



 FAQ Number: 42	Date Published: August 08, 2008	Last Updated: August 08, 2008
Question: Is DHS seeking to pre-empt State chemical security regulations with the new Federal regulations?		
Answer: Only state laws and requirements that conflict with the new Federal regulations, or frustrate the purpose of those regulations, will be preempted. However, where such issues arise, DHS intends to work with State officials to reach an appropriate solution. Example: Although preemption determinations are context-specific, one example of such a context involves the protection of sensitive information protected from disclosure by the interim final rule. If a state's freedom of information law required the disclosure of information protected from disclosure by the federal regulations, the federal regulations would preempt the state law. The federal rules regarding non-disclosure of the information would govern.		

 FAQ Number: 54	Date Published: August 08, 2008	Last Updated: August 08, 2008
Question: What role did private industry play in developing this rule?		
Answer: Since its inception, DHS has worked openly and collaboratively with the chemical sector. DHS now works most closely with the Chemical Sector Coordinating Council (CSCC). The Departmental understanding of sector-specific vulnerabilities, best practices, economic criticality and unique challenges have all been improved by this relationship. It is the strong anticipation of the Department that private-public partnership and industry's voluntary programs will continue, and that we will continue to work together on a mutually beneficial basis and especially through the CSCC established pursuant to the National Infrastructure Protection Plan (NIPP), as well as under the new regulatory regime.		

 FAQ Number: 55	Date Published: August 08, 2008	Last Updated: August 08, 2008
Question: Will there be fees involved for the chemical companies?		
Answer: The Department is considering issues surrounding the use of fees in this regulatory program. The Department is contemplating the application of different fees, including filing fees, fees for inspections and audits, and fees for screening of individuals against the Terrorist Screening Database. The Department did not include fees in the interim final rule, but may, in the future propose and seek comment on the issues surrounding fees for this program.		

 FAQ Number: 81	Date Published: August 13, 2008	Last Updated: August 13, 2008
Question: I am unable to access the CSAT User Registration web site?		
Answer: The CSAT web site requires that TLS 1.0 be enabled in your browser. For Microsoft Internet Explorer: <ul style="list-style-type: none">• Select Tools -> Internet Options• Then select the Advanced tab• Scroll down to the Security section• Make sure that the setting "Use TLS 1.0" is checked		

For Mozilla FireFox:

- Select Tools -> Options
- Then select the Advanced tab
- Select the Security tab
- Make sure that the setting "Use TLS 1.0" is checked.

 **FAQ Number:** 101 **Date Published:** October 07, 2008 **Last Updated:** October 07, 2008

Question: When I try to access the CSAT User Registration web site, I get an error message stating, "There is a problem with this website's security certificate."

Answer: Your browser cannot verify the security certificate of the server. Click on "Continue to this website (not recommended)." to continue to the CSAT User Registration web site.

 **FAQ Number:** 102 **Date Published:** October 07, 2008 **Last Updated:** October 07, 2008

Question: I have reached a page on the CSAT User Registration web site that states, "To continue, please enter the letters that are in the image below:". I cannot read the letters in the image and am unable to continue.

Answer: Click on the link reading, "I cannot determine which letters appear in this image" until you get an image that you can read.

 **FAQ Number:** 103 **Date Published:** October 21, 2009 **Last Updated:** May 03, 2012

Question: I am a member of a media organization seeking information about CSAT. Who should I contact?

Answer:

Information on CFATS and CSAT is available at <http://www.dhs.gov/chemicalsecurity>. Specific media inquiries should be directed to DHS Public Affairs at 202-282-8010.

 **FAQ Number:** 123 **Date Published:** May 22, 2009 **Last Updated:** May 22, 2009

Question: What web browsers are supported by the CSAT applications?

Answer: The system has been tested with Internet Explorer (IE) and Mozilla Firefox on PCs. The browser must support FIPS compliant encryption (so the "allow TLS 1.0" box must be checked in IE and Firefox). It's been tested with IE 6 & 7 and the current version of Firefox. Testing of the application with Mozilla Firefox on Macs has not been completed.

 **FAQ Number:** 193 **Date Published:** May 22, 2009 **Last Updated:** May 22, 2009

Question: What is meant by "diversion" of chemicals?

Answer: Chemicals are diverted when a buyer poses as a legitimate customer to acquire materials and then either diverts or directs the materials to another use.

 **FAQ Number:** 387 **Date Published:** May 22, 2009 **Last Updated:** May 22, 2009

Question: What if my facility will be adding a chemical of interest in the future?

Answer: If the facility plans to add chemicals on the list of chemicals of interest at or above the STQ in the future, this may constitute a material modification to an operation or a site and may trigger a need to notify the Department within 60 days of such a modification. In such instances, facilities must complete and submit a revised Top-Screen to the Department within 60 days of the notification in accordance with

§27.210 (d). See the preamble to 6 CFR Part 27 for a more complete discussion of how to handle chemicals added to a site in the future.

 **FAQ Number:** 516 **Date Published:** August 23, 2007 **Last Updated:** May 10, 2016

Question: Where can I take CVI training?

Answer:

Go to the Chemical-terrorism Vulnerability Information (CVI) Authorized User Training website at <https://cvi.dhs.gov/training>.

 **FAQ Number:** 555 **Date Published:** August 13, 2008 **Last Updated:** August 13, 2008

Question: During registration, I saw the message "There is a problem with this web site security certificate". I clicked "Continue on not recommended" and the next screen says "Welcome to Intranet. You do not have permission to access this web page. Contact your administrator". I am running XP on a laptop. I set the computer settings according to what is on the DHS web site. What do I do now?

Answer:

You need to configure your browser to accept cookies. The exact steps depend on the browser version you are using. If you are using IE (seems to be the same process for both IE6 & 7), you have 2 options:

- From within IE, Tools->Internet Options->Privacy Set level to Medium or
- From within IE, Tools->Internet Options->Security Click on Trusted Sites add <https://csat-registration.dhs.gov/> to Trusted Sites using the Sites button.

For both options you'll need to restart your browser for the change to take affect. If these things don't work, then talk to your IT staff about how to accept session cookies from our site.

 **FAQ Number:** 641 **Date Published:** August 14, 2008 **Last Updated:** August 14, 2008

Question: When does a facility need to submit a CSAT Top Screen?

Answer:

A facility must complete and submit a Top-Screen in accordance with 6 CFR 27.200(b)(1) when:

1. The Assistant Secretary contacts a chemical company individually.

DHS contacted a very limited number of facilities that potentially represented highest risk facilities. These facilities were individually notified on or about the effective date of the rule, June 8th 2007.

2. DHS publishes a notice in the Federal Register.

DHS published the "chemical of interest list" (Appendix A to 6 CFR Part 27) on April 9th for a 30 day period. The comment period closed May 9th. DHS published the final Appendix A on November 20, 2007.

A CSAT Top Screen is due from facilities that possess or plan to possess a chemical on the DHS chemical of interest list at or above its STQ. Facilities that come into possession of any chemical of

interest on the DHS chemical of interest list at or above the STQ have 60 calendar days from the date upon which they possess that amount of the chemical to complete a new Top Screen.

Additionally, all covered facilities must update their Top Screens periodically according to the schedule specified in 6 C.F.R. 27.210. The submission schedule varies by tier. A new Top Screen is also due within 60 days of a facility making material modifications to its product portfolio, personnel, operations or site. DHS also requires covered facilities to conduct an annual audit of its compliance with its Site Security Plan (SSP).

 **FAQ Number:** 648 **Date Published:** August 08, 2008 **Last Updated:** August 08, 2008

Question: How will DHS communicate with facilities?

Answer:

DHS communicates with facilities in a variety of ways, including by phone and in writing. DHS may also publish notice in the Federal Register when appropriate. DHS also coordinates and communicates, to the extent necessary, with state and local officials, law enforcement, and emergency responders.

 **FAQ Number:** 653 **Date Published:** May 22, 2009 **Last Updated:** May 22, 2009

Question: What will DHS do with the information it obtains?

Answer:

Section 550(c) of the DHS Appropriations Act of 2007 states that protecting sensitive information gathered during the CFATS process from public disclosure is crucial to DHS' ability to ensure that high risk chemical facilities are secure. Therefore, information submitted by facilities is protected as Critical-terrorism Vulnerability Information (CVI).

Through the use of CVI, the dissemination of such sensitive information to parties without a need to know can be avoided. In addition, the limited and controlled exchange of CVI is essential for effective partnering and information-sharing between government and industry.

DHS is balancing justified information protection concerns with the desire to enhance appropriate information sharing by ensuring that entities or individuals with a "need to know," including appropriate State and local officials, have access to the necessary CVI, while, at the same time, protecting CVI from public disclosure that would undermine the government's ability to ensure the security of chemical facilities.

 **FAQ Number:** 654 **Date Published:** August 23, 2007 **Last Updated:** August 23, 2007

Question: Where can I get additional information about the regulations?

Answer:

You can access the Chemical Facility Anti-Terrorism Standards (CFATS) Interim Final Rule, which includes Appendix A: DHS Chemicals of interest and several fact sheets at the DHS Critical Infrastructure: Chemical Security website (<http://www.dhs.gov/chemicalsecurity>).

 **FAQ Number:** 702 **Date Published:** August 13, 2008 **Last Updated:** August 13, 2008

Question: I was in the User Registration System and got distracted. When I returned, it had timed out; can I get back in?

Answer:

For more information on this topic, please reference the CSAT User Registration User Guide http://www.dhs.gov/xlibrary/assets/chemsec_csatuserregismanual.pdf (PDF, 45 pages - 2.01 MB).

 **FAQ Number:** 706 **Date Published:** August 14, 2009 **Last Updated:** August 14, 2009

Question: I have multiple usernames. Can I get rid of the duplicates?

Answer:

For more information on this topic, please reference the first frequently asked question found in the CSAT User Registration User Guide http://www.dhs.gov/xlibrary/assets/chemsec_csatuserregismanual.pdf (PDF, 45 pages - 2.01 MB).

 **FAQ Number:** 707 **Date Published:** August 24, 2009 **Last Updated:** August 24, 2009

Question: How do I change the name of the Authorizer/Submitter/Preparer?

Answer:

For more information on this topic, please reference the second frequently asked question found in the CSAT User Registration User Guide http://www.dhs.gov/xlibrary/assets/chemsec_csatuserregismanual.pdf (PDF, 45 pages - 2.01 MB).

 **FAQ Number:** 710 **Date Published:** August 08, 2008 **Last Updated:** August 08, 2008

Question: What are the requirements to be a submitter?

Answer:

For more information, please reference the section titled "Submitter Requirements" in the CSAT User Registration User Guide http://www.dhs.gov/xlibrary/assets/chemsec_csatuserregismanual.pdf (PDF, 45 pages - 2.01 MB).

 **FAQ Number:** 711 **Date Published:** August 14, 2009 **Last Updated:** August 14, 2009

Question: What are the responsibilities of a submitter?

Answer:

For more information, please reference the section titled "Submitter Roles and Responsibilities" found in the CSAT User Registration User Guide http://www.dhs.gov/xlibrary/assets/chemsec_csatuserregismanual.pdf (PDF, 45 pages - 2.01 MB).

 **FAQ Number:** 712 **Date Published:** August 08, 2008 **Last Updated:** August 08, 2008

Question: Where can I find guidance on the selection of a submitter?

Answer:

For guidance on the selection of a submitter, please reference the section titled "Selection of a Submitter" in the CSAT User Registration User Guide http://www.dhs.gov/xlibrary/assets/chemsec_csatuserregismanual.pdf (PDF, 45 pages - 2.01 MB).

 **FAQ Number:** 715 **Date Published:** August 08, 2008 **Last Updated:** August 08, 2008

Question: Where can I find guidance for the selection of an authorizer?

Answer:

For guidance on the selection of an authorizer, please reference the section titled "Selection of an Authorizer" in the CSAT User Registration User Guide http://www.dhs.gov/xlibrary/assets/chemsec_csatuserregismanual.pdf (PDF, 45 pages - 2.01 MB).

 **FAQ Number:** 716 **Date Published:** August 08, 2008 **Last Updated:** August 08, 2008

Question: What is the Notification Code and where can I find it?

Answer:

For more information on the *Notification Code* field, please reference the section titled "Organization Section" in the CSAT User Registration User Guide http://www.dhs.gov/xlibrary/assets/chemsec_csatuserregismanual.pdf (PDF, 45 pages - 2.01 MB).

 **FAQ Number:** 718 **Date Published:** August 08, 2008 **Last Updated:** August 08, 2008

Question: How do I enter additional facilities?

Answer:

For more information on adding additional facilities, please reference the section titled "Facility Section" in the CSAT User Registration User Guide http://www.dhs.gov/xlibrary/assets/chemsec_csatuserregismanual.pdf (PDF, 45 pages - 2.01 MB).

 **FAQ Number:** 724 **Date Published:** August 14, 2009 **Last Updated:** June 23, 2016

Question: What are the responsibilities of a Preparer?

Answer: The Preparer is authorized to enter information into the Chemical Security Assessment Tool (CSAT) online tool, but is not authorized to formally submit the data to the Department of Homeland Security (DHS) on the entity's behalf.

The Preparer is responsible for:

- Filling out the CSAT information.
- Transferring his/her role to an existing CSAT user or a new user through the User Change Request application when their role changes or the individual leaves the entity.

 **FAQ Number:** 730 **Date Published:** August 08, 2008 **Last Updated:** June 23, 2016

Question: If I transfer my Preparer role to another Chemical Security Assessment Tool (CSAT) user, will it affect the other user roles for these facilities?

Answer: No. The Authorizer and Submitter previously defined for these facilities in CSAT would remain the same.

 **FAQ Number:** 733 **Date Published:** August 08, 2008 **Last Updated:** June 23, 2016

Question: What guidance is there regarding the selection of a Reviewer?

Answer: The Reviewer Selection Guidance states that:

- A Reviewer must be a United States citizen and be domiciled in the United States.
- A Reviewer role can be given to any individual, or individuals, who would like to view Chemical Security Assessment Tool (CSAT) data before it is submitted to the Department of Homeland Security.
- A Reviewer is designated for each facility. The same individual can be a Reviewer for multiple facilities.
- Entities may choose to designate facility managers as Reviewers, particularly those who do not already have CSAT roles. Other entities may choose to designate high-level managers as Reviewers.
- A facility can have as many Reviewers as desired.
- Consultants hired by a facility to assist with the CSAT data collection process may act as facility Reviewers.

 **FAQ Number:** 1035 **Date Published:** May 22, 2009 **Last Updated:** May 22, 2009

Question: What if TerraServer is unable to locate my facility based on the address I provided?

Answer:

To locate your address visually, enter an address for a location near the facility or just the city **and** state for the facility. Use the zoom feature and/or the direction markers to move around the map to locate the facility. Click on the facility's location to zoom into the map. Continue to zoom in until the facility fills the map or the system is at its zoom maximum. The facility's latitude and longitude will be displayed on the left side of the screen.

 **FAQ Number:** 1095 **Date Published:** May 22, 2009 **Last Updated:** May 22, 2009

Question: I am unable to locate a street number for a facility. Can I register the facility with simply a street name.

Answer:

Yes, if a street number is not available, you may use the street name. In this case, you must use the GIS support to provide an accurate latitude and longitude.

Latitude/Longitude Instructions:

Go to The National Map on TerraServer <http://terraserver.microsoft.com/>, enter your street, city, and state then click GO. TerraServer will present one or more "Available Image" links. Click on the most recent. View the image that will be displayed to verify that your site is at the approximate latitude/longitude shown. Copy the Latitude and Longitude from TerraServer into the boxes below. Go to Google Maps to verify your coordinates <http://maps.google.com/>, enter the latitude and longitude in the Search the map box separated by a comma, and click on Search Maps. Review the location shown to verify the lat/long accuracy.

 FAQ Number: 1122	Date Published: September 26, 2007	Last Updated: September 26, 2007
Question: If I am the Preparer, Submitter, and Authorizer, is it okay to just sign where the Authorizer's signature goes?		
Answer: No. The Preparer, Submitter, and Authorizer each need to sign, even if they are the same person.		

 FAQ Number: 1143	Date Published: June 11, 2010	Last Updated: June 11, 2010
Question: My company is a spin-off of two separate corporations. As a result several of the new company's facilities are co-located. That is, the facilities either share a fence line or are completely imbedded within a common facility. What will be required of us in regards to CFATS? Do both companies need to develop a Top Screen, SVA, and Site Security Plan? Is it possible for our imbedded plants to share the Top Screen, SVA, and Site Security Plan with the host company? If this is possible, what would be required by both companies to accomplish this and be compliant under 6 CFR Part 27?		
Answer: DHS has previously indicated that where multiple owners and/or operators function within a common infrastructure or within a single fenced area, the Assistant Secretary may determine that such owners and/or operators constitute a single chemical facility or multiple chemical facilities depending on the circumstances. See 72 FR 17697. DHS has also indicated that, in general, the party responsible for security of the chemical(s) of interest (COI) is the party that must submit the Top-Screen. See 72 FR 65417. DHS believes that in most circumstances, these rules can be applied in a straightforward manner to determine who has responsibility for Top-Screen submission. However, DHS acknowledges that, in some circumstances, the issue might be more complex. DHS will address these situations on a case-by-case basis. See 72 FR 17697. You are urged to contact DHS directly to explain your circumstances and to obtain further DHS guidance.		

 FAQ Number: 1146	Date Published: December 18, 2007	Last Updated: December 18, 2007
Question: Some of the sites that I need to register do not necessarily have an actual street address. It is pretty much a tank out in the middle of nowhere. How would I handle these facilities as far as listing a street address?		
Answer: If there is a mailing address for the facility, you can enter that. Then describe the location of the facility in the additional information field. If there is not a mailing address, use the 911 information address if it exists. If neither a mailing address nor a 911 address exist, use the first address field to summarize the location and the additional information field to describe the location of the facility. The address field allows 50 characters to be entered and the additional information field allows for up to 400 characters.		

 FAQ Number: 1147	Date Published: October 25, 2007	Last Updated: October 25, 2007
Question: Is there a process to register more than 50 facilities?		
Answer: Companies that are submitting registrations for 50 or more facilities are invited to contact the CSAT Help Desk (866-323-2957) if they wish to utilize a bulk upload process. The CSAT Help Desk will provide companies requesting bulk upload with a spreadsheet to complete and return to the CSAT Help Desk. The bulk upload will then be performed by CSAT Help Desk personnel.		

 FAQ Number: 1178	Date Published: August 12, 2008	Last Updated: May 02, 2014
Question: Are truck terminals and railroad facilities regulated under the Chemical Facility Anti-Terrorism Standards (CFATS)?		
Answer: The Department is taking the same approach toward truck terminals that it has taken toward railroad facilities. See 72 FR 17698-17699. DHS presently does not plan to screen truck terminals for inclusion in the Section 550 regulatory		

program, and therefore DHS does not request that owners and operators of truck terminals complete the Top-Screen risk assessment methodology.

For more information on this topic, please reference the Appendix to Chemical Facility Anti-Terrorism Standards: Final Rule, Section III(B)(5), 72 Fed. Reg. 65,415 (Nov. 20, 2007), available at: http://www.dhs.gov/xlibrary/assets/chemsec_appendixafinalrule.pdf.

 **FAQ Number:** 1194 **Date Published:** September 23, 2008 **Last Updated:** May 28, 2014

Question: Under what circumstances is a college/university exempt from submitting a Top-Screen under CFATS?

Answer:

If a facility's release-toxic, release-flammable, or release-explosive chemicals of interest (COI) are manufactured, processed, or used in its lab under the supervision of a technically qualified individual (as defined in 40 C.F.R. 720.3(2)(ee)), then it does not need to include these COI when calculating its Screening Threshold Quantity (STQ). See 6 C.F.R. § 27.203(b)(2).

However, this exemption does not apply to:

- Specialty chemical production;
- The manufacturing, processing, or use of substances in pilot scale operations; or
- Activities, including research and development, involving COI conducted outside the laboratory.

See 6 C.F.R. § 27.203(b)(2)(i). Facilities that engage in such activities must count those chemicals toward their respective STQ.

Note, however, that while a facility does not need to count laboratory quantities of release COI towards its STQ, it must still count laboratory quantities of theft/diversion and sabotage/contamination COI. A facility also must count all quantities of COI involved in activities conducted outside of its laboratory (including research and development) toward its STQ.

