



Homeland
Security

CFATS Quarterly

Chemical Facility Anti-Terrorism Standards

CFATS: A Year in Review

November 20, 2017 marked the tenth anniversary of the publication of the Chemical Facility Anti-Terrorism Standard (CFATS) Final Rule. Over the course of the last ten years, we have worked together to secure chemicals. The program's successes can be attributed to the work done by the men and women of the Department of Homeland Security (DHS), and to our industry stakeholders and regulated community, who provide us with continuous feedback on how to better secure America's highest-risk chemical facilities. CFATS has become a cornerstone of America's chemical security culture and the gold standard, domestically and internationally, in securing certain chemicals that could be used by terrorists for nefarious purposes.

It is precisely this concern that gave rise in 2006 to congressional efforts to address chemical security and establish a regulatory framework aimed at identifying and regulating high-risk facilities that possess certain hazardous chemicals at specific concentrations and quantities. The program today covers approximately 3,500 facilities nationwide.

In fall 2016, CFATS embarked on a new chapter. After working for nearly three years with experts from across the chemical security community, DHS rolled out the enhanced tiering methodology and improved Chemical Security Assessment Tool (CSAT) 2.0 tool. The new enhanced methodology refined the risk model, and CSAT 2.0 reduced the burden on industry by decreasing the amount of time it takes to submit the required information to comply with CFATS.

Over the course of the past year, we were able to notify all chemical facilities to resubmit a Top-Screen. We also reduced the time it takes for facilities to resubmit.

In just one year, the program received approximately 23,000 unique facility Top-Screen submissions, and issued close to 22,000 tiering determination letters. In addition, CFATS' activities continued with approximately 1,700 facility inspections and 840 compliance assistance visits completed in FY17.

We held the 11th Annual Chemical Sector Security Summit for the first time outside of the National Capital Region, in Houston, Texas. The location reflected a strategic choice, given that the petro-chemical industry has a robust foothold in and around Houston. More than 15 sessions provided participants with the opportunity to engage in face-to-face discussions and share best practices and lessons learned. Highlights included cyber and physical security at chemical facilities, and security roles during a disaster.

We saw a very active FY17 Hurricane Season. It highlighted the importance of maintaining continuous open communication lines with covered chemical facilities prior to, during, and after an expected emergency. It also underscored how crucial continuity of operations plans are when disaster hits—and ultimately how important it is for facilities to plan contingencies for all hazards.

Now, as the program's existing authorization nears its conclusion, the Department will focus on working with stakeholders on authorizing legislation.

Chemical security is not a temporary issue. As threats evolve, the CFATS mission continues to be more relevant than ever. The Department is committed to continue working with stakeholders—from industry, labor, and the public sector—to protect America's highest-risk chemical infrastructure.

CFATS Update

As of December 1, CFATS covers **3,548** facilities, and DHS has completed more than **3,065** total compliance inspections. Stakeholders can expect to see the number of facilities evolve as additional facilities submit the updated Top-Screen and receive new tiering determinations. We continue to issue tiering determination letters as Top-Screens are received and processed. As always, we remain ready to address your questions and concerns.

If you have questions about CSAT 2.0 or compliance, contact the Help Desk at 866-323-2957 or CSAT@hq.dhs.gov.

Inspection Best Practices

Under the CFATS program, Authorization and Compliance Inspections are conducted at covered facilities to verify and validate that the content listed in the facility's security plan is accurate and complete. Compliance Inspections also validate that existing and planned equipment, processes, and procedures are appropriate and sufficient. To ensure a streamlined and efficient inspection at your facility, consider the following best practices as part of your preparation once an inspector has reached out to schedule a date and time for the inspection.

Before the Inspection

Some examples of key items a facility may want to have on hand during an inspection include:

- Chemical inventory list
- Site/facility layout
- CFATS-related documents and correspondence
- Security Standard Operating Procedure(s) (SOP)
- Crisis Management Plan (or equivalent)
- Cybersecurity policy and procedures
- Company hiring policy and procedures
- Shipping and receiving policy and procedures
- Training, drill, and exercise records
- Security system maintenance/calibration records
- Incidents and breaches of security documentation

For compliance inspections, a facility should prepare any revised CFATS-related documents, annual audit documentation, and RBPS 18 records.

Additionally, the facility should review any planned measures in their SSP/ASP and provide documentation showing their completion.

During the Inspection

Not all personnel need to be present for the entirety of the inspection, but a facility should consider whether to include the facility Submitter, Authorizer, and Preparer or other personnel such as the Facility Security Officer, Cybersecurity Officer, Human Resources representative, and Operations Manager.

