

The Office of Infrastructure Protection

National Protection and Programs Directorate
Department of Homeland Security

Chemical Facility Anti-Terrorism Standards (CFATS)

Local Emergency Planning Committee

May 2016



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Why Chemical Facility Security?



The Homeland Faces a Persistent and Evolving Threat

“Compelling Confirmation” that Chlorine Gas Used as Weapon in Syria

OPCW, September 10, 2014

French Authorities Hold Suspect in Beheading and Explosion at Chemical Plant

NYTimes, June 26, 2015

Death Toll in West, Texas, Fertilizer Explosion Rises to 15

NPR, April 23, 2013



West, Texas in 2013. Image courtesy of the Chemical Safety Board.

- A successful attack on some chemical facilities could potentially cause a significant number of deaths and injuries
- Certain chemical facilities possess materials that could be stolen or diverted and used as or converted into weapons for use offsite



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The CFATS Regulation



Statutory Authority

- In December 2007, Congress authorized the Department to regulate security at “high-risk” chemical facilities
 - The Department developed the Chemical Facility Anti-Terrorism Standards (CFATS), 6 CFR Part 27, to implement this authority
- In December 2014, Congress passed the *Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014*
 - Extended the Department’s authority over security at high-risk chemical facilities

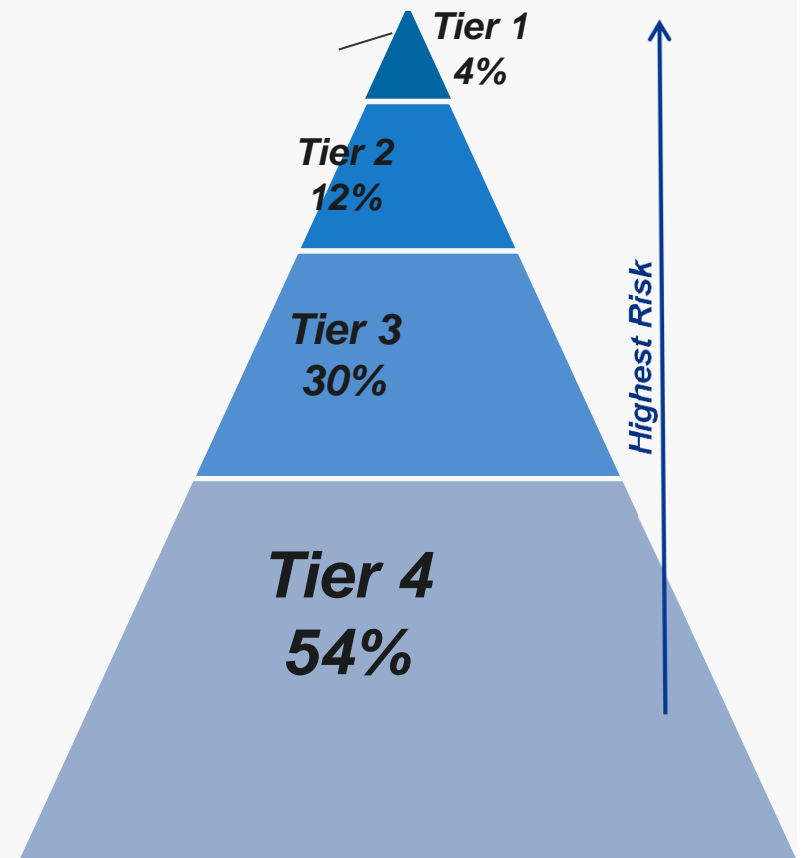


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Essentials of the CFATS Program