A facility that possesses a COI at or above the applicable STQ must submit a Top-Screen through the online Chemical Security Assessment Tool (CSAT) within 60 calendar days of coming into possession of the COI. See 6 C.F.R. § 27.210(a)(1)(i). More information about how to complete and submit a Top-Screen through CSAT is available at: http://www.dhs.gov/xlibrary/assets/chemsec_csattopscreenusersmanual.pdf.

The following are links to the citations referenced above:

- 6 C.F.R. § 27.203(b)(2); 6 C.F.R. § 27.203(b)(2)(i) and C.F.R. § 27.210(a)(1)(i):
<http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&SID=c64255b9e7300b314f8734e01c1a0d53&r=PART&n=6y1.0.1.1.11>.
- 40 C.F.R. 720.3:
<http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&SID=e6bb77ed4eec12691d146d9d9831356e&rgn=div8&view=text&node=40:32.0.1.1.10.1.1.2&idno>

 **FAQ Number:** 1207 **Date Published:** May 22, 2009 **Last Updated:** May 02, 2014

Question: When calculating whether a facility possesses a chemical of interest (COI) that meet the Screening Threshold Quantity (STQ) for a security issue, are there any exclusions?

Answer:

In calculating whether a facility possesses a COI that meets the STQ for any security issue, a facility should not include COI that are:

1. Used as structural components;
2. Used as products for routine janitorial maintenance;
3. Contained in food, drugs, cosmetics, or other personal items used by employees;
4. In process water or non-contact cooling water as drawn from environmental or municipal sources;
5. In air, either as compressed air or as part of combustion;
6. Contained in articles, as defined in 40 C.F.R § 68.3;
7. In solid waste (including hazardous waste) regulated under the Resource Conservation and Recovery Act, 42 U.S.C. § 6901 et. seq., except for the waste described in 40 C.F.R. § 261.33;
8. In naturally occurring hydrocarbon mixtures prior to their entry into a natural gas processing plant or a petroleum refining process unit. Naturally occurring hydrocarbon mixtures include condensate, crude oil, field gas, and produced water, as defined in 40 CFR § 68.3. 6 C.F.R. § 27.203.

For more information on this topic, please see the Appendix to Chemical Facility Anti-Terrorism Standards: Final Rule, Section IV, 72 Fed. Reg. 65,419 (Nov. 20, 2007), available at: http://www.dhs.gov/xlibrary/assets/chemsec_appendixafinalrule.pdf



FAQ Number: 1209

Date Published: June 11, 2010

Last Updated: May 02, 2014

Question: Are transportation containers that are detached from the motive power considered in calculating the Screening Threshold Quantity (STQ)?

Answer:

Pursuant to §27.203(b)(1)(ii), facilities must count chemicals of interest in specified transportation containers toward the STQ amount for release chemicals.

These “specified transportation containers” are the same category of transportation containers to which the Environmental Protection Agency (EPA) refers in its Risk Management Program regulation. These are transportation containers used for storage not incident to transportation, including:

- Transportation containers connected to equipment at a facility for loading or unloading
- Transportation containers detached from the motive power that delivered the container to the facility.

6 C.F.R. 27.203(b)(1)(ii). See also 40 C.F.R. § 68.3, which describes transportation containers within the definition of “stationary source.” These transportation containers include, for example, tank cars attached to processing units and tank cars detached from motive power that had delivered the tank car to the facility.

For more information on this topic, please see the Appendix to Chemical Facility Anti-Terrorism Standards: Final Rule, Section II (A), 72 Fed. Reg. 65,398 (Nov. 20, 2007), available at: http://www.dhs.gov/xlibrary/assets/chemsec_appendixafinalrule.pdf.

 **FAQ Number:** 1228 **Date Published:** June 11, 2010 **Last Updated:** June 11, 2010

Question: How is the STQ calculated for Ammonium nitrate as an explosive?

Answer:

As an explosive, AN presents two security issues: theft/diversion-EXP/IEDP and release-explosive. DHS is treating the possible theft/diversion of this form of AN in the same way that it is treating all other DOT Division 1.1 explosives. Where a facility has larger amounts of AN as an explosive, there may also be release hazards. As that is the case, DHS has set the STQ for the possible release of AN as an explosive at 5,000 pounds. Where AN as an explosive presents a theft-EXP/IEDP security issue, the STQ is 400 pounds, and a facility is expected to include all amounts of ACG of AN when determining whether it meets or exceeds the STQ. And, per § 27.203(c), in calculating this theft STQ, facilities need only count amounts in transportation packaging.

 **FAQ Number:** 1237 **Date Published:** May 22, 2009 **Last Updated:** May 22, 2009

Question: In footnote 33 of the Appendix A Final Rule, why does DHS refer to ethylene oxide as a “release-toxic?”

Answer: DHS inadvertently referred to ethylene oxide as “release-toxic” in footnote 33. Ethylene oxide is release-flammable chemical of interest, and DHS has listed it as such in the Chemicals of Interest list in Appendix A.

 **FAQ Number:** 1238 **Date Published:** August 14, 2008 **Last Updated:** August 14, 2008

Question: How do I comply with the CFATS regulation if my facility does not have Internet access?

Answer: DHS will not accept Top Screens in paper format. Top Screens must be submitted electronically via the CSAT web portal. In addition, during and after the Top Screen submission process, DHS will communicate with the facility in various ways, one of which is electronic e-mail. Therefore, each chemical facility must have Internet access. If a facility chooses to have a chemical of interest above the Standard Threshold Quantity, that facility must be prepared to accept the cost for doing business with that chemical. One such cost is the cost of having a computer with Internet access.

 **FAQ Number:** 1241 **Date Published:** November 30, 2007 **Last Updated:** November 30, 2007

Question: What roles can facility consultants play in the CSAT data collection process?

Answer: Consultants may be Preparers or Reviewers only. Facility consultants may not be Submitters or Authorizers.

 **FAQ Number:** 1253 **Date Published:** May 22, 2009 **Last Updated:** March 12, 2012

Question: How can I request a CFATS presentation?

Answer:

The Department of Homeland Security reaches out to people and companies in the chemical industry and those interested in chemical security.

To ask a Department representative to speak on the Chemical Facility Anti-Terrorism Standards (CFATS) regulatory program, please send the following information to cfats@dhs.gov. (Copy and paste into your e-mail, and respond to each item.)

1. Who you are or the organization you represent
2. Specific CFATS-related issues of particular interest to your organization and attendees (e.g., general CFATS overview, Chemical-terrorism Vulnerable Information (CVI), Security Vulnerability Assessment (SVA), Risk Based Performance Standards (RBPS), Site Security Plan (SSP) or Inspection Process)
3. Proposed location/venue
4. Proposed date/time
5. Preferred duration of presentation (please specify if the Department representative should allot time for questions and answers from audience)
6. Estimated number of attendees
7. Background of attendees
8. Other speakers who may be participating on the same topic or forum
9. Whether the event will be opened to the press

The Department will do its best to accommodate your request and respond within approximately two weeks of receiving the request. Decisions will depend on whether an appropriate Department representative is available.

 FAQ Number: 1256	Date Published: June 11, 2010	Last Updated: June 11, 2010
Question: How do we register mixtures and/or blends?		
Answer: DHS addresses concentrations of chemicals and chemicals in blends or in a mixture in the final published Appendix A. See the DHS web site.		

 FAQ Number: 1262	Date Published: May 23, 2008	Last Updated: May 23, 2008
Question: How do I offer a product or the services of my company to DHS?		
Answer: Information on how to submit unsolicited proposals to DHS can be found at: http://www.dhs.gov/xopnbiz/opportunities/editorial_0617.shtm . Please note that all submissions of unsolicited proposals will be received, evaluated, and accepted/rejected in accordance with the Federal Acquisition Regulation (FAR) Subpart 15.6. For more information, or to submit unsolicited proposals please contact: Kathy Farrell Department of Homeland Security Office of the Chief Procurement Officer 245 Murray Drive, Bldg 410 Washington, DC 20528 unsolicited.proposal@dhs.gov mailto:unsolicited.proposal@dhs.gov		
NOTE: Please do not contact Kathy for help desk issues.		

 FAQ Number: 1267	Date Published: May 22, 2009	Last Updated: May 22, 2009
Question: What temperature do I need to use on the RMP*Comp tool? The highest amount or the average? What time frame does the user need to consider?		
Answer:		

For the temperature of the released substance, assume liquids (other than gases liquefied by refrigeration) to be released at the highest daily maximum temperature of the liquid, based on data for the previous three years or process temperature, whichever is higher.

Assume gases liquefied by refrigeration at atmospheric pressure to be released at their boiling points.

The tool assumes ambient temperature/humidity of 25* C (77* F) and 50 percent humidity.

 **FAQ Number:** 1272 **Date Published:** May 22, 2009 **Last Updated:** May 22, 2009

Question: Our company supplies propane to tanks that are customer-owned on customer property and company-owned on customer property. Who should register these tanks?

Answer: Whether a landlord or tenant is responsible for submitting a Top-Screen will depend on which party is responsible for security of the chemical. The party responsible for the security of the chemical is responsible for submitting the Top-Screen. This may vary depending on the operational and/ or contractual relationship between the parties.

 **FAQ Number:** 1274 **Date Published:** June 10, 2010 **Last Updated:** June 01, 2012

Question: How can I contact CSAT (mailing address, fax, phone, etc.)?

Answer:

You may mail forms to the following mailing address: Infrastructure Security Compliance Division, Office of Infrastructure Protection, ATTN: CSAT, Department of Homeland Security, Building 5300, MS 6282, PO Box 2008, Oak Ridge, TN 37831-6282. You may use a Delivery Service for forms or other information to this physical address: Infrastructure Security Compliance Division, Office of Infrastructure Protection, ATTN: CSAT, Department of Homeland Security, Building 5300, MS 6282, 1 Bethel Valley Road, Oak Ridge, TN 37831-6282. You may also contact the CSAT Help Desk at e-mail address csat@hq.dhs.gov, phone 1-866-323-2957, or fax 1-866-731-2728.

 **FAQ Number:** 1275 **Date Published:** September 09, 2015 **Last Updated:** May 11, 2016

Question: What needs to be done when a facility is bought or sold?

Answer: DHS provides two options when a facility is bought or sold.

Option 1: The buyer may assume the facility ID and the submitted surveys of the previous owner. This option is possible under the following conditions:

- There are no substantive changes to the chemical(s) of interest (COI) holdings or processes at the facility.
- There are no changes to the facility that would affect the overall security posture of the facility or its vulnerabilities.
- The seller agrees to allow the buyer to take ownership of their regulatory documentation (i.e., previously submitted Top Screen, Security Vulnerability Assessment (SVA), Site Security Plan (SSP), and/or Alternative Security Program (ASP), as applicable).
- The buyer agrees that because no substantive changes will take place following the sale, it is in the best interest of the facility and the CFATS program to continue implementation of CFATS according to the schedule and obligations that were being implemented by the previous owner/operator.
- If necessary, DHS will work with the new owner/operator to provide reasonable timelines for the facility to meet its regulatory obligations.

Option 2: The buyer may establish his own facility ID by registering the facility and submitting a new Top Screen. The seller will submit a Top-Screen reporting no chemical(s) of interest and the sale of the facility.

Requirements

Option 1: The seller and the buyer should each write a letter to the Department providing details about the sale. The seller should explicitly grant the buyer permission to assume the ID and take ownership of the facility's submitted surveys. The buyer should explain that his organization is willing to assume the ID and take responsibility for the submitted and the future surveys, and should explicitly document that the COI holdings and facility operations will remain the same. The buyer should also provide the new facility name, owner, operator, and parent company, as applicable. Please do not attempt to edit this information in CSAT yourself.

Option 2: The seller and buyer should each write a letter to the Department explaining the circumstances of the sale of the facility and notifying the Department that the seller wants to submit a zero Top-Screen and that the buyer wants to establish his own CSAT identity and submit his own surveys.

Both Options: The letters for both options should be written on company letterhead and should be addressed as follows:

David Wulf, Director
Infrastructure Security Compliance Division
Office of Infrastructure Protection
MS 0610
Department of Homeland Security
Washington, DC 20528

The letter(s) should be faxed to the CSAT Help Desk (866-731-2728).

CVI Disclosure If any letters submitted to DHS for review contain any CVI information, the letter must be properly marked, packaged, and sent in accordance with the CFATS regulations for protection of CVI (see 6 CFR § 27.400). A copy of the CFATS regulation, including the CVI requirements in 6 CFR § 27.400, is available at <https://www.dhs.gov/critical-infrastructure-chemical-security>.

 **FAQ Number:** 1280 **Date Published:** August 08, 2008 **Last Updated:** August 08, 2008

Question: Is Appendix A offered in any other format? I would like to see Appendix A by CAS #.

Answer:

The Department currently has no plans to modify the Final Appendix A format.

 **FAQ Number:** 1281 **Date Published:** January 03, 2008 **Last Updated:** June 23, 2016

Question: What are the requirements to be a Reviewer?

Answer: To be a Reviewer, an individual must be a United States citizen and must be domiciled in the United States.

 **FAQ Number:** 1288 **Date Published:** December 14, 2007 **Last Updated:** December 14, 2007

Question: How does a facility count the amount of release-flammable mixture with an NFPA rating of 4 if it is stored in either below or above ground tank(s)?

Answer: If a release-flammable chemical of interest is present in a mixture in a concentration equal to or greater than one percent (1%) by weight of the mixture, and the mixture has an NFPA flammability hazard rating of 4, the facility counts the entire weight of the mixture toward the STQ. If a release-flammable chemical of interest is present in a mixture, and the concentration of the chemical is less than one percent

(1%) by weight, the facility need not count the mixture in determining whether the facility possesses the STQ.

 **FAQ Number:** 1289 **Date Published:** August 08, 2008 **Last Updated:** August 08, 2008

Question: For the purposes of CSAT, what is the definition of "tank farm"?

Answer: The Department defines tank farm as the following:

An industrial facility for the storage of oil and/or petrochemical products and from which these products are transported to end users or further storage facilities. A tank farm typically has tankage, either above ground or below grade, and gantries for discharge of products into road tankers or other vehicles or pipelines.

 **FAQ Number:** 1291 **Date Published:** August 12, 2008 **Last Updated:** August 12, 2008

Question: How do I determine whether or not I need to complete a Top-Screen for my aluminum powder?

Answer:

The Appendix A COI aluminum powder (CAS No. 7429-90-5) encompasses aluminum paste and shavings. The STQ for this COI is 100 pounds. The minimum concentration is A Commercial Grade (ACG), defined as "any quality or concentration of a chemical of interest offered for commercial sale that a facility uses, stores, manufactures, or ships". 6 CFR § 27.105. Therefore, a facility must count any commercial grade of aluminum powder (including paste and shaving) toward the STQ. Consistent with 6 CFR § 27.203(a)(6), a facility need not consider the aluminum powder contained in articles, such as paints, inks, or dyes.

 **FAQ Number:** 1368 **Date Published:** June 30, 2010 **Last Updated:** June 14, 2011

Question: Are CFATS background checks required for emergency responders prior to access to restricted areas or critical assets during emergency situations?

Answer:

No. During emergency situations, 6 CFR 27.230(a)(12) does not require CFATS background checks on emergency responders at the state or local level that gain unescorted access to restricted areas or critical assets.

 **FAQ Number:** 1370 **Date Published:** January 08, 2008 **Last Updated:** January 08, 2008

Question: A facility possesses 100,000 pounds of a release-flammable mixture with a National Fire Protection Association (NFPA) hazard flammability rating of 4. This mixture contains several Appendix A release-flammable COI at or above 1% of the mixture. The mixture is not a fuel. How do I report this release-flammable mixture in the release-flammable section of the Top-Screen?

Answer: The facility should determine the percentage of each release-flammable COI that exists in the mixture at or above 1%. Then the facility should select the release-flammable COI that exists in the highest percentage and enter the entire weight of the mixture next to that release-flammable COI at the appropriate place on the Top-Screen questionnaire.

 **FAQ Number:** 1373 **Date Published:** September 23, 2009 **Last Updated:** June 04, 2012

Question: When filling out the Top-Screen questionnaire, if a mixture has multiple Chemicals of Interest (COIs) as release-flammable, does the facility need to list the entire weight of the mixture for each COI or does it only need to be listed once? Listing the COI multiple times would give the appearance that the facility has more COIs than they actually do have.

Answer:

The facility should determine the percentage of each release-flammable COI that exists in the mixture at or above 1%. Then the facility should select the release-flammable COI that exists in the highest percentage and enter the entire weight of the mixture next to that release-flammable COI in the appropriate place on the Top-Screen questionnaire.

 **FAQ Number:** 1374 **Date Published:** May 22, 2009 **Last Updated:** May 22, 2009

Question: Does Phosphorus, which is part of a polymer, need to be counted toward the STQ? They are buying the polymer which contains the polymer.

Answer: Once the phosphorus is mixed with other products to create a polymer, the polymer is now an article and does not need to be counted. If phosphorus is on site to be used to manufacture a coating, then that must be calculated towards the STQ.

 **FAQ Number:** 1377 **Date Published:** August 13, 2008 **Last Updated:** August 13, 2008

Question: Doesn't §27.320(b) conflict with the ex parte prohibition in §27.320(a)?

Answer: The two sections cited are not in conflict. Under § 27.320(a), ex parte discussions between a Presiding Officer (or someone who advises that person) and an interested person "on the merits" of a proceeding are prohibited. Section 27.320(b) merely explains the actions to be taken if a Presiding Officer receives an ex parte communication containing relevant information.

 **FAQ Number:** 1378 **Date Published:** August 13, 2008 **Last Updated:** August 13, 2008

Question: What "other persons" could file a Notice of Application for Review per §27.310(b)? It seems that only the particular chemical facility would be interested in this.

Answer: "Other persons" as used in 6 CFR § 27.310(b) refers to the fact that persons, not facilities, may wish to seek a review of a determination related to an individual person's background check.

 **FAQ Number:** 1379 **Date Published:** August 12, 2008 **Last Updated:** August 12, 2008

Question: What is the meaning of the verb "toll" in the second sentence of §27.120(c)?

Answer: As used in 6 CFR 120(c), the verb "toll" means to suspend or negate. In other words, requests for consultation or technical guidance under § 27.120(c), do not serve to suspend or extend the time in which a facility must complete various requirements under CFATS.

 **FAQ Number:** 1382 **Date Published:** May 22, 2009 **Last Updated:** May 22, 2009

Question: There are chemicals of interest in the piping at my facility. What do I count and how do I count it toward the STQ?

Answer:

Pursuant to § 27.203(b)(1)(i), facilities must include release chemicals in a vessel, as defined by 40 CFR § 68.3. The definition of a "vessel" includes piping. When determining if the facility possesses the applicable screening threshold quantity, the following are provided for purposes of applying this requirement at a facility with chemicals of interest.

* If the piping contains COI and is run between unit operations at the facility, then the facility must count the COI toward the STQ. An example would be phosgene that is manufactured at a facility then piped directly to manufacture polycarbonate plastic.

* If the piping contains COI and is supplied from another vessel at the facility, then the facility must count the COI in the piping, the other vessel or any other unit operation toward the STQ. An example would be any COI chemical stored in a tank that is piped directly to a unit operation at the facility. (However, the same mass of the COI need not be counted more than one time as it traverses through the process for a release-flammable chemical.)

* However, if the piping contains COI and runs through the facility, but the facility does not possess the COI (e.g., no COI is withdrawn from or supplied to the pipeline by the facility), the facility need not count the COI. An example would be a natural gas pipeline that traverses below ground through a facility's property yet never supplies product to the facility.

 **FAQ Number:** 1383 **Date Published:** May 22, 2009 **Last Updated:** May 22, 2009

Question: Is Ammonium Nitrate Fuel Oil, also known as ANFO, included on Appendix A?

Answer: No. As stated in the preamble to the final Appendix A to the Chemical Facility Anti-terrorism Standards (CFATS), the only explosive Chemicals of Interest (COI) listed in Appendix A (i.e., release-explosives and theft/diversion explosives) are those listed by the Department of Transportation (DOT) as Class 1, Division 1 explosives. See 72 Fed. Reg. 65402-65403, 65405 & n. 37 (Nov. 20, 2007). Although ANFO is an explosive, it is not listed by DOT as a Division 1.1 explosive, and thus it is not covered by Appendix A. However, a facility that manufactures ANFO and possesses any chemical of interest (e.g. ammonium nitrate) in a quantity at or above the applicable STQ would be required to submit a Top-Screen.

 **FAQ Number:** 1390 **Date Published:** April 27, 2010 **Last Updated:** June 24, 2013

Question: I have searched the FAQs but still need additional assistance. Where can I get additional assistance?

