviations. Strive to minimize product exposures to communities or populated areas, including downtown areas; avoid tunnels and bridges where possible, and expedite transportation of the shipment to its final destination;
- If hazardous materials must be stored during transportation, make sure they are stored in secure facilities;
- Notify the University's Environmental Compliance Manager if a hazardous materials shipment is not received when expected, after contacting the carrier; and,
- Get to know our customers and their hazardous materials needs. If there is cause to believe that hazardous materials have been shipped or delivered to someone who may intend to use it for a criminal purpose, University employees should contact University of Maryland Police Department.

## **Regulatory Requirements**

In addition to specific security measures and procedures, this Security Plan references certain regulatory requirements that must be followed:

49 CFR Part 177 prescribes requirements applicable to the acceptance and transportation of hazardous materials by private, common, or contract carriers by motor vehicle.

All shipments of hazardous materials must be transported without unnecessary delay, from and including the time of commencement of the loading of the hazardous material until its final unloading at destination.

A driver may not move a transport vehicle containing a hazardous material unless the vehicle is marked and placarded in accordance with 49 CFR Part 172.

## **Actions to Take in the Event of a Security Breach**

In the event of an actual security breach, including suspicious activities or individuals, immediately contact the University of Maryland Police Department by dialing 911 on a university phone or 301.405.3555 from a non-university phone.

Please provide as much information you can to the police department:

- Your current location and how the police officer can locate you;
- Description of the individual(s);
- Clothing worn by the individual(s);
- Location or direction of the individuals' movement; and,
- The security breach or suspicious activities.

Follow any instructions that may be given to you from the police department when you call. Do not leave the area, if the area is safe, so the police officer can locate you.

## **University's Organizational Security Structure**

The University of Maryland Police Department is the primary agency with responsibility to provide security and law enforcement for the campus. All matters involving security and law enforcement, including reports of suspicious activities or individuals, will be directed to the University of Maryland Police Department for investigation and action.

Other University personnel and departments, e.g., Environmental Safety, Facilities Management, and Public Safety, will assist the University of Maryland Police Department, if and when needed.

Under the direction of the University of Maryland Police Department, an action plan will be determined and executed involving a hazardous material transportation security breach. The action plan may involve the notification and participation of outside agencies, i.e., the Federal Bureau of Investigation and the Maryland State Police.