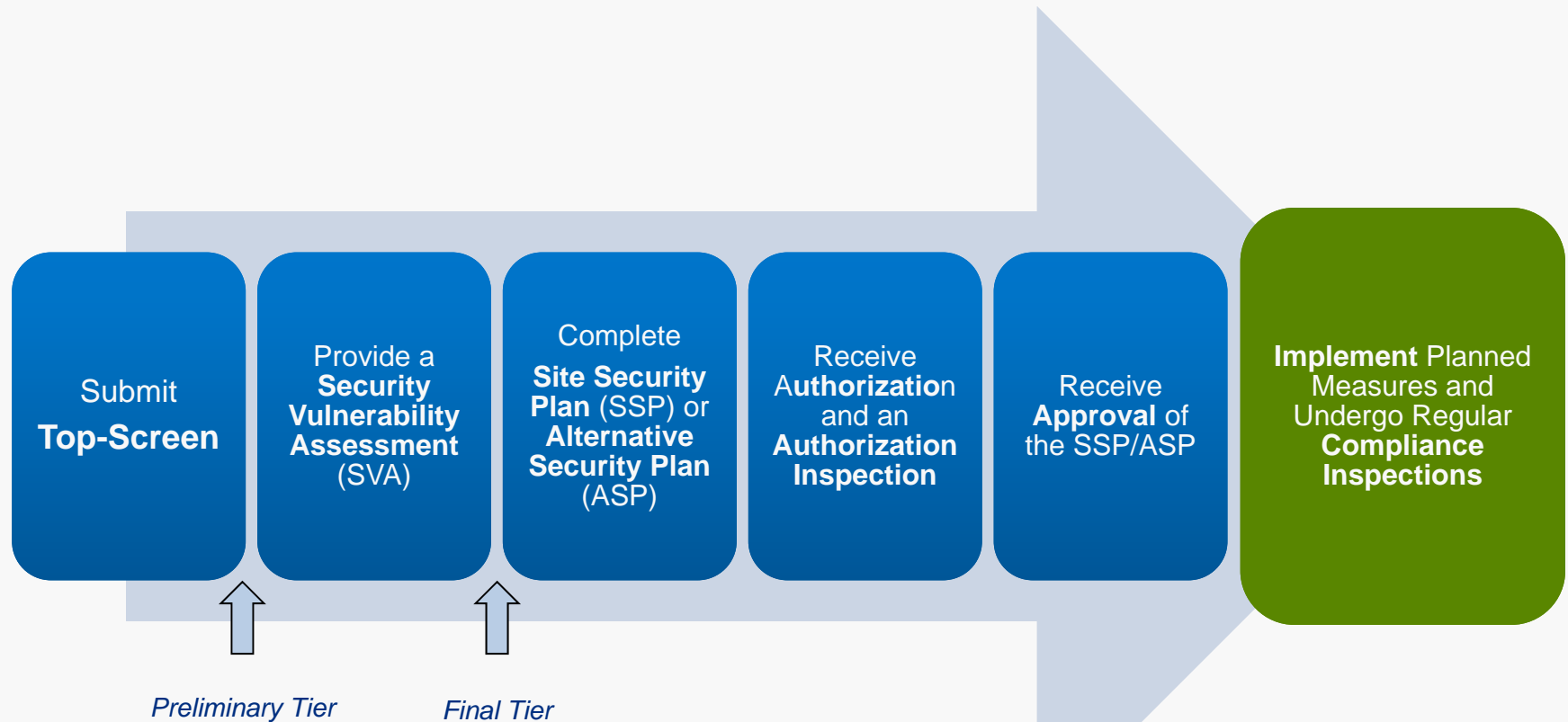
A Non-Prescriptive Regulation

- The possession of any of about 320 chemicals of interest at or above screening threshold quantities triggers the need for reporting to DHS
- Covered facilities are placed in 1 of 4 high-risk tiers
 - More than 51,000 Top-Screens received
 - More than 3,000 high-risk facilities
- DHS approves plans, inspects facilities, and provides compliance assistance



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The CFATS Process



DHS provides compliance assistance upon request at any stage of this process



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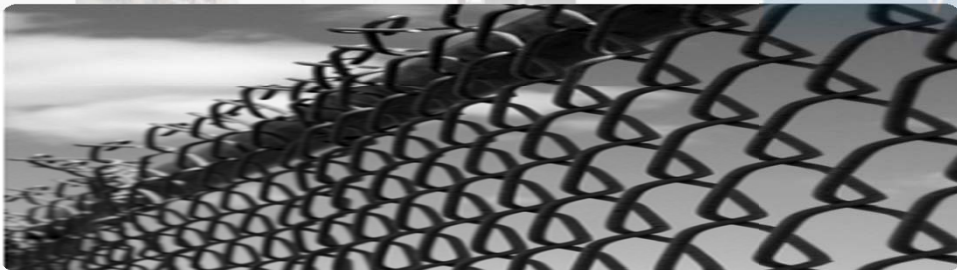
Risk-Based Performance Standards

RBPS-8 Cyber



RBPS-13 Elevated Threats

RBPS-14 Specific Threats,
Vulnerabilities, or Risks



RBPS-1 Restrict
area perimeter

- Rather than prescribe specific security measures, DHS developed 18 risk-based performance standards (RBPS)
- Compliance with the RBPS will be tailored to fit each facility's circumstances, including tier level, security issues, and physical and operating environments