Answer:

You may call the CSAT Help Desk at 866-323-2957 or e-mail csat@hq.dhs.gov, Monday through Friday, 8:30 AM to 5:00 PM, Eastern Standard Time.

 **FAQ Number:** 1391 **Date Published:** August 14, 2009 **Last Updated:** June 23, 2016

Question: When would an entity consider transferring accounts once Authorizer, Submitter, and Preparer roles have been defined?

Answer: The ability to transfer accounts after they have been defined is useful when:

- An individual leaves the organization.
- An individual's responsibilities no longer include Chemical Security Assessment Tool (CSAT) input.
- An individual has two or more sets of user names and passwords. An account can be transferred to an existing CSAT user or to a new user. If a new user is specified, a new PDF form must be created, signed, and submitted to the Department of Homeland Security (DHS).



FAQ Number: 1392

Date Published: October 21, 2009

Last Updated: June 10, 2013

Question: How do I transfer my account or reassign my user role?

Answer:

Accounts are transferred outside of the User Registration System; this cannot be done until an organization has received its Usernames and Passwords. To transfer an account, an individual must access the Manage My Account application from the CSAT site. An account can be transferred to an existing CSAT user or to a new user. If a new user is specified, a new PDF form must be created, signed, and submitted to DHS.

For more information, please reference the CSAT Account Management User Guide <http://www.dhs.gov/sites/default/files/publications/chemsec-csataccountmanage-userguide.pdf> (PDF, 15 pages - 243KB).



FAQ Number: 1393

Date Published: March 28, 2008

Last Updated: March 28, 2008

Question: Are there any facilities statutorily exempt from CFATS?

Answer:

The following facilities are statutorily exempted from the CFATS:

- Facilities regulated pursuant to the Maritime Transportation Security Act (MTSA);
- Public Water Systems, as defined in the Safe Drinking Water Act;
- Treatment Works, as defined in the Federal Water Pollution Control Act;
- Facilities owned or operated by the Department of Defense or the Department of Energy; and
- Facilities subject to regulation by the Nuclear Regulatory Commission (NRC).

MTSA Exemption: DHS will apply the MTSA exemption to facilities regulated under 33 CFR Part 105, Maritime Facility Security regulations. Part 105 of Title 33 of the Code of Federal Regulations is the only regulation that imposes the security plan requirements of 46 U.S.C. 70103 on maritime facilities. DHS recognizes that only a portion of some maritime facilities are regulated under MTSA. In such situations, only those portions of the facility regulated under MTSA are exempt from the CFATS. The rest of the facility may be subject to the CFATS regulations.

Public Water Systems Exemption: If a facility contains a unit that is a Public Water System regulated under the Safe Drinking Act, but also contains components that are not so regulated, the facility shall select "Partially" when filling out the statutory exemption page of the Top-Screen. The facility should then complete the remainder of the Top-Screen for the portion of the facility that is not exempted.

NRC Exemption: DHS will apply the NRC statutory exemption only to facilities where NRC already imposes significant requirements and regulates the safety and security of most of the facility, not just a few radioactive sources. For example, a power reactor holding a license under 10 CFR Part 50, a special nuclear material fuel cycle holding a license under 10 CFR Part 70, and facilities licensed under 10 CFR Parts 30 and 40 that have received security orders requiring increased protection, are all exempt from 6 CFR Part 27. A facility that only possesses small radioactive sources for chemical process control equipment, gauges, and dials, is not exempt.



FAQ Number: 1398

Date Published: May 22, 2009

Last Updated: July 16, 2013

Question: Are Chemicals of Interest (COI) in hazardous waste to be counted towards a Standard Threshold Quantity (STQ)?

Answer:

In calculating whether it possesses the STQ of a COI, the facility need not include COI in solid waste (including hazardous waste) regulated under the Resource Conservation and Recovery Act (RCRA), except for waste described in 40 CFR 261.33. Such wastes are referred to as P- and U-code listed wastes. Generally, P- and U-code wastes consist of commercial chemical products that are deemed to be hazardous waste when they are discarded or intended to be discarded. P- or U-code waste comprised of a chemical listed on Appendix A must be counted toward a facility's STQ if any of the following apply:

- The listed waste is a discarded commercial chemical product or a manufactured chemical intermediate.
- The listed waste consists of the commercially pure grade of the chemical, or any technical grades of the chemical that are produced or marketed, and all formulations in which the chemical is the sole active ingredient.
- The listed waste was discarded unused.

A facility is not required to count toward the STQ any quantities in:

- Treatment residues derived from the treatment of the P- or U-listed waste; or
- Contaminated media containing the P- or U-listed waste

The facility that generates the waste (e.g., a facility discarding the product or its intermediate) is responsible for accurately identifying and labeling the wastes.

For additional guidance on whether a waste falls within the parameters of 40 CFR 261.33, please refer to the following publication issued by the U.S. Environmental Protection Agency: <http://www.epa.gov/osw/hazard/wastetypes/pdfs/listing-ref.pdf>.

 **FAQ Number:** 1405 **Date Published:** October 21, 2009 **Last Updated:** May 11, 2016

Question: How will I know the agricultural extension has been lifted and what to do next?

Answer:

If you go to <https://www.dhs.gov/critical-infrastructure-chemical-security> to sign up for e-mail updates to the CFATS program you will receive an e-mail notification when the agriculture extension has been lifted. The notification will contain instructions for facilities currently affected by the agriculture extension.

You can also go to <http://www.regulations.gov> and sign up for changes to the chemical security rule under DHS-2006-0073 and receive any changes made in the Federal Register. If you sign up for notification of changes, you will receive an e-mail when new information or updated information is available.

 **FAQ Number:** 1437 **Date Published:** June 19, 2008 **Last Updated:** June 19, 2008

Question: How is the STQ for Sabotage/Contamination chemicals of interest calculated in a mixture?

Answer:

As provided in §27.204(c), a facility shall count toward the STQ the total quantity of all commercial grades of a sabotage/contamination chemical that it possesses unless specific minimum concentration is assigned in the Minimum Concentration column of Appendix A to 6 CFR 27, in which case the facility should count the total quantity of all commercial grades of the chemicals at the specified minimum concentration. DHS has added a definition of a "A

Commercial Grade" (ACG) to a § 27.105. ACG refers to any quality or concentration of a chemical of interest offered for commercial sale that a facility uses, stores, manufactures or ships.

 **FAQ Number:** 1456 **Date Published:** May 22, 2009 **Last Updated:** May 22, 2009

Question: Should release chemicals of interest (COI) presently in process or chemicals that are by-products be considered when determining the total On-site Quantity (TOQ)?

Answer:

Yes, when determining the Total On-site Quantity for release-COI, a facility must also include COI that are present as process intermediates, by-products, and incidental production materials (see 6 CFR 27.203(b)(1)(ii)). A facility should compute the TOQ using the same provisions a facility considers when determining whether it possesses a release-COI in an amount at or above the applicable STQ; therefore, release-COI in process and in by-products should be considered in both.

 **FAQ Number:** 1457 **Date Published:** May 22, 2009 **Last Updated:** May 22, 2009

Question: My facility is a "tank farm" that is part of a pipeline system. Do I need to comply with CFATS?

Answer:

Pursuant to 6 CFR 27.203(b)(v), facilities must consider chemicals of interest (COI) in gasoline, diesel, kerosene or jet fuel (including fuels that have a National Fire Protection Administration flammability hazard rating of 1, 2, 3, or 4) stored in above-ground tank farms, including tank farms that are part of pipeline systems, when determining whether or not the facility possesses any COI in an amount at or above the applicable STQ for that COI.

 **FAQ Number:** 1465 **Date Published:** June 11, 2010 **Last Updated:** June 11, 2010

Question: How does a facility count the amount of a release-toxic chemical present in a mixture?

Answer:

Pursuant to § 27.204(a)(1), if a release-toxic chemical is present in a mixture, and the concentration of the chemical is equal to or greater than one percent (1%) by weight, the facility shall count the amount of the COI in the mixture toward the applicable STQ.

For example, if a facility has 500 pounds of a toxic mixture containing five percent (5%) acrolein, the facility should count five percent (5%) of the weight of the mixture, or 25 pounds of acrolein, toward the STQ of 5,000 pounds. Except for oleum, if a facility can measure or estimate (and document) that the partial pressure of the regulated substance in the mixture is less than 10 mm Hg, the facility need not consider the mixture when determining the STQ. If a release-toxic COI is present in a mixture, and the concentration of the chemical is less than one percent (1%) by weight of the mixture, the facility need not count the amount of that chemical in the mixture in determining whether the facility possesses the STQ.

 **FAQ Number:** 1466 **Date Published:** June 20, 2008 **Last Updated:** June 20, 2008

Question: What is the STQ for Chlorine as a release-toxic?

Answer: Consistent with all other release-toxic COI, DHS has set the STQ for chlorine at 2,500 pounds and requires facilities to use the minimum concentration and STQ provisions that apply to all other release-toxic COI. See §§ 27.204(a)(1) and 27.203(b)(1)(i)-(ii).



FAQ Number: 1470

Date Published: June 11, 2010

Last Updated: June 11, 2010

Question: When I return to the User Registration System, my information is no longer there. Do I need to re-enter my information?

Answer:

Yes, for security reasons, once an individual exits the User registration System, all previously entered information is unavailable. A user can enter the User registration System as many times as needed to add users and facilities.

Each time a user enters the system and adds users and facilities (and completes the process through the PDF form-creation step) new user IDs are created. For example, if an individual enters himself as the Preparer for five sites, but does it in five separate visits to the website (and creates five different PDFs), five separate usernames will be created, even though it is the same individual -- this should be avoided if possible. It is preferable to enter all facilities that belong to the same Authorizer/Submitter/Preparer Structure during the same session. If that is not possible, accounts can be transferred at a later date.



FAQ Number: 1474

Date Published: June 20, 2008

Last Updated: March 29, 2011

Question: In User Registration, what do I put for the county if our facility's city isn't a part of a county?

Answer:

You may write in "N/A," and initial and date of the modification.



FAQ Number: 1476

Date Published: June 11, 2010

Last Updated: June 11, 2010

Question: What information do I need to know prior to designating an individual for one of the CSAT required roles (i.e., Authorizer, Preparer, Submitter)?

Answer:

The following information must be obtained about each individual designated as an Authorizer, Submitter, or Preparer:

- First Name
- Middle Initial (optional)
- Last Name
- Organization
- Business Address
- City, State, Zip Code
- Telephone
- Email
- Job title (Authorizer only)
- Is the individual a U.S. Citizen?
- Is the individual an Officer of Corporation or designated by an Officer of the Corporation?
- Is the individual domiciled in the U.S.?



FAQ Number: 1477

Date Published: June 20, 2008

Last Updated: June 20, 2008

Question: What are the requirements to be an Authorizer?

Answer:

To be an Authorizer, an individual must (1) be an officer of the corporation, or be designated by an officer of the corporation, and (2) be domiciled in the United States.

 **FAQ Number:** 1478 **Date Published:** June 11, 2010 **Last Updated:** June 11, 2010

Question: Can a single individual be a Preparer for multiple facilities?

Answer:

Yes. A one-to-one relationship exists between a Preparer and an individual facility, but a Preparer can prepare data for more than one facility. To assign a single preparer for multiple facilities, do the following during the CSAT User Registration process:

1. After the Preparer information has been entered, select *Add Another Facility*.
2. At *Is the information for the Preparer for this facility already entered from a previous facility?*, check the Yes button.
3. Select the Preparer's name from the associated drop down box.

 **FAQ Number:** 1481 **Date Published:** May 22, 2009 **Last Updated:** May 22, 2009

Question: What is included when determining whether a facility possesses an amount of a theft/diversion chemical of interest COI for theft/diversion chemicals?

Answer: Pursuant to 6 CFR 27.203(c), a facility shall only include theft/diversion COI in a transportation packaging as defined in 49 CFR 171.8. Additional information on the treatment of theft/diversion COI under CFATS can be found in the preamble to Appendix A to CFATS at 72 FR 65403 to 65405.

 **FAQ Number:** 1489 **Date Published:** June 24, 2008 **Last Updated:** June 24, 2008

Question: Can a covered facility have contractors or lawyers fill out their SVA?

Answer:

A contractor or consultant (who may in fact be a lawyer) hired by the covered (high risk) facility may act as a Preparer (see CSAT User Registration Manual, page 33). Due to the very specific information about the facility that is required by the SVA, the individual designated as the facility's Preparer should be knowledgeable about the facility. The Preparer is authorized to enter the data into the CSAT system and to send it to the Submitter via the system. As with Top Screens, a consultant may not be a Submitter of an SVA; the Submitter should be an officer or other employee of the company designated by an officer who is domiciled in the United States. See CSAT User Registration Manual, page 19.

 **FAQ Number:** 1490 **Date Published:** June 24, 2008 **Last Updated:** April 13, 2016

Question: Do all of the employees involved in filling out the Security Vulnerability Assessment (SVA) at my facility have to be Chemical-terrorism Vulnerability Information (CVI) Authorized Users?

Answer: No. It depends on the role the employee has with regards to the SVA development.

Any employee requiring a Chemical Security Assessment Tool (CSAT) account to input data regarding the Top-Screen, SVA, or Site Security Plan (SSP) on behalf of the chemical facility will need to be a CVI Authorized User. When any part of CSAT is filled in, it contains CVI regulated information pursuant to 6 C.F.R. § 27.400. Thus, any person who actually fills out any part of the Top-Screen, SVA, or SSP, reviews them, or handles them (including

Preparers, Submitters, Reviewers, and Authorizers) must be a CVI Authorized User (i.e., trained and certified by DHS) and have a “need to know” in accordance with 6 CFR § 27.400(e). See CVI Procedural Manual available at <https://www.dhs.gov/publication/safeguarding-information-cvi-manual>.

However, only information developed, submitted, or maintained in order to comply with the Chemical Facility Anti-Terrorism Standards (CFATS) or its authorizing statute is considered CVI. See 72 Fed. Reg. 17715 (April 9, 2007). Therefore, some of the underlying, existing information included in CSAT may not be CVI in and of itself. In particular, factual information required by another federal program, or information developed for business purposes unrelated to CFATS, may not be CVI apart from its actual inclusion in a Top-Screen, SVA, or SSP. Employees who provide that non-CVI data to others preparing the Top-Screens, SVAs, or SSPs do not need to be CVI Authorized Users.

For additional assistance in determining whether employees need to be CVI Authorized Users in specific circumstances, please contact the CFATS Help Desk at 866-323-2957.

Additional information on CVI procedures and CVI training can be found in the CVI Procedural Manual, available at <https://www.dhs.gov/publication/safeguarding-information-cvi-manual>.

Note: Any references to SSPs include the Alternative Security Program (ASP) and the Expedited Approval Program (EAP).

 **FAQ Number:** 1491 **Date Published:** June 24, 2008 **Last Updated:** June 24, 2008

Question: What are "cyber control" and "monitoring systems"?

Answer:

For purposes of the SVA, cyber control and monitoring systems include the same type of systems described in Risk-Based Performance Standard (RBPS) 8 (“Cyber”) of the CFATS regulation, i.e., critical process controls (which may include monitoring systems), such as Supervisory Control and Data Acquisition (SCADA) systems, Distributed Control Systems (DCS), Process Control Systems (PCS), Industrial Control Systems (ICS), critical business systems, and other sensitive computerized systems. See 6 CFR §27.230(a)(8).

The Center for Chemical Process Safety (CCPS) describes the objective of cyber security as the protection of critical information systems including hardware, software, infrastructure, and data to protect the company’s proprietary information and keep the business running as well as protecting chemical processes from hazardous disruptions and preventing unwanted chemical releases (see *Guidelines for Analyzing and Managing the Security Vulnerabilities of Fixed Chemical Site*, CCPS, page 24).

Question Q:14.09-4151 of the SVA will guide facilities through a series of questions to help assess vulnerability of cyber control systems at the facility.

 **FAQ Number:** 1536 **Date Published:** June 11, 2010 **Last Updated:** June 11, 2010

Question: What does "risk-based" mean?

Answer:

In Section 550, Congress directed the Department of Homeland Security to identify and secure those chemical facilities that present the greatest security risk. Security risk is a function of the following:

- The consequence of a successful attack on a facility (consequence),
- The likelihood that an attack on a facility will be successful (vulnerability), and

- The intent and capability of an adversary in respect to attacking a facility (threat).

The Department plans to implement the regulation in phases, beginning with chemical facilities that appear to present the highest security risk. The Department adopted a risk-based tiering structure in its regulatory approach, so that the requirements, scrutiny, and oversight of facilities will increase with the level of risk.

For more information on risk-based standards, please visit http://www.dhs.gov/xprevprot/programs/gc_1185897486043.shtm.

 **FAQ Number:** 1538 **Date Published:** June 11, 2010 **Last Updated:** June 11, 2010

Question: How does a facility count the amount of a release-flammable Chemical of Interest (COI) in a mixture with a National Fire Protection Association (NFPA) rating of 4?

Answer:

Pursuant to §27.240(a)(2), if a release-flammable chemical of interest is present in a mixture in a concentration equal to or greater than one percent (1%) by weight of the mixture, and the mixture has a NFPA flammability hazard rating of 4, the facility shall count the entire weight of the mixture toward the COI's Screening Threshold Quantity (STQ). For example, if a facility has 500 pounds of a flammable mixture containing five percent (5%) pentane and the mixture as a whole has a NFPA flammability hazard rating of 4, the facility shall count the entire weight of the mixture, or 500 pounds toward pentane's STQ of 10,000 pounds.

A release-flammable mixture with 1% or more of a release-flammable COI and an NFPA hazard rating of 4 must be counted whether stored above or below ground. For more information on calculating the STQ for COI in release-flammable mixtures, including release-flammable mixtures that are fuels, please refer to the Top-Screen User's Manual, which is available online at http://www.dhs.gov/xlibrary/assets/chemsec_csattopscreenusersmanual.pdf.

 **FAQ Number:** 1540 **Date Published:** July 15, 2008 **Last Updated:** July 15, 2008

Question: How does a facility count the amount of release flammable COI within a mixture that is not a fuel with an NFPA rating of 1, 2, or 3?

Answer:

If a release-flammable chemical of interest is present in a mixture in a concentration equal to or greater than one percent (1%) by weight of the mixture, and the mixture has a NFPA flammability hazard rating lower than 4 (i.e., NFPA hazard rating of 1, 2, or 3), and it is not a fuel, the facility need not count the entire weight of the mixture toward the STQ. Mixtures with a NFPA flammability hazard rating of 1, 2 or 3 are calculated by multiplying the percentage of the COI times the total weight of the mixture to see if the COI meets or exceeds the STQ. If a release-flammable COI is present in a mixture, and the concentration of the chemical is less than one percent (1%) by weight, the facility need not count the mixture in determining whether the facility possesses the STQ.

 **FAQ Number:** 1541 **Date Published:** May 22, 2009 **Last Updated:** May 22, 2009

Question: How does a facility count the amount of a release-flammable mixture that is a fuel with an NFPA rating of 1, 2, 3, or 4 if it is stored in an above ground tank farm (including farms that are part of pipeline systems)?

Answer:

If a release-flammable COI is present in a fuel mixture in a concentration equal to or greater than one percent (1%) by weight of the mixture, and the mixture has an NFPA flammability hazard rating of 1, 2, 3 or 4, the facility counts the entire weight of the mixture toward the STQ. If a release-flammable chemical of interest is present in a mixture, and the concentration of the chemical is less than one percent (1%) by weight, the facility need not count the mixture in determining whether the facility possesses the STQ.

 **FAQ Number:** 1547 **Date Published:** July 15, 2008 **Last Updated:** July 15, 2008

Question: Is the fact that a facility is a covered facility under 6 CFR part 27 considered CVI?

Answer: No.

 **FAQ Number:** 1548 **Date Published:** July 15, 2008 **Last Updated:** July 15, 2008

Question: Is the preliminary tier determination of a covered facility by DHS considered CVI?

Answer: Yes.

 **FAQ Number:** 1549 **Date Published:** July 22, 2008 **Last Updated:** July 22, 2008

Question: May a covered facility disclose its preliminary tier level to another entity or individual (e.g. a trade association or another facility)?

Answer: Yes, provided that each individual within the other entity, or any other individual to whom that information is disclosed, is a CVI Authorized User and has a "need to know" for that information.

 **FAQ Number:** 1550 **Date Published:** July 15, 2008 **Last Updated:** July 15, 2008

Question: Does DHS need to be notified when a CVI Authorized User at a covered facility shares CVI (e.g., its preliminary tier determination) with another CVI Authorized User, who has a "need to know", within the private sector?