The inspection team will evaluate the facility's security measures through direct observation, document review, testing and interviews. The inspector may request documentation or conduct phone interviews to verify items in the SSP/ASP, such as the facility's Security Awareness and Training Program or completed background checks.

Additionally, the inspection team will verify the facility's COI inventory against the latest submitted Top-Screen. If inaccuracies are found, the facility will be required to re-submit a Top-Screen with the correct COI information.

If a Tier 1 or Tier 2 facility has not yet implemented RBPS 12(iv) —Screening for Terrorist Ties, the inspection team will discuss the options available and may assist the facility in updating their SSP/ASP.

Once completed, the inspection team will provide a general overview of the inspection, relay observations, findings, and potential concerns, and discuss follow-up actions. If edits are required to the facility's security plan, an SSP/ASP may be unlocked while the inspection team is on site to assist in updates and address any inspection findings.

Featured Resources

Outreach: To request a CFATS presentation or a Compliance Assistance Visit, submit a request through www.dhs.gov/critical-infrastructure-chemical-security, or CFATS@hq.dhs.gov.

CFATS Help Desk: Hours of Operation are Mon.- Fri., 8:30 AM to 5:00 PM (EST). Call 866-323-2957 or email CSAT@hq.dhs.gov.

Website: For Frequently Asked Questions (FAQs), Chemical-terrorism Vulnerability Information (CVI) training, and other CFATS-related information, visit www.dhs.gov/chemicalsecurity.

Inspectors: Email CFATS@hq.dhs.gov to receive the contact information of the inspector for your area.

National Academies of Sciences, Engineering and Medicine releases report on Improvised Explosive Devices

In November, the National Academies of Sciences, Engineering and Medicine (the Academies) released the report on “Reducing the Threat of Improvised Explosive Device Attacks by Restricting Access to Explosive Precursor Chemicals.”

The independent study was commissioned by DHS, and focused on researching possible paths forward to safeguard the Nation’s people, infrastructure, and economy from terrorist use of improvised explosive devices.

The report:

- Analyzed chemicals that have been used in IEDs either in the U.S. or internationally or are susceptible for use in IEDs
- Developed a prioritized list of precursor chemicals used to make home-made explosives
- Analyzed commercial supply chains and identified potential vulnerabilities
- Examined the regulation of chemicals both domestically and internationally
- Compared economic, security, and other tradeoffs among potential control strategies

We acknowledge and appreciate that our stakeholders have been active participants throughout the course of the study.

Once DHS has analyzed the contents of the report, it will work towards developing a framework that is both cost-effective and reduces the level of risk that explosive precursor chemicals used in IEDs.

For more information, visit www.nas.ied.edu

Featured CFATS Materials

DHS is committed to providing our stakeholders resources and information to help implement the CFATS program. Since the last issue of the CFATS quarterly, we have published several new fact sheets and flyers, some of which were the result of feedback from stakeholders. If you have ideas for future products, please contact us at CFATS@hq.dhs.gov.

CFATS Site Security Plan Submission Tips Page: DHS has reviewed thousands of Site Security Plans (SSPs)/ Alternative Security Programs (ASPs) submitted by high-risk chemical facilities under the CFATS regulation. Based on these reviews, DHS has identified helpful hints to assist with completing your SSP/ASP as part of the authorization and approval process. Visit www.dhs.gov/cfats-ssp-submission-tips for more information.

RBPS 12(iv) - Screening for Terrorist Ties Fact Sheet : Under CFATS RBPS 12— Personnel Surety, facilities are required to perform four types of background checks on facility personnel and unescorted visitors who have, or are seeking access to, restricted areas and critical assets at high-risk chemical facilities. These checks include measures designed to identify people with terrorist ties, and are implemented through the CFATS Personnel Surety Program. Find out more about RBPS 12(iv) — Screening for Terrorist Ties and download the fact sheet at www.dhs.gov/publication/cfats-personnel-surety-program-fact-sheet

CFATS and Agricultural Production Facilities Fact Sheet: In 2008, DHS published a notice granting a time extension to certain farmers and agricultural facilities who are required to report their chemical holdings under CFATS. Find out more about the time extension and download the printer-friendly fact sheet at www.dhs.gov/publication/cfats-agricultural-production-facilities

CFATS Overview Fact Sheet: A standard fact sheet outlining the basics and important information you may need to know. Visit www.dhs.gov/publication/cfats-fact-sheet to view and download the fact sheet.

Nitromethane Flyer: Any individual or facility that possesses 400 lbs. (approximately 42 gallons) or more of nitromethane must report their chemical holdings to DHS. This flyer highlights information to raise awareness of the CFATS role within facilities that have nitromethane. You can download, print, and distribute this flyer as a resource to increase awareness. Visit www.dhs.gov/publication/cfats-nitromethane-flyer