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CFATS Universe

Determining the targeted community

- DHS accomplished this by developing “Appendix A,” a list of chemicals of interest (COI) at specific threshold quantities and concentrations which would require reporting to the Department
- Appendix A consists of 300+ chemicals

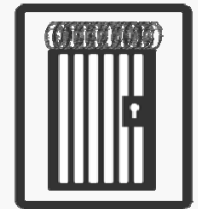
Hospitals
and Clinics



Wineries



Correctional
Facilities



Chemical
Manufacturing



Oil Refineries



Colleges and
Universities



Farm
Cooperatives



Food
Processing

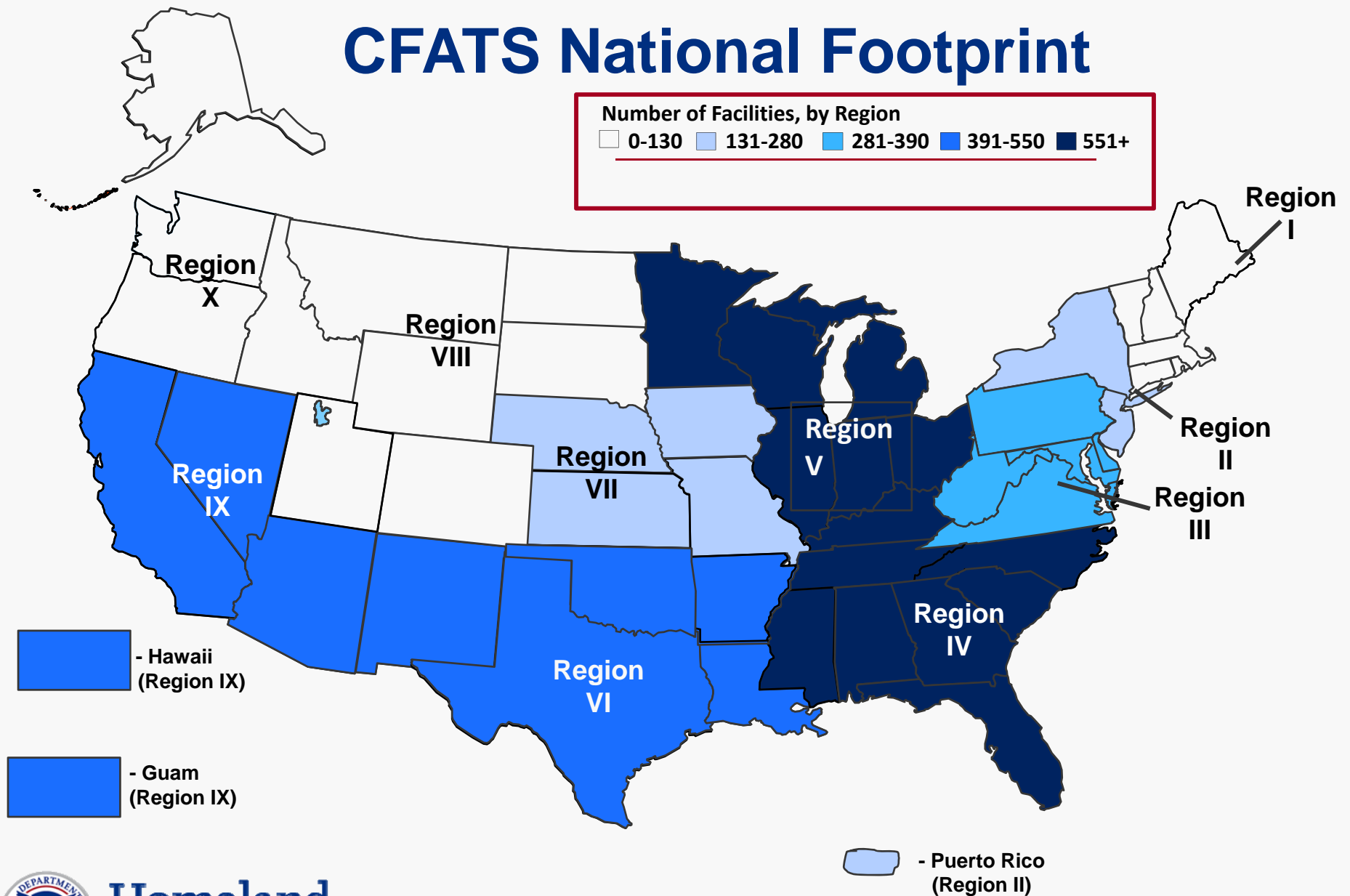


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CFATS National Footprint

Number of Facilities, by Region

0-130 131-280 281-390 391-550 551+



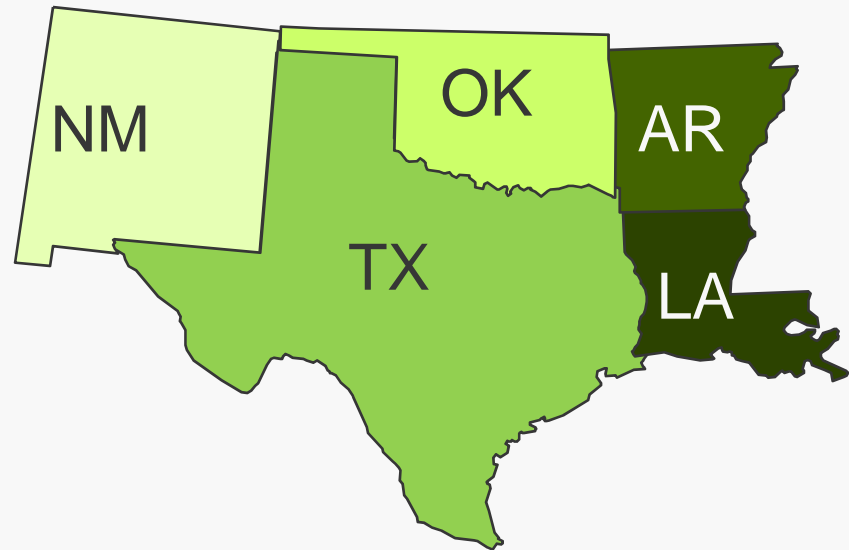
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Current as of May 2016

Snapshot: Region 6

- 425 Regulated Facilities
- 368 Authorized Facilities
- 338 Approved Facilities
- 407 Authorization Inspections
- 118 Compliance Inspections