Answer: No. However, DHS recommends that each CVI Authorized User maintain a log of the receipt and transmission of CVI.

 **FAQ Number:** 1551 **Date Published:** July 15, 2008 **Last Updated:** May 11, 2016

Question: Can individuals who are not US Citizens be CVI Authorized Users?

Answer: Yes, non-U.S. citizens can be CVI Authorized Users as long as they can complete CVI Authorized User Training. To access CVI Authorized User Training, go to cvi.dhs.gov/training.

 **FAQ Number:** 1553 **Date Published:** August 08, 2008 **Last Updated:** August 08, 2008

Question: Does DHS have the authority to enforce the use of Inherently Safer Technology (IST) at a facility?

Answer:

Section 550 explicitly prohibits DHS from disapproving a Site Security Plan "based on the presence or absence of a particular security measure," including inherently safer technologies. Even so, covered facilities are certainly free to consider IST options, and their use may reduce risk and regulatory burdens.

 **FAQ Number:** 1554 **Date Published:** May 22, 2009 **Last Updated:** May 22, 2009

Question: Does DHS have the authority to shut down a facility?

Answer:

Yes. The Department has authority to impose civil penalties of up to \$25,000 per day and, when necessary, shut down non-compliant facilities.

 **FAQ Number:** 1556 **Date Published:** August 15, 2008 **Last Updated:** August 15, 2008

Question: What web browser settings are required to access CSAT?

Answer:

To access CSAT, the internet browser used must support FIPS-compliant encryption. Both Microsoft Internet Explorer (IE) and Mozilla Firefox possess the capability, and CSAT has been tested with both IE and Mozilla FireFox on PCs. However, to ensure security precautions, the Department requires that the computer security settings exceed the default settings found in IE. The proper settings for both IE and Mozilla FireFox are described below.

Internet Explorer Browser Settings

If you are using Internet Explorer to access CSAT, please enable the following browser settings by performing the following actions:

- Launch Internet Explorer web browser
- Under the “Tools” menu, select “Internet Options”
- Select the “Advanced” tab
- Under the “Security” heading (near the bottom)
- Check the settings for the following:
 - “Use TLS 1.0”
- Finally, select “Apply” to save these settings.

Please note that CSAT does not require "install on demand."

FireFox Browser Settings

If you are using Mozilla FireFox to access CSAT, please enable the following browser settings by performing and completing these actions:

- Launch Mozilla FireFox web browser
- Under the “Tools” menu, select “Options”
- Select the “Advanced” tab
- Select the security tab and make sure that the setting “Use TLS 1.0” is checked
- Finally, select “Apply” to save these settings.

 **FAQ Number:** 1557 **Date Published:** March 26, 2010 **Last Updated:** May 11, 2016

Question: What should I do if I think my facility was incorrectly determined to be high-risk or received an incorrect preliminary risk-based tier determination?

Answer:

The CFATS Rule (6 CFR Part 27) provides several ways for a facility initially determined to be high-risk to question that determination or its preliminary risk-based tiering assignment. Section 27.120(c) allows any high-risk facility to request a consultation or seek technical assistance from the DHS CFATS Coordinating Official on any relevant matter under CFATS.

Similarly, § 27.120(d) allows a high-risk facility that has modified the facility, its processes or quantities of materials it possesses, and that believes those modifications could affect its obligations under CFATS, to request a consultation under § 27.120(c). Consultations or technical discussions under § 27.120 can be relatively informal, but should be requested in writing by letter addressed to: David Wulf, Director, Infrastructure Security Compliance Division, Office of Infrastructure Protection, MS 0610, Department of Homeland Security, Washington, DC 20528.

In addition, under § 27.205(b) of the CFATS Rule, a high-risk facility that has materially altered its operations may file a Request for Redetermination with the Assistant Secretary for Infrastructure Protection (ASIP) and may request a meeting regarding that request. Section 27.205(b) requires the Assistant Secretary to notify the facility of the results of the Redetermination request within 45 days of the request or within 45 days of the meeting. Three methods are available for a high-risk facility to submit a Request for Redetermination:

- (1) A request may be submitted in writing to: Ms. Caitlin Durkovich, Assistant Secretary for Infrastructure Protection, c/o David Wulf, Director, Infrastructure Security Compliance Division, Office of Infrastructure Protection, MS 0610, Department of Homeland Security, Washington, DC 20528.
- (2) A request may be emailed to: CSAT Help Desk at csat@dhs.gov, ATTN: Request for Redetermination, Facility ID (XXXX).
- (3) A request may be faxed to 866-731-2728, to David Wulf, Director, Infrastructure Security Compliance Division, Office of Infrastructure Protection, MS 0610, Department of Homeland Security, Washington, DC 20528.

Include the facility ID number assigned to the facility by the Chemical Security Assessment Tool (CSAT) to assist DHS in processing requests for consultation with the Coordinating Official and Requests for Redetermination by the ASIP. Such requests, especially Requests for Redetermination, should also include any relevant factual information or supporting documentation that you believe would explain or support the request. If any Chemical-terrorism Vulnerability Information (CVI), such as a change to the chemicals of interest (COIs) possessed by your facility, is included with your request, please ensure that the request is marked, packaged, and sent in accordance with the CFATS regulations for protection of CVI (see 6 CFR § 27.400). A copy of the CFATS regulation, including the CVI requirements in 6 CFR § 27.400, is available at <http://www.dhs.gov/chemicalsecurity>.

Please note that requests for consultation or technical assistance under § 27.120(c) or (d) and Requests for Redetermination under § 27.205(b) do not stay or extend any deadlines under the Rule (e.g., Security Vulnerability Assessment (SVA) deadline) applicable to your facility. If you wish to request an extension of any applicable deadline, you should submit such a request in writing, with any supporting explanation or justification, to: Ms. Caitlin Durkovich, Assistant Secretary for Infrastructure Protection, c/o David Wulf, Director, Infrastructure Security Compliance Division, Office of Infrastructure Protection, MS 0610, Department of Homeland Security, Washington, DC 20528.

If you have any questions about your SVA deadline or other CFATS issues, please contact the DHS CSAT Help Desk at 866-323-2957.

 **FAQ Number:** 1562

Date Published: June 11, 2010

Last Updated: June 11, 2010

Question: How do I know if my facility is a Public Water System as defined by Section 1401 of the Safe Drinking Act?

Answer:

The definition of a Public Water System under Section 1401 of the Safe Water Drinking Act, 42 U.S.C. § 300f, is "a system for the provision to the public of water for human consumption through pipes or other constructed

conveyances, if such system has at least fifteen service connections or regularly serves at least twenty-five individuals. Such term includes (i) any collection, treatment, storage and distribution facilities under control of the operator of such system and used primarily in connection with such systems, and (ii) any collection with such system." For more information about the Safe Drinking Water Act, see <http://www.epa.gov/safewater/sdwa/>.

Please note that if a public water system, as defined under Section 1401, is present at a facility that possesses a COI in an amount at or above the applicable Screening Threshold Quantity, the facility may nevertheless be required to submit a CSAT Top-Screen for any portions of the facility that are not part of the exempt public water system.

 **FAQ Number:** 1563 **Date Published:** June 02, 2010 **Last Updated:** June 02, 2010

Question: How do I know if my facility is a Treatment Works as defined in Section 212 of the Federal Water Pollution Control Act?

Answer:

'Treatment works' under Section 212 of the Federal Water Pollution Control Act, 33 U.S.C § 1292, includes (a) "any devices and systems used in the storage, treatment, recycling, and reclamation of municipal sewage or industrial wastes of a liquid nature to implement section 201 [33 U.S.C. § 1281] of this act, or necessary to recycle or reuse water at the most economical cost over the estimated life of the works, including interception sewers, outfall sewers, sewage collection systems, pumping, power, and other equipment, and their appurtenances; extensions, improvements, remodeling, additions, and alterations thereof; elements essential to provide a reliable recycled supply such as standby treatment units and clear well facilities; and any works, including site acquisition of the land that will be an integral part of the treatment process (including land use for the storage of treated wastewater in land treatment systems prior to land application) or is used for ultimate disposal of residues resulting from such treatment" and (b) "any other method or system for preventing, abating, reducing, storing, treating, separating, or disposing of municipal waste, including storm water runoff, or industrial waste, including waste in combined storm water and sanitary sewer systems."

For more information on the Federal Water Pollution Control Act (commonly known as the Clean Water Act), see <http://www.epa.gov/region5/water/cwa.htm>.

Please note that if a treatment works, as defined under Section 212, is present at a facility that possesses a COI in an amount at or above the applicable Screening Threshold Quantity, the facility may nevertheless be required to submit a CSAT Top-Screen for any portions of the facility that are not part of the exempt treatment works.

 **FAQ Number:** 1566 **Date Published:** September 03, 2008 **Last Updated:** September 03, 2008

Question: How does a facility calculate the Screening Threshold Quantity for propane in a mixture?

Answer:

Mixtures of propane and other release-flammable COI that contain **at least 87.5 percent propane, should be treated as "propane,"** subject to the 60,000 - pound STQ rather than a flammable mixture subject to the minimum concentration (i.e., mixtures) provisions applicable to other mixtures of release-flammables. A facility need not include propane in tanks of 10,000 - pounds or less when calculating the 60,000 - pound STQ.

The minimum concentration (i.e., mixtures) provisions for release-flammable mixtures apply if the mixture contains **less than 87.5 percent propane.**

For additional information see "Clarification to Chemical Facility Anti-Terrorism Standards; Propane" published in the Federal Register March 21, 2008 (73 FR 5051).

 **FAQ Number:** 1578 **Date Published:** June 11, 2010 **Last Updated:** June 11, 2010

Question: What is the definition of a "technically qualified individual" under CFATS?

Answer:

DHS adopted the Environmental Protection Agency's definition of a technically qualified individual, which is located at 40 CFR § 720.3(e). A technically qualified individual is a person or persons (1) who, because of education, training, or experience, or a combination of these factors, is capable of understanding the health and environmental risks associated with the chemical substance which is used under his or her supervision, (2) who is responsible for enforcing appropriate methods of conducting scientific experimentation, analysis, or chemical research to minimize such risks, and (3) who is responsible for the safety assessments and clearances related to the procurement, storage, use, and disposal of the chemical substances as may be appropriate or required within the scope of conducting a research and development activity.

 **FAQ Number:** 1579 **Date Published:** July 01, 2009 **Last Updated:** January 21, 2014

Question: How does a college define itself if it has multiple facilities, yet only a few select facilities possess Chemicals of Interest (COI) that are subject to being regulated by the Chemical Facility Anti-Terrorism Standards (CFATS)?

Answer:

All facilities, including colleges and universities, have the flexibility to define the parameters of their facilities. CFATS requirements are facility-specific. As such, an institution of higher learning can, if appropriate, submit a Top-Screen on a facility-by-facility basis or on a campus-wide basis. However, the Department will evaluate whether or not the facility or facilities, if determined to be high-risk, have complied with CFATS and, specifically, the Risk-Based Performance Standards (RBPS). Guidance, options and exclusions are presented in Chemical Facility Anti-Terrorism Standards (CFATS); Final Rule, Section III (B)(1) Colleges and Universities 6 C.F.R. pt.27 (2007), available at: http://www.dhs.gov/xlibrary/assets/chemsec_appendixafinalrule.pdf.

 **FAQ Number:** 1580 **Date Published:** September 04, 2008 **Last Updated:** September 04, 2008

Question: Do colleges or universities have to register if the COI has a release security issue and the COI is stored in a laboratory?

Answer:

In calculating whether a facility meets the applicable STQ for release-toxic or release-flammable chemicals, the facility need not include release-toxic or release-flammable COI that a facility manufactures, processes, or uses in a laboratory at the facility under the supervision of a technically qualified individual as defined in 40 CFR 720.3. Like EPA, the DHS laboratory quantities exclusion does not apply to specialty chemical production; manufacture, processing, or use of substances in pilot plant scale operations; or activities, including research and development, involving chemicals of interest conducted outside the laboratory. Facilities that engage in such activities must count those chemicals toward their respective STQ. Note, however, that while a facility need not count laboratory quantities of release chemicals of interest toward the facility's STQ, a facility must still count laboratory quantities of theft/diversion and sabotage/contamination chemicals of interest toward the facility's STQ. A facility also must count all

quantities of COI involved in activities conducted outside of the laboratory (including research and development) toward its STQ.

Additional information on the treatment of colleges and universities under CFATS can be found in the preamble to Appendix A to CFATS at 72 FR 65412.

 **FAQ Number:** 1586 **Date Published:** May 22, 2009 **Last Updated:** October 13, 2016

Question: How do I move past the Chemical-terrorism Vulnerability Information (CVI) authorizing statements in the Top-Screen?

Answer: A user cannot move past the CVI authorizing statements because they have either not completed CVI Authorized User training or their CVI Authorized User training record is not synchronized with their CSAT User Account.

To access the Chemical Security Assessment Tool (CSAT) application, all users must complete CVI Authorized User training. If a user has not taken the CVI training, they should access the training website (located at <https://cvi.dhs.gov/training/>) and complete the training. Once CVI training is complete, the user has the option to link their CVI training record with their CSAT User Account via the CVI training website or when they log into CSAT. Once the user's CSAT account is associated with their CVI training record, they will then be able to access CVI sensitive links within the CSAT application.

If a user has already completed their CVI Authorized User training, they will need to synchronize the CVI training record with their CSAT account. Users will need their personal CVI identification number from the certificate that was emailed to them and the email address they used in their CVI training record to gain access to CSAT. The user has the option to link their CVI training record with their CSAT User Account via the CVI training website or when they log into CSAT.

If the user has forgotten their personal CVI identification number, they may contact the CSAT Help Desk at csat@hq.dhs.gov or by phone at 1-866-323-2957 to request a copy of their certificate.

Note: The email address associated with the CVI Authorized User training record must match the email address associated with the CSAT User Account in order to complete synchronization between the user's CVI and CSAT accounts.

 **FAQ Number:** 1588 **Date Published:** July 01, 2009 **Last Updated:** August 29, 2012

Question: Can you tell me where I can find additional information on CVI?

Answer:

Information about CVI is available at <http://www.dhs.gov/chemical-terrorism-vulnerability-information>. Click the link for Chemical-terrorism Vulnerability Information at the bottom of the page.

 **FAQ Number:** 1593 **Date Published:** September 22, 2008 **Last Updated:** September 22, 2008

Question: Will I receive a CVI Authorized User certificate after completing the CVI Authorized User training?

Answer: Yes. DHS will review the information you provide upon completion of the training and, if you are approved as a CVI Authorized User, DHS will notify you with an email providing a unique CVI Authorized User number and certificate to confirm your status.

 **FAQ Number:** 1594 **Date Published:** September 22, 2008 **Last Updated:** September 22, 2008

Question: May CVI be discussed with or disclosed to an Authorized User with a need to know over an unencrypted phone?

Answer: Yes, although the CVI Procedural Manual encourages the discussion and disclosure of CVI in secure phones. Additional security precautions can be found in the revised CVI Procedural Manual (Sept. 2008) at Chapter 8.6.

 **FAQ Number:** 1595 **Date Published:** September 22, 2008 **Last Updated:** September 22, 2008

Question: How do I notify DHS if I am aware (1) that CVI has been released to a person without a need to know, or (2) of any request for access to CVI by persons without a need to know, or (3) that any actual or suspected misuse of or unauthorized access to CVI may have occurred?

Answer:

Please call the CSAT Helpdesk at 866-323-2957. Please be prepared to provide the following information:

- Date of the event
- Description of the event (e.g., who was involved, what happened, where did this take place)
- Other relevant facts
- any mitigation that has been implemented to respond to or minimize the potential impact of the CVI that has been disclosed?

 **FAQ Number:** 1596 **Date Published:** September 26, 2008 **Last Updated:** September 26, 2008

Question: I have just completed the new CVI Authorized User Training module but previously completed the original CVI training. Will I receive a new CVI number?

Answer:

No. Upon completion of the new training module, you will receive a new CVI certificate. This certificate will reflect a new date of training, but the CVI number will remain the same as on your original certificate.

 **FAQ Number:** 1597 **Date Published:** September 26, 2008 **Last Updated:** September 26, 2008

Question: I just completed the new CVI Authorized User Training and realize that I have errors in the personally identifiable information (e.g. my email address) that I submitted. How can I correct this information?

Answer:

Go back to the CVI Authorized User Training and choose the option "I have completed a previous version and wish to refresh my training." Verify your CVI number and e-mail address. Complete the training again and correctly re-answer the test questions and re-check the affirmation statements. You will then be presented with the contact information you supplied from your previous session. You may correct and re-submit your contact information here. Once you press the "Update/Continue" button, a new certificate will be generated and e-mailed to you.

 **FAQ Number:** 1598 **Date Published:** September 26, 2008 **Last Updated:** September 26, 2008

Question: I am unable to print off a copy of my Top Screen or SVA, my printed copy is not legible or the text is cut off the page. How am I able to retain a copy of my Top Screen or SVA for my record keeping?

Answer: If you are having difficulty printing, the answers are too faint to read, or all the text is not on the page, you are able to save a copy of the summary report of the Top Screen or SVA to your computer for record keeping purposes. To save a copy of the summary report to your computer, you will need to go to "File" and then go to "Save As". You will need to save the summary in the .mht file format.

 **FAQ Number:** 1601 **Date Published:** October 20, 2008 **Last Updated:** October 20, 2008

Question: I completed the DHS CVI training to become a CVI Authorized User prior to September 22, 2008, and was required to sign a Non-disclosure Agreement (NDA) with DHS. I understand that a revised CVI Procedural Manual and updated CVI Authorized User training were made available on September 22, and that DHS no longer requires an NDA as part of the training to become an Authorized User. Is my CVI NDA still binding?

Answer:

The NDA that was required as part of the CVI Authorized User training prior to September 22, 2008, has no time limit or other conditions that automatically terminate its effectiveness. Thus, *except as explained below*, those agreements remain in effect for any individuals that became Authorized Users by completing CVI training prior to September 22, 2008.

Based on the experience acquired by DHS and by the regulated community in handling CVI since the original CVI training was made available in 2007, and on the revisions made on September 22, 2008, to the CVI Procedural Manual and to the updated CVI training (e.g., making the procedures for disclosing CVI clearer, simpler and more efficient), DHS has determined that NDA's are not required for individuals who become Authorized Users by completing the updated CVI training. DHS believes that familiarity with the revised CVI Procedural Manual and completion of the updated CVI training, along with the Department's authority to impose penalties and other sanctions for unlawful disclosure of CVI and to issue orders to correct or mitigate unauthorized disclosures, is sufficient to permit individuals to become Authorized Users without signing an NDA. The revised CVI Procedural Manual, however, explicitly reserves the Department's right to require NDA's under appropriate circumstances in the future.

If you became an Authorized User prior to September 22, 2008, you are not required to take the updated CVI training. In light of the Department's current policy regarding NDA's under the revised CVI Procedural Manual and the updated CVI training, however, DHS has decided to abrogate the CVI NDA's signed by any Authorized User prior to September 22, 2008, provided that the Authorized User voluntarily completes the updated CVI Authorized User in effect on September 22, 2008.

 **FAQ Number:** 1606 **Date Published:** March 19, 2010 **Last Updated:** June 16, 2016

Question: I recently received an e-mail telling me there is a CSAT letter available for me to access and print. How do I go about accessing this letter?

Answer:

To access your CSAT letter(s), log into the CSAT portal at <https://csat.dhs.gov/industry> with your CSAT username and password. You must be the facility Submitter, you must be CVI trained, and your CVI training must be associated with your CSAT user account in order to view the letter(s). If you are CVI trained, but you have not yet associated your CSAT user account with your training, you can enter your CVI authorization number and email address when you login to the CSAT portal. Once these conditions have been met you will see a new link, View My CSAT Documents, that allows you to view and acknowledge your letter(s). If you are not yet CVI trained, you may complete CVI training at <https://cvi.dhs.gov/training>. At the end of the training you can also associate your CSAT user account with your CVI training.

 FAQ Number: 1608	Date Published: June 11, 2010	Last Updated: June 11, 2010
Question: What is the format for entering my CVI authorization number when I am prompted for it, for example, during CVI training?		
Answer: Your CVI Authorized User Number which is found is on your CVI certificate. The number is comprised of, and should be entered as, two strings of numbers. The first string of numbers is the date you were certified with the format of YYYYMMDD. The second is a unique sequential numeric identifier. For example, your CVI number might be as follows: 20080101 - 1234567. When prompted, you must supply the complete CVI number. For example, if you are retaking CVI training, you will see a prompt beginning “CVI” followed by two blanks. Type or copy the first part of your CVI number (i.e., the date) into the first blank and then place the unique numeric identifier in the second blank. Contact the CSAT Help Desk at 866-323-2957 if you cannot remember your CVI Authorized User Number.		

