



**Homeland  
Security**

***Securing the Chemical Sector:  
An Outline of the Chemical Security Program***

***Finger Lakes Chapter of Certified Hazardous Material Managers  
(FLACHMM)***

***13 MAY 2008***

## ***Agenda***

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- ▶ Chemical Facility Anti-Terrorism Standards (CFATS): An Overview
- ▶ Appendix A
- ▶ Risk Based Performance Standards (RBPS)
- ▶ Chemical Security Assessment Tool (CSAT)
- ▶ Chemical-terrorism Vulnerability Information (CVI)
- ▶ CSAT Help Desk

## ***Chemical Facility Anti-terrorism Standards (CFATS): Overview***

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- ▶ Section 550 of the DHS Appropriations Act of 2007 gave the Department the authority to regulate the security of “high risk” chemical facilities.
- ▶ Facilities regulated by MTSA or by NRC, facilities owned or operated by DOD or DOE, public water systems (as defined by section 1401 of the Safe Water Drinking Act), and water treatment works (as defined by section 212 of the Federal Water Pollution Control Act) are currently statutorily exempt from CFATS.
- ▶ DHS was given 6 months to plan, build, and begin implementing a complex and extensive new regulatory regime.
- ▶ DHS first put a proposed version of the rule out for public comment in December 2006. DHS reviewed comments received and incorporated many into the Interim Final Rule.
- ▶ The Chemical Facility Anti-Terrorism Standards (CFATS) Interim Final Rule was published on April 9, 2007, and went into effect on June 8, 2007.
- ▶ CFATS is risk-based and requires covered (high risk) facilities to fulfill certain risk based performance standards on security.

## ***Chemicals of Interest: Appendix A***

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- ▶ DHS identified the universe of potentially high risk facilities using its Chemicals of Interest (COI) list in Appendix A to CFATS.
- ▶ A chemical facility that possesses any Appendix A COI at or above its screening threshold quantity (STQ) must complete and submit a CSAT Top-Screen to DHS.
- ▶ Appendix A was available for public comment until May 9, 2007, and DHS received thousands of comments that influenced the final Appendix A, published on November 20, 2007.
- ▶ The final version of Appendix A enables DHS to meet its mandate and also facilitate industry compliance.

## ***Identification and Regulation of High Risk Facilities***

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- ▶ Based upon review and analysis of a facility's Top-Screen, DHS determines whether or not the facility is initially considered high risk.
- ▶ Facilities that are not considered high risk are not subject to further regulation under CFATS unless they come into possession of a chemical of interest at or above its applicable STQ in the future.
- ▶ Facilities initially determined to be high risk will be notified in writing and preliminarily assigned to one of four risk-based tiers.
- ▶ All initial high risk facilities must complete a Security Vulnerability Assessment. Based on analysis of that assessment, DHS will make a final decision on the facility's risk-based tier or exclude the facility from CFATS coverage.
- ▶ After a covered facility is assigned to a final tier, it must complete a Site Security Plan, subject to DHS review and approval, that demonstrates how the facility will meet the CFATS Risk-Based Performance Standards.

## ***CFATS and Risk Based Performance Standards (RBPS)***

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- ▶ RBPS serve as the security building blocks for the CFATS program.
- ▶ RBPS drive the security performance at facilities in each of the four risk-based tiers.
- ▶ RBPS provide facilities with flexibility and allow for the use of existing measures, ideas and expertise.
- ▶ RBPS cover various aspects of security.
- ▶ A covered (high risk) facility has to meet the applicable RBPS with measures appropriate for the level (tier) of risk presented by the facility.

## ***Chemical Security Assessment Tool (CSAT)***

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- ▶ CSAT is the IT backbone of the CFATS program and has 4 main components.
- ▶ User Registration
- ▶ Top-Screen
  - Enables DHS to perform a basic consequence assessment that results in a facility being placed in a preliminary tier (tier 1, 2, 3, or 4) **or** being excluded from further regulation.
- ▶ Security Vulnerability Assessment (SVA)
  - Assesses security measures in place that mitigate or reduce the likelihood of success of an attack on an asset.
- ▶ Site Security Plan (SSP)
  - Captures specific security measures the facility has or will implement to meet the risk-based performance standards (RBPS) that apply to the facility based on its specific tier and security issues.
- ▶ User Registration and the Top-Screen are now operational. The SVA will be operational in early Spring 2008 and the SSP is being prepared for deployment.
- ▶ A Personnel Surety Portal will be added to CSAT in 2008.

## ***Chemical-terrorism Vulnerability Information (CVI)***

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- ▶ The proposed and final CFATS rulemaking notices explained the creation of a new category of information protection, CVI, and set forth the rules governing its maintenance, handling, and disclosure.
- ▶ DHS provides online CVI training and certification.
- ▶ All CVI materials must be appropriately marked, handled, and stored.
- ▶ Persons potentially eligible to access CVI include:
  - *Facility employees*
  - *Federal employees, contractors, and grantees*
  - *State/local government employees*
- ▶ No person may have access to CVI, regardless of training, unless they have a “need-to-know.”
- ▶ Violation of CVI rules is grounds for a civil penalty and/or other enforcement or corrective action by DHS and appropriate personnel actions for Federal employees.
- ▶ CVI authorization is required to complete and submit the Top Screen, SVA and SSP tools.

## ***CSAT Help Desk Contact Information***

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- ▶ The CSAT Help Desk toll-free number is 1-866-323-2957
  - Hours of Operation are 7:00AM – 7:00PM, Monday through Friday.
  - The Help Desk is closed for Federal Holidays.
  
- ▶ The CSAT Help Desk email address is [CSAT@DHS.gov](mailto:CSAT@DHS.gov)
  
- ▶ For CFATS Frequently Asked Questions (FAQ's) and CVI training go to [WWW.DHS.GOV/CHEMICALSECURITY](http://WWW.DHS.GOV/CHEMICALSECURITY)

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