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

*Hazmat/Explo Exposition
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Agenda

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



Chemical Facility Anti-terrorism Standards (CFATS): Overview

- ▶ Section 550 of the DHS Appropriations Act of 2007 gave the Department the authority to regulate the security of "high risk" chemical facilities.
- ▶ DHS was given 6 months to plan, build, and implement 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 DHS final chemical facility security regulatory regime—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 facilities to fulfill certain risk based performance standards on security.



Chemicals of Interest: Appendix A

- ▶ DHS will identify the universe of potentially high risk facilities using its Chemicals of Interest (COI) list or Appendix A.
- ▶ A chemical facility that possesses any Appendix A chemical at or above its screening threshold quantity (STQ) must complete and submit a CSAT Top-Screen to DHS.
- ▶ Appendix A was out for public comment until May 9, 2007, and DHS received thousands of comments that influenced the final Appendix A, which was released from the EOP November 1, 2007. We anticipate recording in the federal register on or about Nov. 16th.
- ▶ The final version of Appendix A will enable DHS to meet its mandate and also facilitate industry compliance.

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CFATS and Risk Based Performance Standards (RBPS)

- ▶ RBPS (19) 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 facility only has to meet those RBPS that apply to it.

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Chemical Security Assessment Tool (CSAT)

- ▶ CSAT is the IT backbone of the CFATS program and has 3 main components.
 - ▶ Top-Screen
 - Places a facility in a preliminary tier or determines that it is excluded from the regulation.
 - ▶ Security Vulnerability Analysis (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 applicable risk-based performance standards (RBPS).
- ▶ User Registration and the Top-Screen are now operational .
- ▶ SVA and SSP will be operational and available this fall.
- ▶ The newest CSAT component, the Terrorist Screening Database tool, will be available in the spring of 2008.

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Chemical-terrorism Vulnerability Information (CVI)

- ▶ The Advance Notice explained the creation of a new category of information protection, CVI, and set forth the rules governing its maintenance, handling, and disclosure.
- ▶ DHS provides CVI training and certification.
- ▶ All CVI materials must be appropriately marked, handled, and stored.
- ▶ Eligible Persons to use CVI:
 - Facility employees
 - Federal employees, contractors, and grantees
 - State/local government employees
- ▶ 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.

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CFATS Roll Out

- ▶ Phase 1a
 - Focuses on facilities most likely to be high risk.
 - CSCD is engaged and working with phase 1a facilities.
- ▶ Phase 1b
 - Other likely high risk facilities may wish to begin the Top-Screen process prior to the publication of the final version of Appendix A.
- ▶ Phase 2
 - All facilities with chemicals of interest at or above the STQs in final Appendix A officially start completing and submitting Top-Screens.

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