 FAQ Number: 1609	Date Published: October 21, 2009	Last Updated: October 21, 2009
Question: I need assistance navigating through the CSAT application. However, I am not a registered CSAT user.		
Answer: Only authorized users have access to CSAT applications. Information on CFATS and CSAT is available at http://www.dhs.gov/chemicalsecurity .		

 FAQ Number: 1610	Date Published: November 13, 2009	Last Updated: November 13, 2009
Question: Can a consultant request a user change?		
Answer: A consultant may not request or initiate a CSAT user change. In general, the original user must make any change to his/her user role – e.g., authorizer changes authorizer, submitter changes submitter, preparer changes preparer. If the original user is not available, someone else from the facility or company may be able to make the change. Please consult the “CSAT User Account Management Guide” available at www.dhs.gov/chemicalsecurity under “CSAT Assessment Tool” “Update My CSAT Account Information.”		

 FAQ Number: 1612	Date Published: May 22, 2009	Last Updated: May 22, 2009
Question: Is “wetted nitrocellulose” reportable as a COI, i.e., as nitrocellulose?		
Answer: The only explosives included in Appendix A as Chemicals of Interest are those listed as Department of Transportation (DOT) Division 1.1 Explosives (see FAQ 1383). If wetted nitrocellulose is a DOT Division 4.1 Flammable Solid, this material would not be covered by Appendix A. However, should nitrocellulose ever be possessed as a DOT Division 1.1 Explosive, a Top-Screen must be submitted within 60 days of the date of possession. See 6 CFR § 27.210 (a)(1)(i).		

 FAQ Number: 1613	Date Published: November 04, 2009	Last Updated: November 04, 2009
Question: What is the anticipated timeframe for receiving a response to an extension request?		

Answer: All correspondence is reviewed in the order in which it is received. Response time will vary depending on the time needed for appropriate legal and/or policy review. Until an official response is received, previously assigned deadlines remain in place; they are not stayed or waived simply as a result of the facility's submission of a request for an extension.

 **FAQ Number:** 1620 **Date Published:** February 09, 2009 **Last Updated:** February 09, 2009

Question: How do I report a possible security concern involving the Chemical Facility Anti-Terrorism Standards (CFATS) regulation at your facility or another facility?

Answer:

If you would like to report a possible security concern involving the Chemical Facility Anti-Terrorism Standards (CFATS) regulation at your facility or another facility, you may contact the CFATS Chemical Facility Security Tip Line at 877-FYI 4 DHS (877 394-4347) You are welcome to report these concerns on the voicemail anonymously, or, if you would like a return call, please leave your name and number. If you are calling to report a potential security incident that has already occurred, please call the National Infrastructure Coordination Center at 202-282-9201. If you have a security emergency or terrorist incident, please hang up and call the FBI or 911 immediately.

If you have questions about CFATS in general, please call 866-323-2957.

 **FAQ Number:** 1627 **Date Published:** September 27, 2016 **Last Updated:** September 27, 2016

Question: Can I have multiple Preparers or Reviewers for the Site Security Plan (SSP)?

Answer: Yes, you can have multiple Preparers or Reviewers for an SSP. In fact, the SSP was designed to facilitate multiple Preparers so that as many subject matter experts as needed can be involved in the many areas covered by the SSP. The SSP is the only application within the Chemical Security Assessment Tool (CSAT) that allows for multiple Preparers.

Any number of Reviewers can be added to any open application within CSAT, not only the SSP. Please note that once a survey is submitted, you cannot add an additional Reviewer or Preparer.

 **FAQ Number:** 1628 **Date Published:** May 15, 2009 **Last Updated:** May 15, 2009

Question: How do I submit an ASP in lieu of a SSP?

Answer:

A facility may submit an ASP by uploading it through the Chemical Security Assessment tool (CSAT) using the SSP application. The facility must log into the SSP tool in order to upload an ASP.

 **FAQ Number:** 1633 **Date Published:** January 07, 2010 **Last Updated:** January 07, 2010

Question: What is a proposed measure and why would a facility include one in the SSP?

Answer:

A proposed measure is a measure that is under consideration for addition or elimination by the facility. Proposed measures will not be considered by DHS in determining whether or not to approve an SSP, nor are they considered enforceable elements of an approved SSP. A facility that provides information

about its proposed measures in the SSP tool can obtain feedback from DHS on these measures and their potential impact on the facility's compliance with CFATS.

In the proposed measures sections of the SSP, a facility may include information regarding:

- 1) Security measures the facility is considering or proposing for addition,
- 2) Existing security measures the facility is considering or proposing for elimination,
- 3) Existing or planned security measures the facility does not want DHS to consider in its evaluation of the facility's SSP, and
- 4) Changes in processes, operations, or chemical uses a facility is considering or proposing.

 **FAQ Number:** 1634

Date Published: June 05, 2009

Last Updated: June 05, 2009

Question: My facility offered information in the SVA about security/vulnerability issues involving COI that are not listed in my DHS Final Notification letter; what are DHS' expectations about these other security/vulnerability issues and COI?

Answer:

In Section 2.0 of the SSP tool, General Facility Information, a facility may chose to provide or not provide information about security/vulnerability issues, and any associated chemicals, not listed in its Final Notification letter, but that concern the facility from a security standpoint. To do so, the tool presents a list of CFATS security/vulnerability issues, and related COI, to assist the facility in identifying any security/vulnerability issues that DHS has not already identified but that the facility believes to be of concern. The information provided in this section may be considered in DHS' evaluation of the facility's SSP.

 **FAQ Number:** 1635

Date Published: May 15, 2009

Last Updated: May 15, 2009

Question: The Risk-based Performance Standards for 'Shipping, Receipt and Storage' (RBPS 5) and for 'Theft and Diversion' (RBPS 6) in the CFATS regulations (6 CFR §§ 27.230(a)(5) and (a)(6)) refer to 'hazardous materials' and to 'dangerous chemicals,' respectively. Do those terms include any chemicals other than chemicals of interest (COI) listed in Appendix A of the CFATS regulations?

Answer:

As explained in the DHS RBPS Guidance Document available at www.dhs.gov/chemicalsecurity, the terms "hazardous materials" in RBPS 5 and "potentially dangerous chemicals" in RBPS 6, DHS generally mean COI as listed in Appendix A of CFATS. Those terms may also include, however, other chemicals at a covered facility that pose risks comparable to, or that substantially contribute to, the risks posed by COI listed in Appendix A (i.e., chemicals that have the potential to create significant adverse consequences to human life or health if that facility is subjected to terrorist attack, compromise, infiltration, or exploitation). DHS expects covered facilities to be familiar with their own chemicals (e.g., to know which chemicals are hazardous materials under the Federal hazardous materials transportation laws administered by the U.S. Department of Transportation, 49 U.S.C. §§ 5101, et seq.) However, any covered facility that needs assistance in determining which chemicals and hazardous materials must be addressed under RBPS 5 or 6 in its SSP may request technical assistance from DHS.

 **FAQ Number:** 1638

Date Published: September 02, 2009 **Last Updated:** September 02, 2009

Question: What is the process of adding multiple SSP Preparers?

Answer:

The Submitter can add Additional Preparers of an SSP by clicking on the Manage User Roles button.

To add additional preparers for an SSP, click the Add Preparer to SSP button. After clicking the button, you will be directed to a screen asking whether you would like to grant Preparer access to an existing CSAT user or a new CSAT user. Select the appropriate choice by clicking on the blue bar and entering the requested information. Both options generate a PDF form that you will need to return the Help Desk for approval.

SSP submitters will be locked out when multiple users are logged in.

In the instance when a user is both the Preparer and Submitter and wishes to add additional preparers to an SSP, the Preparer role for the Preparer/Submitter will be transferred to the SSP Preparer and the user will retain only the Submitter role.

 **FAQ Number:** 1642 **Date Published:** July 07, 2009 **Last Updated:** June 01, 2012

Question: I am already a CVI Authorized User. Do I need to take the CVI training again to maintain my CVI Authorized User status?

Answer:

Active CVI Authorized Users are not required to take subsequent CVI training in order to maintain CVI status. However, many improvements to CVI handling and safeguarding procedures were made to the September 2008 revised CVI Procedural Manual. These changes also are reflected in the updated CVI training. DHS recommends CVI Authorized Users read the revised Procedural Manual to become familiar with the changes and consider taking the revised CVI training. Those taking the revised CVI training will receive a new CVI Authorized User Certificate with a new issuance date, but maintain the original CVI Authorized User number. Taking the training also will provide an opportunity to update the CVI Authorized User information and link the CVI certification with the CSAT Authorized User Account (for Authorizers, Submitters, Preparers, or Reviewers of CFATS-covered facilities).

In the revised CVI training, existing CVI Authorized Users will be prompted at the beginning of the training to enter their CVI Authorized User number (located on the CVI Certificate) and the e-mail address the user provided during the original training. The CVI Procedural Manual and training can be found on the DHS web site http://www.dhs.gov/files/programs/gc_1181835547413.shtm. If you are unable to locate your CVI Authorized User number or experience difficulty verifying your existing CVI Authorized User status, please contact the CSAT Help Desk at 866-323-2957 or csat@hq.dhs.gov for assistance.

 **FAQ Number:** 1643 **Date Published:** June 11, 2010 **Last Updated:** June 11, 2010

Question: How will DHS protect the data it collects?

Answer:

Authorized by Section 550 of Public Law 109-295 to protect from inappropriate public disclosure any information developed or submitted pursuant to Section 550 (e.g., Top-Screen, SVA, SSP). This included information that is developed and/or submitted to DHS pursuant to the Chemical facility Anti-Terrorism Standards (CFATS) regulation which implements Section 550.

Specifically, the IFR requires that this and related information - what the IFR calls Chemical-terrorism Vulnerability Information, or "CVI" - shall be protected from public disclosure. At the same time, the IFR makes clear that CVI will be shared with state and local officials, including law enforcement officials and first responders, as appropriate. For example, it is expected that chemical facilities will coordinate extensively with State and local officials - including the sharing of relevant CVI - in the course of completing the Site Security Plans (SSPs). The IFR also sets forth requirements concerning how the information must be marked and protected.

The Act requires additional protections over the disclosure of CVI in the course of any administrative or judicial proceedings. In these circumstances, CVI will be protected as if the information were classified. Individuals who do not otherwise have a "need to know" CVI will not be able to gain access to it through litigation.

Compliance with the requirements in 6 CFR § 27.400 and familiarity with the guidance in the CVI Procedural Manual will help DHS, chemical facilities and other covered persons ensure that sensitive information about the Nation's high-risk chemical facilities is safeguarded.

 **FAQ Number:** 1644 **Date Published:** October 21, 2009 **Last Updated:** October 21, 2009

Question: What should be done with my CVI Authorization User Number?

Answer: The Department recommends that an individual's CVI number should not be openly displayed or freely revealed. Rather, it should be protected like an individual's credit card number or driver's license or other personally identifiable information.

 **FAQ Number:** 1650 **Date Published:** November 19, 2009 **Last Updated:** November 19, 2009

Question: What happens after a facility submits its Site Security Plan (SSP)?

Answer:

Once the SSP is received by DHS, a preliminary determination will be made as to whether it satisfies the requirements of 6 CFR 27.225 "Site Security Plans."

If DHS finds that the requirements appear to be satisfied, DHS will issue a Letter of Authorization to the covered facility. Following the issuance of this letter, the facility must implement the SSP and DHS will inspect the facility for compliance with its submitted SSP. After the inspection and review of the information gathered, if DHS approves the SSP, the facility will receive a Letter of Approval for the SSP.

If DHS finds that the requirements of 6 CFR 27.225 do not appear to have been met, the facility will receive a guidance letter that includes a clear explanation of deficiencies in the SSP. The facility will then enter into further consultation with DHS and receive a specified timeframe within which to revise the SSP and security measures to satisfy the requirements of 6 CFR 27.225 and then resubmit the SSP to DHS. In some circumstances, DHS may disapprove the SSP and will issue a letter detailing why and what to do next.

 **FAQ Number:** 1653 **Date Published:** June 30, 2010 **Last Updated:** June 30, 2010

Question: If my facility is located in an office park complex and the office park complex has certain security measures, can the facility include these security measures as part of its Site Security Plan?

Answer: Yes. Facilities should report all security measures that apply to it in the SSP so that DHS can properly evaluate the security at the facility. The "other" text boxes in the CSAT SSP may be used to

describe situations, such as shared security measures, in more detail. Sites must be prepared to provide documentation about these procedures even though they are provided by another party.

 **FAQ Number:** 1656 **Date Published:** June 30, 2010 **Last Updated:** June 30, 2010

Question: In preparing its SSP, how can a facility provide information about changes in security measures to reflect changes in threat level?

Answer: The SSP Tool is flexible enough to allow a facility to describe the security measures that are in place throughout the year that reflect variations in security measures. Specifically, **RBPS 13 – Elevated Threats and RBPS 14 – Specific Threats, Vulnerabilities, and Risks** contain questions related to variable security measures under different threat conditions, including predictable times of changed threat like a hurricane evacuation, holiday shutdown, or turnaround.

 **FAQ Number:** 1657 **Date Published:** January 07, 2010 **Last Updated:** January 07, 2010

Question: Does DHS have a list of specific security measures that are required at CFATS-covered high-risk facilities?

Answer:

The authorizing legislation precludes DHS from prescribing any specific security measure. Specifically, Section 550(a) provides, in relevant part that “the Secretary may not disapprove a site security plan submitted under this section based on the presence or absence of a particular security measure.” Rather, the Department is directed to promulgate risk-based performance standards that allow a facility “to select layered security measures that, in combination, appropriately address vulnerability.” The Department “may disapprove a site security plan if the plan fails to satisfy [applicable] risk-based performance standards.” The CSAT Site Security Plan (SSP) Tool is designed to allow each high-risk facility to describe the security measures it will use to meet the applicable Risk-Based Performance Standards.

 **FAQ Number:** 1658 **Date Published:** January 07, 2010 **Last Updated:** January 07, 2010

Question: What is required of an Alternate Security Program to be acceptable in lieu of an SSP?

Answer:

CFATS provides that any facility receiving a final determination that it is high-risk may submit an Alternate Security Program (ASP) in lieu of the CSAT Site Security Plan (SSP). In addition, a facility that receives a preliminary Tier 4 high-risk designation may submit an ASP in lieu of a Security Vulnerability Assessment. An ASP must meet all requirements of the CSAT-SSP and provide an equivalent level of security to that established by the CSAT-SSP.

An ASP may be uploaded through the CSAT SSP. The facility must complete the Facility Operations section of the CSAT SSP and answer a series of questions relating to the factors for submitting an ASP and to the Department’s determination of whether to approve an ASP. It may be useful to review the SSP Instructions and Questions available at <http://www.dhs.gov/chemicalsecurity>.

 **FAQ Number:** 1659 **Date Published:** January 07, 2010 **Last Updated:** January 07, 2010

Question: What are “planned” measures and why would a facility include them in the SSP?

Answer:

Planned measures are those which the facility has **committed to install/implement**, such as measures that are (1) in the process of being installed/implemented, (2) in the design phase but with an approved and documented capital budget, (3) in the bid process and/or (4) in a pilot phase or in execution as a demonstration project with a documented implementation budget and schedule.

A planned measure **will be considered by DHS** in determining whether the facility's SSP meets the applicable RBPS for the facility's tier and security vulnerability issues. Planned measures not yet in place during inspection must be verified via supporting documentation. Planned measures that are approved by DHS as part of a facility's final SSP must be implemented for the facility to remain in compliance with the approved SSP.

 **FAQ Number:** 1660 **Date Published:** January 26, 2010 **Last Updated:** January 26, 2010

Question: Once I get my "final" tier, can it or will it ever change? How and why?

Answer:

A facility receives its "Final Tier" after DHS has reviewed the facility's Security Vulnerability Assessment (SVA), as well as one or more Top-Screens, and other appropriate information. When a facility receives its final tier, the facility must submit for DHS approval a proposed Site Security Plan (SSP) that will describe the security measures that will be in place at the facility. Once authorized by DHS, the SSP is an enforceable document governing security at the facility.

This does not mean that a final tier determination cannot change. Final tier determinations can be changed based on new or revised data submitted to or acquired by DHS. In general, most changes will involve moving from one final tier to a revised final tier rather than resulting in a facility exiting regulation under CFATS altogether or moving backward to a preliminarily tiered status. Examples of how a final tier determination may change include:

1. Facility operations change significantly. This could include, for example, the removal or addition of COI, changes in operations or processes, sale or transfer of the site ownership, and/or changes in vulnerabilities. Such changes typically would be site-specific and will be reviewed on a case by case basis. When a facility makes a material modification to its operations or site, it must submit a revised Top-Screen within 60 days of the material modification. Following the submission of the revised Top-Screen, DHS may require the facility to submit a revised SVA, and/or SSP, as well as supporting documentation.
2. An approved SSP has been in place for a number of years and DHS determines the plan has been successful enough to lower the facility's final tier. This may occur pursuant to the mandatory resubmission process under CFATS § 27.210(b) and after DHS review of information made available through that process.
3. DHS considers new information about a site, chemical, threat, or process that warrants revising (up or down) an existing final tier. DHS will provide appropriate notification to the facility of the reasons justifying a change in the facility's existing tier.

 **FAQ Number:** 1662 **Date Published:** May 27, 2010 **Last Updated:** June 16, 2016

Question: I have received an email notification that a CSAT Letter is available for viewing. How do I access this letter?

Answer:

To access your CSAT letter(s), log into the CSAT portal at <https://csat.dhs.gov/industry> using your CSAT username and password. Once you've logged in, you will be provided a link that reads: View My CSAT Documents. By clicking on this link you will be able to view and acknowledge receipt of all letters for which you are the Submitter.

To access your letters via the CSAT portal, you must be CVI trained, and your CVI training must be associated with your CSAT user account. If you are CVI trained, but you have not yet associated your CSAT user account with your training, you can enter your CVI authorization number and email address when you log into the CSAT portal. If you are not yet CVI trained, you may complete CVI training at <https://cvi.dhs.gov/training>. At the end of the training you can associate your CSAT user account with your CVI training.

Letters within the CSAT Document Retrieval Application are viewed using the Adobe Reader browser plug-in. If you have difficulty opening the letter, your browser plug-in may not be installed or may be configured improperly. Installing the latest version of the Adobe Reader should configure the browser plug-in and resolve your problem.



FAQ Number: 1663

Date Published: July 01, 2013

Last Updated: September 10, 2013

Question: I have a Final Tiering determination and SSP deadline, but have not yet submitted my SSP. I have also made material modifications to my site. What should I do?

Answer:

If a covered facility makes material modifications to its operations or site, the facility must complete and submit a revised Top-Screen to the Department within 60 days of completion of the material modification, as required by 6 CFR §27.210(d). Material modifications should not be addressed in the SSP unless the Department advises the facility to do so through a new Tiering Letter after the Department has received and reviewed the facility's revised Top-Screen.

DHS will review the revised Top-Screen and then notify the covered facility as to whether it is still considered a covered facility and, if so, whether the facility must submit a revised SVA, SSP, or both, in accordance with 6 CFR § 27.210(d).

If the facility has removed any Chemical of Interest (COI) from the Top-Screen, the facility should provide supporting documentation to the Department, to include the following, as applicable:

- Reason for the revised Top-Screen submission;
- Description of removal of COI(s) (e.g., sold to customers, used in process, returned to vendor);
- Receiving location(s) of COI(s);
- Documentation for permanent change of process;
- Documentation supporting closure/sale/end of lease;
- Invoices/bills of lading/inventory control forms: Material Safety Data Sheet (MSDS)/product labels, planned future inventory of COI(s);
- Substitute chemical and/or process;
- Description of management controls for future quantities of COI(s); and,
- Vendor information.

Supporting documentation for the removal of COI should be submitted to the CFATS Help Desk.

CFATS Help Desk Phone (866) 323-2957

CFATS Help Desk Fax (866) 731-2728

Email: csat@hq.dhs.gov

 **FAQ Number:** 1666 **Date Published:** May 27, 2010 **Last Updated:** May 28, 2014

Question: Does a facility have an obligation to notify DHS if the facility is closing?

