



Homeland  
Security

# CFATS Quarterly

Chemical Facility Anti-Terrorism Standards

## Available Resources

**Outreach:** DHS outreach for CFATS is a continuous effort to educate stakeholders on the program. To request a CFATS presentation or a Compliance Assistance Visit (CAV), individuals may submit a request through the program website, located at <http://www.dhs.gov/chemicalsecurity>, or by e-mailing DHS at [CFATS@hq.dhs.gov](mailto:CFATS@hq.dhs.gov).

**CFATS Help Desk:** DHS operates a CFATS Help Desk to assist in answering questions about the CFATS program. Hours of Operation are 8:30 AM to 5:00 PM, Monday through Friday. The CFATS Help Desk toll-free number is 1-866-323-2957. The CFATS Help Desk email address is [CSAT@hq.dhs.gov](mailto:CSAT@hq.dhs.gov).

**Website:** For Frequently Asked Questions (FAQs), Chemical-terrorism Vulnerability Information (CVI) training, and other useful CFATS-related information, please go to <http://www.dhs.gov/chemicalsecurity>.

**Inspectors:** In addition to these updates, Chemical Security Inspectors are located in communities across the country, and are available to engage with interested organizations and provide compliance assistance to facilities at any stage in the CFATS process. Contact [CFATS@hq.dhs.gov](mailto:CFATS@hq.dhs.gov) to receive the contact information for the inspector for your region.

## Save the Date: 2015 Chemical Sector Security Summit

DHS and the Chemical Sector Coordinating Council (SCC) are co-hosting the annual Chemical Sector Security Summit on July 21-23, 2015, in Alexandria, Virginia. There is no registration fee to attend. For more information, please visit <http://www.dhs.gov/chemical-sector-security-summit>.

## Chemical Facility Anti-Terrorism Standards Program Progress

Since the inception of the Chemical Facility Anti-Terrorism Standards (CFATS) in 2007, the Department of Homeland Security (DHS), high-risk chemical facilities and their workers, industry associations, communities, emergency responders, and state and local governments have been working together to improve the on-site security protecting America's highest-risk chemical facilities. Chemicals are vital to our national economy, and more than 40,000 facilities—ranging from oil refineries to microchip manufacturers to fisheries—have reported their holdings of potentially dangerous chemicals to DHS. More than 3,300 of those facilities have been deemed to be at high-risk of terrorist attack or exploitation and are currently covered under CFATS and are developing security plans to protect their chemical holdings. *CFATS Quarterly* is designed to help our stakeholders keep up-to-date with program progress and developments such as the CFATS Act of 2014.

### CFATS Progress and Improvements

In December 2014, Congress, recognizing the significant forward progress of the CFATS program, granted long-term authorization to the program, providing facilities with the regulatory certainty that is critical to make CFATS-related capital investments. The *Protecting and Securing of Chemical Facilities from Terrorist Attacks Act of 2014* (CFATS Act of 2014) authorized the CFATS program for four years while leaving most of the existing regulations in place.

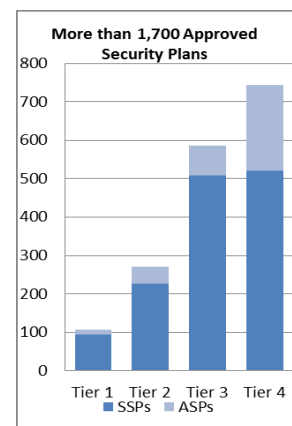
In addition to granting the program long-term authorization, the CFATS Act of 2014 contains several new authorities and requirements, including an option for facilities in Tier 3 and Tier 4 to submit security plans through an expedited approval program (EAP). Participation in the expedited approval program is voluntary; for those interested in the program, the Department is developing a guidance document, which we expect to publish prior to the end of June 2015.

### Increasing Pace of Authorization Inspections and SSP/ASP Approvals

As of April 27, the vast majority of facilities have reached the authorization stage of the process, the point at which DHS reaches out to schedule an authorization inspection. We expect that nearly all Site Security Plans (SSPs) and Alternative Security Programs (ASPs) that may be authorized will be by the end of September 2015. We're conducting authorization inspections (AIs) at an unprecedented rate, with more than 2,250 AIs completed, and more than 1,700 SSPs and ASPs approved.

The heightened pace of inspections and approvals is a result of streamlining our processes and making tweaks that have, in many cases, been based on feedback we've received from industry stakeholders. Some initiatives include:

- Coordination with facilities prior to an inspection to improve the quality of time spent on-site;
- The CFATS corporate program, which allows companies with multiple facilities to coordinate the scheduling of inspections and submissions with a DHS corporate point of contact; and
- Improvements to the Chemical Security Assessment Tool system, such as making PDF



printouts of survey tools available; ensuring that Risk-Based Performance Standards stay validated when an SSP update is conducted; and pre-populating resubmitted Top-Screens with existing facility data.