16 Inspectors

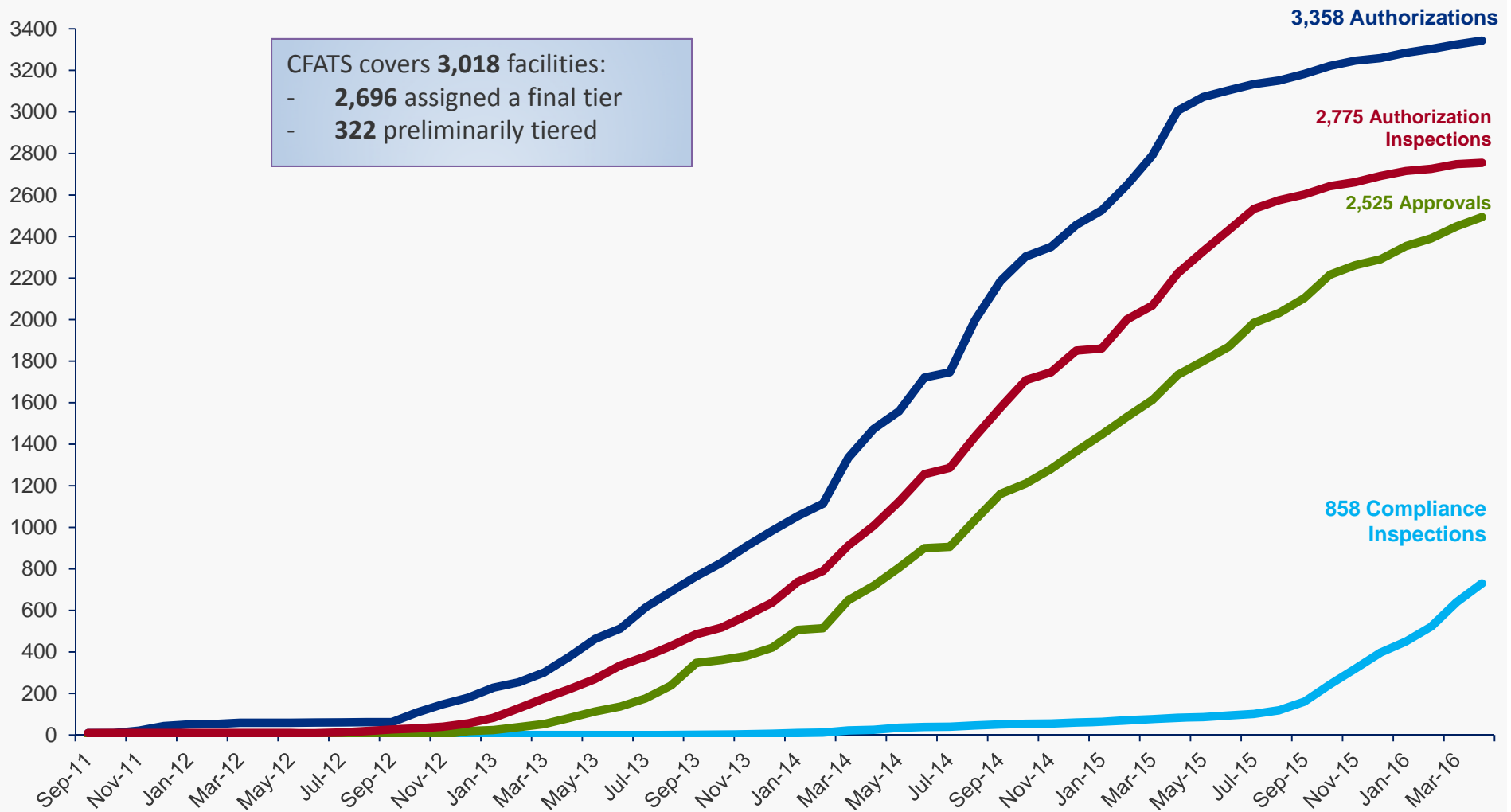


All statistics are current as of May 3, 2016



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Program Status: SSPs and Inspections



As of May 3, 2016



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Program Updates

Personnel Surety Program

- Personnel Surety includes vetting individuals with access to COI and other sensitive parts of high-risk chemical facilities
- August 27, 2015: The Office of Management and Budget approved the CFATS Personnel Surety Program Information Collection Request
- December 18, 2015: *Federal Register* notice of implementation
 - Facilities should not submit names for vetting until they have been contacted by DHS as the program will be rolled out in a phased manner
- March 2016: First RBPS 12(iv) approval package signed

Personnel Surety
Verify and Validate Identity
Check Criminal History
Validate Legal Authorization to Work in the U.S.
Identify Terrorist Ties



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Program Updates

Rulemaking

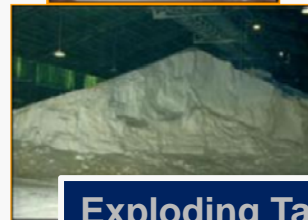
- DHS has initiated the rulemaking process to help identify how to make the CFATS regulation more effective in achieving its regulatory objectives
 - Provides an opportunity for DHS to hear and consider the views of regulated industry and other interested members of the public
- Summer 2014: Advanced Notice of Proposed Rulemaking
 - Comment period was open for 60 days
 - Listening Sessions and Webinars were held
- Fall 2015: Appendix A Roundtable and Listening Session
- Next Step: 2016 Notice of Proposed Rulemaking

Program Updates

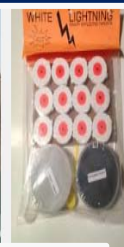
Ammonium Nitrate and Precursors

- December 26, 2007: President signed the 2008 Consolidated Appropriations Act that includes Section 563, Secure Handling of Ammonium Nitrate (AN)