Answer:

Yes. A facility closure may be considered a material modification to a covered facility. In this case, the facility must complete and submit a revised Top-Screen to the Department of Homeland Security (DHS) within 60 days of the material modification (i.e., its closure), in accordance with 6 C.F.R. § 27.210(d), *available at:* <http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&SID=5490ca42ba3517c7c9aec9c47cefc750&r=PART&n=6y1.0.1.1.11>.

When completing a revised Top-Screen, the submitter will be prompted to provide information regarding the Chemicals of Interest and a reason for the new submission. A closed facility should select the appropriate response, such as “sale or transfer,” and then provide more detail about the material modification in the free text field.

In conjunction with the revised Top-Screen, the facility may submit a “Request for Redetermination” to the Department, asking DHS to reconsider the facility’s high-risk status based on its new information. *See* 6 C.F.R. § 27.205(b), *available at:* <http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&SID=5490ca42ba3517c7c9aec9c47cefc750&r=PART&n=6y1.0.1.1.11>.

 **FAQ Number:** 1673 **Date Published:** July 21, 2010 **Last Updated:** October 26, 2010

Question: Where can I read about the current indefinite extension to the Top-Screen deadline for agricultural facilities?

Answer: On December 21, 2007, DHS issued a letter indefinitely extending the CFATS Top-Screen deadline for farmers and other agricultural facilities that use chemicals of interest (COI) for certain agricultural purposes. The letter was published in the Federal Register on January 9, 2008 (73 Fed. Reg. 1640). In that letter, DHS explained that the deadline for Top-Screens would be extended for any facility required to submit a Top-Screen *solely* because it possesses any chemical of interest, at or above the applicable screening threshold quantity, for use:

- (a) in preparation for the treatment of crops, feed, land, livestock (including poultry) or other areas of an agricultural production facility; or
- (b) during application to or treatment of crops, feed, land, livestock (including poultry) or other areas of an agricultural production facility.

The extension applies to facilities such as farms (e.g., crop, fruit, nut, and vegetable); ranches and rangeland; poultry, dairy, and equine facilities; turfgrass growers; golf courses; nurseries; floricultural operations; and public and private parks. The extension does not apply to chemical distribution facilities or commercial chemical application services.

 **FAQ Number:** 1724 **Date Published:** August 05, 2011 **Last Updated:** August 05, 2011

Question: How will a CFATS facility know if it is subject to a National Terrorism Advisory System (NTAS) Alert?

Answer:

National Terrorism Advisory System (NTAS) Alerts will be based on the nature of the threat and will provide a concise summary of the potential threat, information about actions being taken to ensure public safety, and

recommended steps that individuals, communities, businesses and governments can take to help prevent, mitigate or respond to the threat. If available, an NTAS Alert will include information about the geographic region, mode of transportation, or critical infrastructure potentially affected by the threat. Facilities regulated under CFATS are expected to be familiar with the NTAS system and monitor the system for Alerts that apply to the facility. Additionally, if an NTAS Alert is issued that impacts all or a portion of the CFATS-regulated community, DHS will notify CFATS facilities subject to the Alert.

Further information on NTAS available at: www.DHS.gov/alerts

 **FAQ Number:** 1728 **Date Published:** August 02, 2012 **Last Updated:** August 02, 2012

Question: What is the fax number to submit documents to CSAT?

Answer:

The fax number to submit documents to CSAT is 1-866-731-2728. CSAT users can use this number to submit documents such as user registrations, registering/changing a CSAT submitter role or registering preparers.

 **FAQ Number:** 1735 **Date Published:** January 20, 2015 **Last Updated:** January 20, 2015

Question: How may a corporation with multiple facilities regulated under CFATS request the corporate approach and what benefits does this provide the corporation?

Answer: The Corporate Approach is used to help corporations with multiple CFATS facilities better organize for CFATS regulated activity in order to make activity more efficient. Many corporations have security measures which are governed by the corporation rather than the facility and thus employed across multiple CFATS regulated facilities within the corporation. These may include items such as personnel surety, cybersecurity, and security policies and procedures. DHS Inspectors can document these corporate-based measures during an Authorization Inspection. This documentation may be included in the other facility case files within the same corporation and be referenced by future inspection teams. Evaluating the corporate-wide security measures can allow the inspection teams to focus on facility-specific measures while on site, thereby reducing the amount of time required for each Authorization Inspection. Each Authorization Inspection will still include a validation that the corporate measures are being employed at the facility level, but will not require an in-depth review of each measure.

In addition, corporations with numerous CFATS covered facilities may be able to work with DHS to coordinate inspection schedules. This may allow for a staggered inspection schedule, staggered Site Security Plan/Alternative Security Program SSP/ASP submissions and/or multiple inspections to take place in one week, which may provide efficiencies for both DHS and the corporation.

To begin the process of requesting a corporate approach, a corporation with two or more CFATS regulated facilities should reach out to an Inspector or Regional Director in the area where the facility's corporate headquarters is located. Another option is to contact the Compliance Case Manager responsible for the region where the majority of your facilities are located. If you do not have this information, you can reach out to the CFATS help desk at 866-323-2957 or csat@dhs.gov to request information on your local contacts.

 **FAQ Number:** 1738 **Date Published:** July 13, 2015 **Last Updated:** July 13, 2015

Question: What is the difference between the Expedited Approval Program and the Chemical Facility Anti-Terrorism Standards (CFATS) program?

Answer: The Expedited Approval Program (EAP) is part of the CFATS program. Participation in the EAP is voluntary and allows final tier 3 and tier 4 facilities to self-certify that their site security plans meet the applicable risk-

based performance standards (RBPS) and the prescriptive security measures as outlined within the DHS Guidance for the Expedited Approval Program. Facilities that participate in the EAP bypass the authorization inspection and, if accepted into the EAP, enter straight into the compliance inspection process.

6 U.S.C. § 622 (c)(4)

 **FAQ Number:** 1739 **Date Published:** July 13, 2015 **Last Updated:** July 13, 2015

Question: What is the difference between the risk based performance standards (RBPS) Guidance Document and the DHS Guidance for the Expedited Approval Program?

Answer: The risk-based performance standards (RBPS) Guidance document was developed to assist high-risk chemical facilities in selecting and implementing appropriate protective measures and practices. The document does not establish legally enforceable requirements for facilities subject to Chemical Facility Anti-Terrorism Standards (CFATS), but rather provides examples of measures and practices that a facility may choose to consider as part of its overall strategy to address the RBPS.

The DHS Guidance for the Expedited Approval Program (EAP) was developed pursuant to the CFATS Act of 2014 (The Act). The Act directed DHS to issue prescriptive guidance that “identifies specific security measures that are sufficient to meet the risk-based performance standards.” This document provides the statutorily required guidance to facilities in tiers 3 or 4 that choose to participate in the Expedited Approval Program. A security plan submitted through the EAP must comply with this prescriptive guidance or must identify any material deviations and explain how the deviations meet the RBPS in accordance with the Guidance.

 **FAQ Number:** 1741 **Date Published:** July 13, 2015 **Last Updated:** July 13, 2015

Question: I have some security measures in my Expedited Approval Program Site Security Plan that do not meet the specific requirements in the measures outlined in the Guidance for the Expedited Approval Program. Do I have material deviations? What do I do?

Answer: If a facility plans to submit a Site Security Plan (SSP) under the Expedited Approval Program (EAP) which contains security measures that do not meet the specific requirements of the measures in the guidance, then the facility has material deviations and must identify those deviations. The facility must indicate in the security plan how each materially deviating measure accomplishes the security outcomes required by the relevant portions of the applicable risk-based performance standards (RBPS). Material deviations and the relevant portions of the RBPS are described for each specific required security measure in the DHS Guidance for the Expedited Approval Program.

Refer to the example SSP in Attachment 2 of the DHS Guidance for the Expedited Approval Program for an example of a material deviation description.

6 U.S.C § 622 (c)(4)(B)(ii)

 **FAQ Number:** 1742 **Date Published:** July 13, 2015 **Last Updated:** July 13, 2015

Question: What criteria does DHS use to determine if a Site Security Plan submitted through the Expedited Approval Program is facially deficient?

Answer: DHS will find an Expedited Approval Program (EAP) Site Security Plan (SSP) to be facially deficient if it does not support a certification based on a review of the facility’s SSP, Top-Screen, Security Vulnerability Assessment (SVA), or any other information that the facility submits to DHS or that the Department obtains from a public source or other source.

If a facility fails to adequately address the relevant portions of the applicable risk-based performance standards (RBPS) for each security measure outlined in the DHS Guidance for the Expedited Approval Program, then the facility's SSP will be deemed facially deficient. Specifically, a facility's SSP will be determined facially deficient if:

A.) The facility's SSP does not include existing and/or planned measures which satisfy all applicable RBPS; or

B.) The facility materially deviates from the DHS Guidance for the Expedited Approval Program and the deviation does not comply with the security requirements of the applicable RBPS that are set forth in the Guidance; and/or

C.) The facility's SSP contains a misrepresentation, omission, or inaccurate description resulting in the facility failing to satisfy one or more applicable RBPS.

6 U.S.C. § 622 (c)(4)(G)

 **FAQ Number:** 1743 **Date Published:** July 13, 2015 **Last Updated:** July 13, 2015

Question: What happens if the Expedited Approval Program Site Security Plan for my facility is deemed facially deficient?

Answer: If your facility is deemed facially deficient, DHS will provide your facility with a written notification of the facial deficiency that outlines “a clear explanation of each deficiency in the Site Security Plan [SSP].” The letter also provides instruction on next steps for the facility. When DHS determines that an SSP submitted through the Expedited Approval Program is facially deficient, the facility must re-enter the regular CFATS process. If the facility has not previously submitted an SSP or Alternative Security Program (ASP), the facility must submit an SSP or ASP through the regular CFATS program by the date specified in the facility's letter of facial deficiency. If the facility had previously submitted an SSP or ASP before entering the EAP, the facility will re-enter the regular CFATS program at the stage at which it left the process, unless it specifically requests to begin again.

6 U.S.C. 622(c)(4)(G)

 **FAQ Number:** 1744 **Date Published:** July 13, 2015 **Last Updated:** July 13, 2015

Question: How will DHS notify me if I have a facially deficient Site Security Plan under the Expedited Approval Program?

Answer: Under the Expedited Approval Program (EAP), DHS has 100 days from the date of the submission to determine whether a Site Security Plan (SSP) is facially deficient. If DHS determines that the SSP is facially deficient, the Department will provide written notification to the facility that includes a clear explanation of each deficiency in the SSP.

6 U.S.C. § 622 (c)(4)(G)(i)

 **FAQ Number:** 1745 **Date Published:** July 13, 2015 **Last Updated:** July 13, 2015

Question: If a facility has submitted an Alternate Security Plan (ASP) in lieu of a Site Security Plan (SSP), but does not have an approval, can it still be part of the Expedited Approval Program?

Answer: Yes, any facility assigned a tier 3 or 4 prior to December 18, 2014, with a final tiering letter may participate in the Expedited Approval Program (EAP). They must submit their EAP SSP by November 13, 2015, as outlined in the Act. If the facility was assigned a tier 3 or 4 after the enactment of the Act, they too can participate, but must submit their EAP SSP by November 13, 2015, or 120 days after their tier assignment, whichever date is later. The

facility must first give DHS 30 days advanced notice that they will be submitting the site security plan and certification through the EAP. The EAP is different from the standard SSP and ASP process as it requires facilities to meet prescriptive standards. Therefore, the facility's EAP SSP must meet each applicable prescriptive measure within the DHS Guidance for the Expedited Approval Program and/or must identify any material deviations and provide clear explanations as to how the material deviations meet the relevant portions of the applicable RBPS and comparable security to the prescriptive measure within the guidance document.

6 U.S.C. § 622(c)(4)

 **FAQ Number:** 1746 **Date Published:** July 13, 2015 **Last Updated:** July 13, 2015

Question: My facility is a tier 3 or 4 and has received a final tiering letter. What is the deadline to submit my Expedited Approval Program Site Security Plan (EAP SSP)?

Answer: Facilities assigned a final tier 3 or 4 prior to December 18, 2014 (the date of enactment of the Act), that choose to submit an EAP SSP must submit the security plan no later than November 13, 2015. Facilities that are assigned a final tier 3 or 4 after the enactment of the Act have until November 13, 2015, or until 120 days after their assignment to tier 3 or 4, whichever date is later. Additionally, the facilities must notify DHS of their intent to participate in the EAP at least 30 days prior to submitting their EAP SSP.

6 U.S.C. § 622(c)(4)(D)

 **FAQ Number:** 1749 **Date Published:** July 13, 2015 **Last Updated:** July 13, 2015

Question: What is a "certification" in the Expedited Approval Program (EAP)?

Answer: A certification is a document that is required by the CFATS Act of 2014 for facilities participating in the EAP that must be signed under penalty of perjury by the owner or operator of an expedited approval facility and submitted with an EAP Site Security Plan (SSP). The owner or operator certifies to all of the elements contained in 6 U.S.C. § 622(c)(4)(C). These elements include:

A.) the owner or operator is familiar with the requirements of this subchapter and part 27 of title 6, Code of Federal Regulations, or any successor thereto, and the site security plan being submitted;

B.) the site security plan includes the security measures required by subsection (b);

C.) the security measures in the site security plan do not materially deviate from the guidance for expedited approval facilities except where indicated in the site security plan; any deviations from the guidance for expedited approval facilities in the site security plan meet the risk-based performance standards for the tier to which the facility is assigned; and the owner or operator has provided an explanation of how the site security plan meets the risk-based performance standards for any material deviation;

D.) the owner or operator has visited, examined, documented, and verified that the expedited approval facility meets the criteria set forth in the site security plan;

E.) the expedited approval facility has implemented all of the required performance measures outlined in the site security plan or set out planned measures that will be implemented within a reasonable time period stated in the site security plan;

F.) each individual responsible for implementing the site security plan has been made aware of the requirements relevant to the individual's responsibility contained in the site security plan and has demonstrated competency to carry

out those requirements;

G.) the owner or operator has committed, or, in the case of planned measures will commit, the necessary resources to fully implement the site security plan; and

H.) the planned measures include an adequate procedure for addressing events beyond the control of the owner or operator in implementing any planned measures. An example of an Expedited Approval Program Certification can be found in Attachment 1 of the Guidance for the Expedited Approval Program. This form can be used to submit the certification as well.

 **FAQ Number:** 1750 **Date Published:** July 13, 2015 **Last Updated:** July 13, 2015

Question: What happens after I submit my Expedited Approval Program Site Security Plan (EAP SSP)?

Answer: DHS has 100 days to review your facility's EAP SSP after submission. Once DHS has reviewed the EAP SSP, two immediate possible outcomes can occur.

If the review is satisfactory, DHS will issue a "letter of acceptance" that notifies the facility they have met all the requirements outlined in the Guidance. The facility will also receive a letter of acceptance if DHS fails to review the submission within 100 days. The facility will then enter the regular compliance inspection cycle.

If the review is not satisfactory, the facility will be issued a letter of facial deficiency and must re-enter the regular Chemical Facility Anti-Terrorism Standards (CFATS) process. If the facility has not previously submitted a SSP or Alternative Security Program (ASP), the facility must submit an SSP or ASP through the regular CFATS program by the date specified in the facility's letter of facial deficiency. If the facility had previously submitted an SSP or ASP before entering the EAP, the facility will re-enter the regular CFATS program at the stage at which it left the process, unless it specifically requests to begin again.

6 U.S.C. § 622(c)(4)

 **FAQ Number:** 1751 **Date Published:** July 13, 2015 **Last Updated:** July 13, 2015

Question: If my facility has been issued a "letter of acceptance" through the Expedited Approval Program (EAP), but then DHS discovers that the measures in the Site Security Plan (SSP) insufficiently meet the risk-based performance standards (RBPS) on compliance inspection, what happens?

Answer: If during a compliance inspection DHS determines that planned or implemented security measures in the facility's EAP SSP are insufficient to meet the risk-based performance standards (RBPS) based on misrepresentation, omission, or an inadequate description of the site, DHS may require additional security measures or suspend the certification of the facility and recommend additional security measures that, if made part of the SSP, would allow DHS to approve the SSP. The facility must then submit a new or modified SSP and certification. If a suspended facility fails to submit an amended EAP SSP or fails to include the necessary measures in their SSP, DHS may revoke the facility's certification.

6 U.S.C. § 622(c)(4)(G)(ii)

 **FAQ Number:** 1752 **Date Published:** July 13, 2015 **Last Updated:** July 13, 2015

Question: Who can certify a facility's Expedited Approval Program Site Security Plan (EAP SSP)?

Answer: Only the owner or operator of the facility can sign the certification for the facility's EAP SSP, per the statute.

 **FAQ Number:** 1754 **Date Published:** July 20, 2015 **Last Updated:** July 20, 2015

Question: Does a facility have to report temporary holdings of Chemicals of Interest (COI) at or above the Screening Threshold Quantity (STQ)?

Answer: Yes. A facility must file a Top-Screen to report all COI holdings at or above the STQ regardless of how long the facility is in possession of the COI. Pursuant to 6 CFR 27.210(a)(1)(i), 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 STQ. However, the Department will work with the facility to address Top-Screen, Site Vulnerability Assessment (SVA), and/or Site Security Plan (SSP) submission schedules if the facility has fluctuating COI or has known future COI holdings. See 6 C.F.R. 27.210(c).

 **FAQ Number:** 1755 **Date Published:** September 24, 2015 **Last Updated:** September 24, 2015

Question: I am the owner/operator of a farm that maintains Anhydrous Ammonia (AA) at or above the Chemical Facility Anti-Terrorism Standards (CFATS) Screening Threshold Quantity (STQ) of 10,000 lbs. for use as a refrigerant in a cold storage facility for fresh produce (fruits, vegetables, etc.). Is my facility eligible to claim the CFATS Agricultural Production Facility (APF) Top-Screen extension?

Answer: The extension applies only to APFs' use of Chemicals of Interest (COI) *in preparation for the treatment of* crops, feed, land, livestock (including poultry) or other areas of an agricultural production facility or *during application to or treatment of* crops, feed, land, livestock (including poultry) or other areas of the facility. Therefore, if your facility possesses COI at or above the STQ for any other purpose, your facility is **not** eligible to claim the CFATS APF Top-Screen extension for such COI, and you must comply with the CFATS regulation by submitting a Top-Screen.

 **FAQ Number:** 1756 **Date Published:** September 09, 2015 **Last Updated:** May 11, 2016

Question: What action is required if a facility needs to change owner and/or operator names when it is not related to a transfer of ownership?

Answer: If there are name changes related to a Chemical Facility AntiTerrorism Standards (CFATS) facility that occur for reasons other than a facility purchase (e.g., a corporate merger; a corporate realignment; a simple owner, operator, or facility name change), the Department of Homeland Security (DHS) offers the option for this information to be revised rather than requiring a new facility registration. These revisions may be made under the following conditions:

- There are no substantive changes to the chemical(s) of interest (COI) holdings or processes at the facility that would fall under the CFATS regulation.
- There are no changes to the facility that would affect the overall security posture of the facility or its vulnerabilities.

Requirements

DHS must approve this option. Please do not attempt to edit this information in CSAT yourself.

The facility must write a letter providing details about the proposed changes. The letter should contain the old and new facility name, owner, operator, and parent company, as applicable. The letter should be written on company letterhead and addressed as follows:

David Wulf, Director
Infrastructure Security Compliance Division
Office of Infrastructure Protection
MS 0610
Department of Homeland Security
Washington, DC 20528

The letter should be faxed to the CSAT Help Desk (866-731-2728).

CVI Disclosure

If any letters submitted to DHS for review contain any CVI information, the letter must be properly marked, packaged, and sent in accordance with the CFATS regulations for protection of CVI (see 6 CFR § 27.400). A copy of the CFATS regulation, including the CVI requirements in 6 CFR § 27.400, is available at <https://www.dhs.gov/critical-infrastructure-chemical-security>.

 **FAQ Number:** 1758 **Date Published:** September 24, 2015 **Last Updated:** September 24, 2015

Question: I am the owner/operator of a farm that maintains Anhydrous Ammonia (AA) at or above the Chemical Facility Anti-Terrorism Standards (CFATS) Screening Threshold Quantity (STQ) for commercial sale and distribution to facilities that then use my business's product for treatment of crops. Is my facility eligible to claim the CFATS Agricultural Production Facility (APF) Top-Screen extension?

Answer: If your facility possesses COI at or above the STQ *for commercial sale and distribution*, your facility is **not** eligible to claim the CFATS APF Top-Screen extension for such COI, and you must comply with the CFATS regulation by submitting a Top-Screen. The facilities to which your business distributes, however, may be eligible for the APF Top-Screen extension for COI used during the application or treatment of crops.