As a result of the heightened pace of activities, DHS is quickly approaching our 2,000th SSP approval, and is on track to be through the backlog of submitted SSPs and ASPs by the end of next summer.

### Maturing the CFATS Program and Rule

In 2013, DHS initiated a thorough review of the risk assessment process used to determine which facilities are a high risk. An external peer review of our tiering methodology was conducted, and DHS is working with a group of external experts to review our proposed changes and plan for implementing these improvements. A future issue of the *CFATS Quarterly* will delve deeper into what facilities can expect as DHS improves its tiering methodology.

DHS also continues to move forward with developing the next generation of CFATS regulations. After eight years of experience implementing the CFATS program, both the Department and the regulated community have gained first-hand insight into how a non-prescriptive security regulation can be most effective. The next opportunity for industry to engage in providing feedback to this process will likely be when we issue a Notice of Proposed Rulemaking, which is currently in development at the Department.

### President's Executive Order 13650: Improving Chemical Facility Safety and Security

Since the release of Executive Order (EO) 13650: *Improving Chemical Facility Safety and Security* on August 1, 2013, the Department of Homeland Security, the Department of Labor, the Environmental Protection Agency, the Department of Justice, the Department of Agriculture, and the Department of Transportation, as part of an interagency Working Group, established priority actions to address the mandates set by the President, with a focus on implementing findings based on lessons learned and feedback from industry, State and local governments, and community stakeholders across the nation. These actions are detailed in the *Report to the President: Actions to Improve Chemical Facility Safety and Security – A Shared Commitment* released on June 6, 2014.

The release of the report was a milestone, not an end point. The Chemical Facility Safety and Security Executive Committee is working to implement the action items that center around five themes: Strengthening Community Planning and Preparedness; Enhancing Federal Operational Coordination; Improving Data Management; Modernizing Policies and Regulations, and Incorporating Stakeholder Feedback and Developing Best Practices. The Interagency continues to make progress on the actions and is on schedule to complete the items that are due within one year of the Report to the President.

DHS is continuing to work with Federal, state, local, tribal, and territorial officials to identify and obtain chemical facility data sets, if available, to compare with the existing CFATS database. This activity builds on the work already conducted by DHS to crosswalk CFATS data with EPA Risk Management Program data and with the Bureau of Alcohol, Tobacco, Firearms and Explosives licensee and permittee data.

Additionally, the Interagency provided a forum for sharing success stories and best practices to reduce safety and security risks in the production and storage of potentially harmful chemicals. The online best practices forum, the Chemical Facility Safety and Security, uses the DOL Occupational Safety and Health Administration chemical Executive Order webpage at <https://www.osha.gov/chemicalexecutiveorder>. The webpage captures user-submitted best practices to include methods, techniques, processes, systems, policies, tactics, or approaches that result in successful, productive, safer, and more secure operations.

If you have any questions or comments regarding Executive Order 13650 or would like to read any of the reports associated with the EO, please visit <https://www.osha.gov/chemicalexecutiveorder>, or email [EO.chemical@hq.dhs.gov](mailto:EO.chemical@hq.dhs.gov).

## Compliance Corner

**If a CFATS-regulated facility changes their chemical holdings, this facility is required to resubmit a Top-Screen to reflect this modification.** A facility is required to file a Top-Screen within 60 calendar days of coming into possession of any of the chemicals listed in Appendix A at or above the Screening Threshold Quantity. DHS has not established a “holding-time” threshold for chemicals. If terrorists have a reason to know that an attractive chemical is present at a facility, the duration for which it is present is largely irrelevant. As a result, a facility must submit and complete a Top-Screen if it possesses chemicals of interest in a quantity that at any time meets the STQ. However, if a facility has constantly fluctuating COI, ISCD will continue to work with the facility once an initial Top-Screen is filed on an individual basis to address submission schedules of any additional Top-Screens. See 6 C.F.R. 27.210(c).

## CFATS Tip Line

Report a possible security concern involving the CFATS regulation at your facility or another facility .

**CFATS Chemical Facility Security Tip Line:**  
877-394-4347 (877-FYI 4 DHS)

You may report concerns on voicemail anonymously. If you want a return call, leave your name and number.

**National Infrastructure Coordinating Center (NICC):** 202-282-9201.

Call the NICC to report any potential security incident that has already occurred. If there is an ongoing security emergency or terrorist incident, call 911 or contact your local FBI field office.