- On August 3, 2011, DHS published the Ammonium Nitrate Security Program Notice of Proposed Rulemaking
- DHS continues to work on an AN rule and is engaging with Congress on an alternative approach to regulating ammonium nitrate and other IED precursors at the point of sale

Bulk AN storage



Exploding Targets



Cold packs



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Spreading the Word

- DHS continues to expand outreach efforts and reach deeper into communities
 - Seeking to identify potentially non-compliant facilities
 - Increasing interagency coordination
 - Involving private and public state-level organizations



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 www.dhs.gov/chemicalsecurity, or by e-mailing DHS at CFATS@dhs.gov.



CFATS Help Desk: DHS has developed a CFATS Help Desk that individuals can call or email with questions on the CFATS program.

- Hours of Operation are 8:30 AM – 5 PM (ET), Monday through Friday
- The CFATS Help Desk toll-free number is 1-866-323-2957
- The CFATS Help Desk email address is csat@dhs.gov



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



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Available Resources

DHS Sector Specific Agency – Chemical Sector Training

- www.dhs.gov/chemical-sector-training
 - Web Based Security Awareness Courses
 - Workplace Security
 - How to Prepare for and Respond to an Active Shooter Situation
 - How to Counter Insider Threats
 - How to Detect and Report Surveillance Activities
 - How to Guard Against Theft and Diversion

“FEMA University” – Offers Similar Online Training Topics

- www.training.fema.gov/is/crslist.aspx



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For more information, visit:
www.dhs.gov/critical-infrastructure

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