 **FAQ Number:** 1759 **Date Published:** September 24, 2015 **Last Updated:** September 24, 2015

Question: I am the owner/operator of a facility that maintains Anhydrous Ammonia (AA), Ammonium Nitrate, Potassium Nitrate, Sodium Nitrate or any other Chemical of Interest (COI) at or above the Chemical Facility Anti-Terrorism Standards (CFATS) Screening Threshold Quantity (STQ) for commercial chemical application services. Is my facility eligible to claim the CFATS Agricultural Production Facility (APF) Top-Screen extension?

Answer: If your facility possesses COI at or above the STQ *for commercial chemical application services*, your facility is **not** eligible to claim the CFATS APF Top-Screen extension for such COI, and you must comply with the CFATS regulation by submitting a Top-Screen.

 **FAQ Number:** 1760 **Date Published:** September 24, 2015 **Last Updated:** September 24, 2015

Question: I am the owner/ operator of a business that maintains Anhydrous Ammonia (AA) at or above the Chemical Facility Anti-Terrorism Standards (CFATS) Screening Threshold Quantity (STQ) for BOTH the treatment of crops and for use as a refrigerant in a cold storage facility. Is my facility eligible to claim the CFATS Agricultural Production Facility (APF) Top-Screen extension?

Answer: If your facility maintains COI at or above the STQ for use as a refrigerant, that particular use of the COI is **not** eligible for the APF Top-Screen extension. However, the portion of COI that your facility uses for treatment of crops would be eligible for the APF Top-Screen extension. Therefore, your Top-Screen would need to include only the COI at or above the STQ that is **not used for the treatment of crops**.

 **FAQ Number:** 1761 **Date Published:** February 05, 2016 **Last Updated:** February 05, 2016

Question: I have misplaced my Chemical-terrorism Vulnerability Information (CVI) certificate. How can I retrieve a copy?

Answer: You may contact the CSAT Help Desk at csat@hq.dhs.gov or 1-866-323-2957 to request a copy of your certificate. You will need to provide the Help Desk Operator your name and the email address under which you took your CVI training.

 **FAQ Number:** 1762 **Date Published:** February 05, 2016 **Last Updated:** February 05, 2016

Question: Can our company's human resources department request a change in contact information to receive the Chemical-terrorism Vulnerability Information (CVI) certificates?

Answer: No, only the CVI Authorized User can change the contact information for their CVI certificate. The CVI Authorized User may contact the CSAT Help Desk at csat@hq.dhs.gov or by phone at 1-866-323-2957 to request those changes.

 **FAQ Number:** 1763 **Date Published:** February 05, 2016 **Last Updated:** May 10, 2016

Question: Why are my Chemical-terrorism Vulnerability Information (CVI) documents and information located in my Chemical Security Assessment Tool (CSAT) account inaccessible?

Answer: You cannot view your CVI documents and information within CSAT because your CVI identification number is not synchronized with your CSAT account.

You can synchronize your accounts from either the CSAT tool, <https://csat-registration.dhs.gov/>, or the CVI training site, <https://cvi.dhs.gov/training>.

Once your CSAT User Account is associated with your CVI Authorized User training record, you will then be able to access CVI sensitive links within the CSAT application.

Note: The email address from the CVI Authorized User training record must match the email address associated with the CSAT User Account in order to complete synchronization between the CVI and CSAT accounts.

 **FAQ Number:** 1764 **Date Published:** February 05, 2016 **Last Updated:** February 05, 2016

Question: How long will a facility have to implement the approved security measures to check for terrorist ties (Risk-Based Performance Standard (RBPS) 12(iv)) in its Site Security Plan (SSP)/Alternative Security Program (ASP)?

Answer: The Department will expect that, unless otherwise noted in an approved SSP or ASP, the security measures necessary to check for terrorist ties will be completed within 60 days of approval of the facility's modified SSP/ASP. A facility may also suggest alternative schedules based on the unique circumstances in the facility's SSP/ASP.

Note: DHS has the authority to require facilities to implement this program after the facility receives a Letter of Authorization authorizing an SSP/ASP without a condition for RBPS 12(iv); however, DHS is not exercising this authority at this time.

 **FAQ Number:** 1765 **Date Published:** February 05, 2016 **Last Updated:** February 05, 2016

Question: What does a facility need to do to comply with the Chemical Facility Anti-Terrorism Standards (CFATS) Personnel Surety Program requirements that are in effect now that the program has been implemented?

Answer: DHS recommends that facilities familiarize themselves with the contents of the notice of implementation available at <https://www.federalregister.gov/articles/2015/12/18/2015-31625/chemical-facility-anti-terrorism-standards-personnel-surety-program>, but no action is required until the facility is contacted by the Department.

Because DHS is rolling out the Personnel Surety Program in a phased manner, facilities should wait to be contacted by the Department before altering their Site Security Plan (SSP)/Alternative Security Program (ASP). The Department will be contacting Tier 1 and 2 facilities on an individual basis, walking them through the necessary information to add to their SSP/ASP, and providing an optional supplement that identifies the information the Department will require in order to make a determination on the facility's ability to satisfy Risk-Based Performance Standard (RBPS) 12(iv).

 **FAQ Number:** 1766 **Date Published:** February 05, 2016 **Last Updated:** February 05, 2016

Question: Does DHS allow facilities to contract out the submission of information under Option 1 or Option 2 for the Personnel Surety Program in Risk-Based Performance Standards (RBPS) 12(iv) to third parties?

Answer: Facilities have the flexibility to decide how to implement the requirement to vet facility personnel and unescorted visitors with or seeking access to restricted areas and critical assets at high-risk chemical facilities. This could include designating a third party or multiple third parties (e.g., contractors) to perform this submission.

 **FAQ Number:** 1767 **Date Published:** February 05, 2016 **Last Updated:** February 05, 2016

Question: Will the facility be notified if the Department learns that an affected individual has terrorist ties?

Answer: To prevent a significant threat to a facility or loss of life, a high-risk chemical facility will be contacted where appropriate and in accordance with federal law and policy and law enforcement and intelligence requirements.

 **FAQ Number:** 1768 **Date Published:** February 05, 2016 **Last Updated:** February 05, 2016

Question: When will DHS grant access to the Chemical Security Assessment Tool (CSAT) Personnel Surety Program application if a facility chooses to meet Risk-Based Performance Standard (RBPS) 12(iv) by selecting Option 1 or Option 2 in its Site Security Plan (SSP)/Alternative Security Program (ASP)?

Answer: The Department will grant access to the CSAT Personnel Surety Program application when the Department approves an SSP/ASP without an RBPS 12(iv) condition. At that time, the facility will be informed it may begin submitting information about affected individuals.

 **FAQ Number:** 1769 **Date Published:** February 12, 2016 **Last Updated:** February 12, 2016

Question: My facility must perform background checks in accordance with the Risk-Based Performance Standard (RBPS) 12 "Personnel Surety" on affected individuals. Who is an affected individual?

Answer: Pursuant to the Chemical Facility Anti-Terrorism Standards(CFATS), Personnel Surety protocol requires facilities to "perform appropriate background checks on and ensure appropriate credentials for facility personnel, and as appropriate, for unescorted visitors with access to restricted areas and critical assets, including, (i) measures designed to verify and validate identity; (ii) measures designed to check criminal history; (iii) measures designed to verify and validate legal authorization to work; and (iv) measures designed to identify people with terrorist ties." See 6 C.F.R. § 27.230(a)(12), available at: <http://www.ecfr.gov/cgi-bin/text-idx?SID=7fd8c9c0535dd4f50a6b2361f7c2940a&mc=true&node=pt6.1.27&rgn=div5>.

The CFATS rule requires two categories of individuals to undergo background checks. The Department refers to these as "affected individuals." Specifically, affected individuals are:

- Facility personnel who have or are seeking access, either unescorted or otherwise, to restricted areas or critical assets; and
- Unescorted visitors who have or are seeking access to restricted areas or critical assets.

The regulatory text makes no distinction between facility personnel who are escorted and facility personnel who are unescorted, and uses the term “unescorted” to modify only the noun “visitors.” As such, if facility personnel have access, either unescorted or escorted, to restricted areas or critical assets, they are deemed to be affected individuals who must be screened for the purposes of the Personnel Surety protocol.

 **FAQ Number:** 1770

Date Published: May 24, 2016

Last Updated: May 24, 2016

Question: Can Chemical-terrorism Vulnerability Information (CVI) be released under the Freedom of Information Act (FOIA)?

Answer: No. Notwithstanding the Freedom of Information Act or FOIA (5 U.S.C. 552), the Privacy Act (5 U.S.C. 552a), and other laws, in accordance with the Homeland Security Act as amended by the Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014, [Public Law 113-254](#), and 6 C.F.R. § 27.400(g), records containing CVI are not available for public inspection or copying, and the Department does not release such records to persons without a need to know.

Further, as provided in 6 C.F.R. § 27.405, no law, regulation, or administrative action of a State or political subdivision thereof shall have any effect if such law or regulation conflicts with the Chemical Facility Anti-Terrorism Standards (CFATS). Requests for CVI under State or local FOIA or open records laws should be referred to the DHS National Protection and Programs Directorate (NPPD) Information Management and Disclosure Office, NPPD.FOIA@hq.dhs.gov.

If a record contains both information that may not be disclosed under Public Law 113-254 and information that may be disclosed, the latter information may be provided in response to a FOIA request, provided that the record is not otherwise exempt from disclosure under FOIA and that it is practical to redact the protected CVI from the requested record.

Note: Please refer to the “Safeguarding Information Designated as Chemical-terrorism Vulnerability Information (CVI) Handbook” for more information. The Handbook is available at <https://www.dhs.gov/publication/safeguarding-information-cvi-manual>.

 **FAQ Number:** 1771

Date Published: April 13, 2016

Last Updated: April 13, 2016

Question: What documentation will I be asked to provide or make available for the inspector during an Expedited Approval Program (EAP) Compliance Inspection (CI)?

Answer: The documents and materials an inspector may request from a facility during an EAP CI will not differ from the documents and materials that are requested of a facility during a regular compliance inspection. Documents that may be requested will be material which supports the facility’s implementation of their EAP Site Security Plan (SSP) and demonstrates the facility’s compliance with the Chemical Facility Anti-Terrorism Standards (CFATS).

 **FAQ Number:** 1772

Date Published: April 13, 2016

Last Updated: April 13, 2016

Question: Who will conduct the Chemical Facility Anti-Terrorism Standards (CFATS) Compliance Inspections for facilities in the Expedited Approval Program (EAP)?

Answer: The Department may conduct EAP Compliance Inspections using (i) employees of DHS, (ii) non-departmental or nongovernmental personnel approved by the Secretary and in coordination with DHS personnel, or (iii) a combination of these two types of personnel. Currently, all inspections are conducted by DHS Chemical Security Inspectors located in all 10 regions of the United States.

 **FAQ Number:** 1773

Date Published: October 04, 2016

Last Updated: October 04, 2016

Question: “Solid ammonium nitrate,” in the Chemicals of Interest (COI) column of Appendix A, is listed as “Ammonium nitrate, solid [nitrogen concentration of 23% nitrogen or greater]” and has a minimum concentration of 33% under the Theft/Diversion security issue. In calculating whether a facility has a Screening Threshold Quantity (STQ) of solid ammonium nitrate in a mixture, does the facility look at the percentage of the nitrogen in the mixture or the percentage of the ammonium nitrate in the mixture?

Answer: Facilities should use the percentage of solid ammonium nitrate in a mixture to determine whether the mixture meets the minimum concentration of 33% to be counted towards the STQ. If a facility possesses solid ammonium nitrate in a mixture, the facility must count the entire weight of the mixture towards the STQ for solid ammonium nitrate if (1) the percentage of solid ammonium nitrate in the mixture is at or above 33% (the minimum concentration for solid ammonium nitrate listed in Appendix A) and (2) the mixture is in transportation packaging. See 6 C.F.R. 27.203(c) and 204(b).

The parenthetical phrase on Appendix A under solid ammonium nitrate, “nitrogen concentration of 23% nitrogen or greater,” refers to the chemical composition of the ammonium nitrate, which is always greater than 23% nitrogen. Facilities should NOT use the nitrogen concentration in a mixture to determine whether the mixture meets the minimum concentration requirements to be counted towards the STQ.



Homeland Security | CFATS Knowledge Center

Article Number: 1661

Date Published: November 19, 2010

Last Updated: November 19, 2010

Subject: What is the definition of A Commercial Grade (ACG) for the purposes of CFATS? Specifically, under Appendix A of the Chemical facility Anti-Terrorism Standards (CFATS), 6 CFR Part 27, if a chemical facility manufactures or otherwise possesses a Theft/Diversion or Sabotage chemical of interest (COI) but does not directly offer the

Abstract: Under 6 CFR §§ 27.204(b)(3) and 27.204(c), a facility must count all “commercial grades” of any Theft/Diversion COI (in transportation packaging) that could be used to produce explosives or to produce improvised explosive devices (IED) or precursors (Theft/Diversion-EXP/IEDP) as well as any Sabotage COI which the facility ships and placards. The facility must count the entire quantity of all such COI in its possession unless the COI has a specific minimum concentration level listed in Appendix A, in which case only the quantity of the COI exceeding that minimum concentration needs to be counted.

Article:

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Under 6 CFR §§ 27.204(b)(3) and 27.204(c), a facility must count all “commercial grades” of any Theft/Diversion COI (in transportation packaging) that could be used to produce explosives or to produce improvised explosive devices (IED) or precursors (Theft/Diversion-EXP/IEDP) as well as any Sabotage COI which the facility ships and placards. The facility must count the entire quantity of all such COI in its possession unless the COI has a specific minimum concentration level listed in Appendix A, in which case only the quantity of the COI exceeding that minimum concentration needs to be counted.

Section 27.105 of CFATS defines “a commercial grade” as “any quality or concentration of a chemical of interest offered for commercial sale that a facility uses, stores, manufactures or ships.” Some facilities have suggested that this definition means that if a facility does not directly offer a Theft/Diversion-EXP/IEDP or Sabotage COI for sale in commerce, the facility is not required to count that COI under Appendix A, even if that chemical is later offered for commercial sale by another entity. That is not correct.

First, the definition of “a commercial grade” in § 27.105 refers to a COI that a facility “uses, stores, manufactures or ships.” Significantly, the definition does not specify that the facility itself “sells” the chemical. In fact, since the definition includes a facility that “uses” the chemical, it follows that such a facility must count the COI—assuming it meets the other criteria in the definition – even if it completely uses all of the chemical and thus has no COI left over to sell to any other entity. If DHS had intended the definition to apply only to facilities that sell the chemical, it would have been unnecessary to include the words “uses, manufactures, stores or ships” at all. Instead, the definition would simply have stated that the term applies to a chemical that a facility offers for commercial sale.

Moreover, to read the definition as applying only to a facility that actually sells the chemical in question would be illogical and hinder the purposes for which the regulations were written. Under such a narrow reading, for example, a warehouse that contracts with another entity to store large quantities of a Theft/Diversion-EXP/IEDP COI (in transportation packaging that is readily susceptible to theft and use by a terrorist), but that does not actually sell the chemical in commerce, would not be required to count the COI or file a Top-Screen as long as the warehouse—even if the warehouse otherwise would be considered a high-risk facility under CFATS. DHS clearly did not intend such a facility to be excluded from Appendix A and the Top-Screen requirement.

In addition, the phrase “that is offered for commercial sale” in the definition refers to and modifies the words “chemical of interest;” it does not refer to the “facility.” That is, the language in the definition only requires that the chemical in question be offered for sale, not that a particular facility that possesses the chemical must offer it for sale.

Thus, any facility that uses, manufactures, stores or ships a Theft/Diversion-EXP/IEDP or Sabotage chemical of interest that is intended to be and is offered for commercial sale must count that chemical toward the applicable STQ, even if that facility does not directly sell the chemical itself. This is true whether the sale occurs before or after the point at which the facility in question possesses the chemical. For example, a facility that manufactures such a chemical for later sale by another entity under an arrangement whereby the manufacturer does not actually “sell” the chemical to anyone else must count the chemical toward the applicable STQ. Similarly, a research facility that buys such a chemical in a commercial sale—or acquires the chemical in some other manner from an entity that did buy it—and then uses the entire quantity of the chemical itself, without reselling any of it, must count the chemical toward the applicable STQ.

The definition of “a commercial grade” first refers to a “quality or concentration” of a COI that is offered for commercial sale. That is, the quality of the chemical is what makes it potentially suitable and attractive for use by a terrorist to create an explosion or produce an IED or an IED precursor. A COI that exists in a quality and/or concentration level suitable for commercial sale is more likely to be attractive and readily usable by a terrorist, through Theft or Sabotage, than a chemical lacking such qualities. Whether or not the specific COI is actually offered for commercial sale by the facility in question is not crucial to a terrorist who plans to steal, divert or sabotage the chemical.



Homeland Security | CFATS Knowledge Center

Article Number: 1667

Date Published: July 01, 2010

Last Updated: July 01, 2010

Subject: Consolidating CSAT User Accounts

Abstract: If multiple usernames have been established for the same individual, a user may combine user accounts once each of the usernames and passwords are received from DHS. (Please see notes below regarding Reviewer role)

The user can combine the accounts and eliminate the duplicates through the CSAT Manage My Account application on the CSAT Portal. In order to combine the accounts the user must be logged in with the username they wish to eliminate.

The option, Transfer My Responsibilities will then prompt the user to Check All or select a portion of the facilities and related roles associated with the username to be transferred.

The user may then select the option to Transfer to Existing CSAT User and enter the CSAT Username and phone number associated with the desired User Account.

Once all roles and all facilities are transferred, the user account will be closed and no longer enable the user to access to the CSAT system.

This process may be repeated until each of the duplicate User Accounts is transferred to the desired User Account.

Depending on the version of the User's browser, the CSAT Portal may support concurrent sessions for the same user account on the same computer. However due to the way a browser may stores cookies, the application may update both sessions with the information from the most recently navigated session.

NOTES:

- A "Reviewer" role can NOT be combined with other CSAT roles into a single username due to the different privileges that the Reviewer role holds.
-

Article:



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Consolidating CSAT User Accounts

If multiple usernames have been established for the same individual, a user may combine user accounts once each of the usernames and passwords are received from DHS. (*Please see notes below regarding Reviewer role.*)

The user can combine the accounts and eliminate the duplicates through the **CSAT Manage My Account** application on the CSAT Portal. In order to combine the accounts the user *must be logged in with the username they wish to eliminate.*

The option, **Transfer My Responsibilities** will then prompt the user to **Check All** or select a portion of the facilities and related roles associated with the username to be transferred.

The user may then select the option to **Transfer to Existing CSAT User** and enter the CSAT Username and phone number associated with the desired User Account.

Once all roles and all facilities are transferred, the user account will be closed and no longer enable the user to access to the CSAT system.

This process may be repeated until each of the duplicate User Accounts is transferred to the desired User Account.

Depending on the version of the User's browser, the CSAT Portal may support concurrent sessions for the same user account on the same computer. However due to the way a browser may stores cookies, the application may update both sessions with the information from the most recently navigated session.

NOTES:

- A "Reviewer" role can *NOT* be combined with other CSAT roles into a single username due to the different privileges that the Reviewer holds.

A copy of the **CSAT Account Management User Guide** and other guidance documents are available at www.dhs.gov/chemicalsecurity.



Homeland Security | CFATS Knowledge Center

Article Number: 1668

Date Published: July 01, 2010

Last Updated: July 13, 2010

Subject: CSAT User Account Passwords

Abstract: Usernames and passwords will be distributed via email to newly registered users as soon as the CSAT User Registration or Transfer of Responsibilities has been verified and activated. The user will receive two e-mails: (1) a CSAT Username and the URL to access the CSAT Top Screen application and (2) a temporary CSAT password, which must be changed upon entry to the CSAT Application. When using a DHS issued temporary password, it is best to copy and paste the username and password from the emails.

Once the temporary password has been entered, the Change Password screen will prompt the user to change the password by entering the temporary password in the Old Password field and a new password of the user's choosing in the New Password field and again in the Confirm New Password field. A new password must include at least 8 characters including at least one uppercase letter, one lowercase letter, a number, and a special character (e.g., .;!"_@#\$%^*).

Once the password is successfully changed, the user will see the Sign-In screen, which will indicate there is an error. The user will again be prompted to enter the User Name and new Password to gain access into the CSAT Portal. Each subsequent entry into the CSAT Portal will require this User Name and Password.

Please retain and protect your password for access to the CSAT Portal.

For security reasons passwords will expire after 90 days. If the password expires, the users will have one opportunity to log in with the expired password and enter a new password by following the steps outlined above for changing the password.

A user should contact the CSAT help desk at csat@dhs.gov or 1-866-323-2957 if a CSAT User Account email is not received within a reasonable time or to reset a password. Password resets are processed in the order in which they are received. NOTE: The Help Desk will only provide assistance to the owner of the CSAT User Account for which the password reset or password related assistance is being requested. Assistance with CSAT User Accounts cannot be provided to anyone acting on behalf of a current CSAT User.

Article:

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CSAT User Account Passwords

Usernames and passwords will be distributed via email to **newly registered users** as soon as the *CSAT User Registration* or *Transfer of Responsibilities* has been verified and activated. The user will receive two e-mails: (1) a CSAT Username and the URL to access the CSAT Top Screen application and (2) a temporary CSAT password, which must be changed upon entry to the CSAT Application. When using a DHS issued temporary password, it is best to copy and paste the username and password from the emails.

Once the temporary password has been entered, the *Change Password* screen will prompt the user to change the password by entering the temporary password in the *Old Password* field and a new password of the user's choosing in the *New Password* field and again in the *Confirm New Password* field. A new password must include at least 8 characters including at least one uppercase letter, one lowercase letter, a number, and a special character (e.g., ., ., .;!"_@#\$\$%^*).

Once the password is successfully changed, the user will see the *Sign-In* screen, which will indicate there is an error. The user will again be prompted to enter the *User Name* and new *Password* to gain access into the CSAT Portal. Each subsequent entry into the CSAT Portal will require this User Name and Password.

Please retain and protect your password for access to the CSAT Portal.

For security reasons passwords will expire after 90 days. If the password expires, the users will have one opportunity to log in with the expired password and enter a new password by following the steps outlined above for changing the password.

A user should contact the **CSAT help desk** at csat@dhs.gov or **1-866-323-2957** if a CSAT User Account email is not received within a reasonable time or to reset a password. Password resets are processed in the order in which they are received. **NOTE:** The Help Desk will only provide assistance to the owner of the CSAT User Account for which the password reset or password related assistance is being requested. Assistance with CSAT User Accounts cannot be provided to anyone acting *on behalf of* a current CSAT User.

A copy of the **CSAT Account Management User Guide** and other guidance documents are available at www.dhs.gov/chemicalsecurity.



Homeland Security | CFATS Knowledge Center

Article Number: 1669

Date Published: July 02, 2010

Last Updated: July 02, 2010

Subject: How DHS "Tiers" Chemical Facilities

Abstract: The term "tier" refers to the risk level associated with a facility covered under the Chemical Facility Anti-Terrorism Standards (CFATS) and is assigned to a facility by the Department.

Certain chemical facilities pose higher security risks than others due to the dynamic nature of the chemical industry, their processes, and other factors. Rather than apply a one-size-fits-all regulatory approach, DHS has established a risk-based approach that takes into account the varying levels of consequence, vulnerability, and threat that facilities present. This approach allows the facilities to establish an appropriate set of security measures commensurate with their specific risks. By establishing risk-based tiers, each facility will be able to select implementation security measures that are commensurate with the level of risk posed by that facility. The risk-based tiering structure also allows the Department to prioritize its efforts on the highest risk facilities

CFATS requires chemical facilities to provide DHS with information to determine whether they present a high-risk and therefore are required to implement security measures that meet applicable risk-based performance standards (RBPSs). Based on an assessment of the information a facility submits to the Department, including information submitted through the CSAT Top-Screen, the Department will make an initial determination on whether the facility is considered high-risk.

Facilities that are not considered high-risk are notified of that determination and are not required to comply further with CFATS (unless they are required to file new Top-Screens based on the acquisition or possession of new COI). For a facility that the Department initially determines to be high-risk, however, the Department will place the facility into one of four preliminary risk-based tiers ranging from Tier 1 (highest-risk) to Tier 4 (lower-risk). Preliminary tiering is based largely upon consequence modeling at the facility. Facilities that are issued a preliminary risk-based tier are then required to complete a CSAT Security Vulnerability Assessment (SVA). The SVA collects more in-depth information about the facility that allows DHS to assign the facility to a final risk tier. This in-depth information allows for the calculation of vulnerability, consequence and threat values (including data held by the Federal Government). The Department reviews the SVA to determine whether it continues to consider the facility to be high-risk, and if so, will issue the facility a final tiering determination. The final tier

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**Homeland
Security**

How DHS “Tiers” Chemical Facilities

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The Department’s tiering algorithm is classified, but the presence or quantity of a particular chemical of interest (COI) listed in Appendix A is not the sole factor in determining a facility’s tier, nor is it an indicator of a facility’s eventual or continued coverage under the rule. The Department considers various factors in making both preliminary and final tiering determinations, including potential risk to human health and national security from a successful attack on the facility.

If you have any questions about CFATS, please contact the CSAT Help Desk by phone at 866-323-2957 or use the CSAT Help Desk Web Form at http://www.dhs.gov/files/programs/gc_1169501486197.shtm.

A copy of the CFATS regulation, the Appendix A Chemicals of Interest list, and various guidance documents are available at www.dhs.gov/chemicalsecurity.



Homeland Security | CFATS Knowledge Center

Article Number: 1670

Date Published: July 02, 2010

Last Updated: May 28, 2014

Subject: How DHS Notifies a Facility of Its Preliminary or Final Tiering

Abstract: Based on the information the Department receives in accordance with § 27.200 and § 27.205 (including information submitted through the Top-Screen), the Department makes a preliminary determination as to a facility's placement in a risk-based tier (preliminary determination of high-risk). The Department shall notify a facility of the Department's preliminary determination of the facility's placement in a risk-based tier (ranging from highest risk facilities in Tier 1 to lowest risk facilities in Tier 4).

The covered facility will receive written notification of the Department's preliminary determination of the facility's placement in a risk-based tier. The Submitters that receive a notification of, "A New CSAT Letter is Available for Your Facility Survey XXXXXXXX", must access the DHS communication electronically via the CSAT Portal. Unless otherwise notified, a covered facility must complete and submit a Security Vulnerability Assessment (SVA) within 90 calendar days of written notification from the Department or within the time frame specified in any subsequent Federal Register notice.

The SVA is designed to identify and assess the security of a facility's critical assets in light of the security issues raised by DHS in the preliminary tier determination letter.

Following review of a covered facility's SVA, the Assistant Secretary shall notify the covered facility of its final placement within a risk-based tier, or for covered facilities previously notified of a preliminary tiering, confirm or alter such tiering. The Department shall place covered facilities in one of four risk-based tiers, ranging from highest risk facilities in Tier 1 to lowest risk facilities in Tier 4.

The covered facility will receive written notification of the Department's confirmation or alteration of risk-based tiering (final determination of high-risk letter). The Submitters that receive a notification of, "A New CSAT Letter is Available for Your Facility Survey XXXXXXXX", must access the DHS communication electronically via the CSAT Portal.

Unless otherwise notified, a covered facility must complete and submit a Site Security Plan within 120 calendar days of written notification from the Department or within the time frame specified in any subsequent Federal Register notice.

Covered facilities must satisfy the performance standards identified in 6 CFR 27.230. The Assistant Secretary will issue guidance on the application of these standards to risk-based tiers of covered facilities, and the

Article:



Homeland Security

How DHS Notifies a Facility of Its Preliminary or Final Tiering

Preliminary Determination of Risk-Based Tiering

Based on the information the Department receives in accordance with § 27.200 and § 27.205 (including information submitted through the Top-Screen), the Department makes a preliminary determination as to a facility's placement in a risk-based tier (preliminary determination of high-risk). The Department shall notify a facility of the Department's preliminary determination of the facility's placement in a risk-based tier (ranging from highest risk facilities in Tier 1 to lowest risk facilities in Tier 4).

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Confirmation or Alteration of Risk-Based Tiering:

Following review of a covered facility's SVA, the Assistant Secretary shall notify the covered facility of its final placement within a risk-based tier, or for covered facilities previously notified of a preliminary tiering, confirm or alter such tiering. The Department shall place covered facilities in one of four risk-based tiers, ranging from highest risk facilities in Tier 1 to lowest risk facilities in Tier 4.

The covered facility will receive written notification of the Department's confirmation or alteration of risk-based tiering (final determination of high-risk letter). The Submitters that receive a notification of, "A New CSAT Letter is Available for Your Facility Survey XXXXXXXX", must access the DHS communication electronically via the CSAT Portal.

Unless otherwise notified, a covered facility must complete and submit a Site Security Plan within 120 calendar days of written notification from the Department or within the time frame specified in any subsequent Federal Register notice.

Covered facilities must satisfy the performance standards identified in 6 CFR 27.230. The Assistant Secretary will issue guidance on the application of these standards to risk-based tiers of covered facilities, and the acceptable layering of measures used to meet these standards will vary by risk-based tier. Each covered facility must select, develop in their Site Security Plan, and implement appropriately risk-based measures designed to satisfy the performance standards outlined in 27.230(a).

Accessing CSAT Letters:

To access communications regarding Risk-Based Tiering, the Submitter must log into the CSAT portal at <https://csat.dhs.gov/csat> using his/her CSAT username and password. The Submitter must be a CVI Authorized User, and the Submitter's CVI number must be associated with his/her CSAT user account.

Once these conditions have been met, you will see the new link, “View My CSAT Letters”, that allows you to view and acknowledge available letter(s).

NOTES: If you are *not yet CVI trained*, you may complete CVI training at https://csat.dhs.gov/cvi_training. At the end of the training you can associate your CSAT user account with your CVI training. If you are a *CVI Authorized User and trained*, but you have not yet associated your CSAT user account with your training, you can enter your CVI authorization number and email address when you login to the CSAT portal.

If you have any questions about CFATS, please contact the CSAT Help Desk by phone at 866-323-2957 or use the CSAT Help Desk Web Form at http://www.dhs.gov/files/programs/gc_1169501486197.shtm.

A copy of the CFATS regulation, Appendix A Chemicals of Interest List, and other guidance documents are available at www.dhs.gov/chemicalsecurity.



Homeland Security | CFATS Knowledge Center

Article Number: 1719

Date Published: December 21, 2010

Last Updated: December 21, 2010

Subject: Colleges & Universities And the Chemical Facility Anti-Terrorism Standards (CFATS) Brochure

Abstract: Colleges & Universities And the Chemical Facility Anti-Terrorism Standards (CFATS) Brochure

Article:

Colleges & Universities

And the Chemical Facility Anti-Terrorism Standards (CFATS)

July 2010

Introduction

Colleges and universities in the United States conduct some of the world's most important research in chemistry, medicine and other fields. These institutions frequently possess chemicals of interest that are regularly used, stored, or even made in:

- chemistry labs,
- research facilities,
- field houses,
- pool complexes, and
- agricultural, medical, and other campus facilities.

Unfortunately, many of these same chemicals have the potential to be deliberately diverted, released, or otherwise misused by terrorists. Appendix A to the Chemical Facility Anti-Terrorism Standards (CFATS) regulations lists over 300 Chemicals of Interest (COI) that DHS believes may pose significant risks to human life or health if misused by terrorists. DHS uses this list as part of the CFATS process to identify, assess, and secure high-risk facilities. Colleges and universities are among the many types of facilities that possess COI for legitimate uses, and DHS may determine some to be high-risk facilities subject to CFATS.

Chemicals of Interest

Appendix A to CFATS lists over 300 COI that are organized by security and vulnerability issues – specifically, COI that a terrorist could: steal, divert, or otherwise acquire to use as a weapon at another time and place (Theft/Diversion COI); or sabotage or contaminate to explode or release in transit (Sabotage COI); or release as an explosive or to form a flammable or toxic cloud (Release COI).

What is a Facility under CFATS?

A chemical facility is defined in 6 CFR Part 27 as “any establishment that possesses or plans to possess, at any relevant point in time, a quantity of a chemical substance determined by the Secretary to be potentially dangerous or that meets other risk-related criteria identified by the Department.” How a high-risk “facility” is defined and secured depends on the outcome of DHS’ assessment process and dialogue with the facility. DHS recognizes, for example, that colleges and universities are made up of many individual buildings, operations, and areas – only some of which may possess COI.

Under CFATS, all final high-risk facilities have the flexibility to select and implement security measures in their Site Security Plan (SSP) - subject to approval by the Department - that are appropriate to the facilities' circumstances and satisfy the risk-based performance standards. DHS works with all high-risk facilities to ensure they have tailored their security measures to address their tier level, site conditions, and other facility-specific issues. A college or university with a high-risk facility on campus - such as a research complex - may decide, for example, to implement appropriate security measures only at the high-risk "facility," as opposed to the entire campus.

The Top-Screen

The Top-Screen is an online questionnaire that collects basic information about a facility's location and operations and is used by DHS to preliminarily determine if the facility is high risk. Any facility that possesses a COI at or above the applicable screening threshold quantities (STQ) listed in Appendix A of CFATS must complete and submit a Top-Screen to DHS within 60 calendar days of coming into possession of COI.

Release COI used in a laboratory under the supervision of a "technically qualified individual" need not be counted toward a facility's STQ. For more information on this provision, please refer to §27.203 (b)(2) of the CFATS regulations or call the DHS CFATS Help Desk at 866-323-2957.

When preparing a Top-Screen, the Chemical Hygiene Officer, Environmental Manager, Risk Manager, and other staff are valuable resources for providing information about COI on campus. Campus security personnel are another valuable resource for completing the CFATS Security Vulnerability Assessment (SVA) and SSP, if required.

Compliance and Enforcement

The CFATS regulation provides that if DHS believes any facility is in violation of the regulation, the Department may issue an appropriate order to the facility specifying the violation and steps that must be taken to correct the noncompliance. Violation of such a compliance order may result in additional orders assessing civil penalties of \$25,000 per day per violation and/or requiring the facility to cease operations.

6 CFR Part 27

Section 550 of the DHS Appropriations Act of 2007 grants DHS the authority to regulate chemical facilities that "present high levels of security risk." The Chemical Facility Anti-Terrorism Standards (CFATS) final rule, published in the Code of Federal Regulations on April 9, 2007, established a risk-based

performance standard approach to screening and securing chemical facilities determined by DHS to be “high risk.” CFATS requires facilities that possess Chemicals of Interest (COI) at or above applicable screening threshold quantities (STQ) to complete Top-Screen questionnaires. After reviewing the Top-Screen, DHS assigns each facility that is initially determined to be high risk to a preliminary tier.

Each preliminarily high-risk facility is then required to submit a Security Vulnerability Assessment (SVA). Facilities still deemed high risk after DHS’ review of the SVA are notified of their final tier and required to complete a Site Security Plan (SSP) that meets the CFATS risk-based performance standards. CFATS allows some chemical facilities to submit Alternative Security Programs (ASPs) in lieu of the CFATS SVA, and all facilities may submit an ASP in lieu of an SSP. DHS Inspectors will visit each high-risk facility and verify the facility’s adherence with the SSP before final DHS approval.

Note that Section 550 of the DHS Appropriations Act of 2007 specifically exempts: 1) facilities regulated under the Maritime Transportation Security Act; 2) facilities owned or operated by the Department of Defense or Department of Energy; 3) facilities regulated by the Nuclear Regulatory Commission; and 4) 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).

Questions?

**For more information, contact
CFATS Help Desk: 1-866-323-2957
or csat@dhs.gov**

or visit us at www.dhs.gov/chemicalsecurity

**U.S. Department of Homeland Security
Office of Infrastructure Protection
Infrastructure Security Compliance Division
Mail Stop 8100
245 Murray Lane, Building 410
Washington, DC 20528**



Homeland Security | CFATS Knowledge Center

Article Number: 1722

Date Published: July 06, 2011

Last Updated: July 25, 2011

Subject: DHS Notifies Chemical Facilities of Revised Tiering Assignments

Abstract: In the last week, the Department of Homeland Security (DHS) has communicated with chemical sector organizations and individually notified certain high-risk facilities of revised tiering assignments affecting a limited number of facilities covered under the CFATS program.

Article:

For questions and assistance, please call the CFATS Helpdesk at 1-866-323-2957

Monday - Friday 7:00a.m. - 7:00p.m., Eastern Time

Not open on federal holidays

2016-11-01 15:59



**Homeland
Security**

DHS Notifies Chemical Facilities of Revised Tiering Assignments

July 5, 2011

In the last week, the Department of Homeland Security (DHS) has communicated with chemical sector organizations and individually notified certain high-risk facilities of revised tiering assignments affecting a limited number of facilities covered under the CFATS program.

DHS uses risk assessment computer programs to help DHS identify facilities that are high-risk. Following a DHS review of the results of one of the risk assessment tools that revealed some apparent anomalies, the Department replaced modeling data in one part of the tool, potentially affecting the tiering assignments for facilities with certain chemical holdings. DHS subsequently re-evaluated the tiering assignments for those facilities and adjusted the tiering in some cases.

None of the affected facilities will receive a higher-risk tier assignment as a result of this re-evaluation. In fact, many will be assigned to lower risk tiers or no longer be subject to CFATS regulation. In order to facilitate compliance with the CFATS program, DHS continues to offer a variety of assistance tools, including a help desk, Web-based tools and seminars, and on-site visits to all covered facilities.



Homeland Security | CFATS Knowledge Center

Article Number: 1723

Date Published: August 05, 2011

Last Updated: August 05, 2011

Subject: Application of the National Terrorism Advisory System (NTAS) to CFATS Facilities

Abstract: The National Terrorism Advisory System, or NTAS, has replaced the color-coded Homeland Security Advisory System (HSAS). This new system will more effectively communicate information about terrorist threats by providing timely, detailed information to the public, government agencies, first responders, airports and other transportation hubs, and the private sector.

Article:

For questions and assistance, please call the CFATS Helpdesk at 1-866-323-2957

Monday - Friday 7:00a.m. - 7:00p.m., Eastern Time

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**Homeland
Security**

Application of the *National Terrorism Advisory System (NTAS)* to CFATS Facilities

The National Terrorism Advisory System (NTAS)

The National Terrorism Advisory System, or NTAS, has replaced the color-coded Homeland Security Advisory System (HSAS). This new system will more effectively communicate information about terrorist threats by providing timely, detailed information to the public, government agencies, first responders, airports and other transportation hubs, and the private sector.

This transition may require covered facilities to make minor adjustments to comply with applicable CFATS requirements regarding Elevated Threats.

NTAS Alerts

NTAS Alerts will only be issued when credible information is available. These alerts will include a clear statement that there is an **imminent threat** or **elevated threat**. Using available information, the alerts will provide a concise summary of the potential threat, information about actions being taken to ensure public safety, and recommended steps that individuals, communities, businesses and governments can take to help prevent, mitigate or respond to the threat.

The NTAS Alerts will be based on the nature of the threat, including, if available, the geographic region, mode of transportation, or critical infrastructure potentially affected by the threat; protective actions being taken by authorities, and steps that individuals and communities can take to protect themselves and their families, and help prevent, mitigate or respond to the threat.

NTAS Alerts will contain a sunset provision indicating a specific date when the alert expires - there will not be a constant NTAS Alert or blanket warning that there is an overarching threat. If threat information changes for an alert, the Secretary of Homeland Security may announce an updated NTAS Alert. All changes, including the announcement that cancels an NTAS Alert, will be distributed the same way as the original alert.

In some cases, alerts will be sent directly to law enforcement or affected areas of the private sector, while in others, alerts will be issued more broadly through both official and media channels. When appropriate, DHS will contact CFATS facilities subject to the Alert and work with the facility to identify appropriate measures, procedures or other activities the facility could implement to address the identified threat.

Additional information on NTAS available at: www.DHS.gov/alerts.

Applying NTAS to SSPs

Within CFATS, DHS has determined that the previous Homeland Security Advisory System maps to the new National Terrorism Advisory System as follows:

Homeland Security Advisory System (HSAS)		National Terrorism Advisory System (NTAS)	
Low Condition (GREEN)	Declared when there is a low risk of terrorist attacks	Steady State	
Guarded Condition (BLUE)	Declared when there is a general risk of terrorist attacks		
Elevated Condition (YELLOW)	Declared when there is a significant risk of terrorist attacks		
High Condition (ORANGE)	Declared when there is a high risk of terrorist attacks	Elevated Threat Alert	Warns of a credible terrorist threat against the United States.
Severe Condition (RED)	Declared when there is a significant risk of terrorist attacks	Imminent Threat Alert	Warns of a credible, specific, and impending terrorist threat against the United States.

Risk Based Performance Standard (RBPS) 13 – Elevated Threats – requires that covered facilities have “the ability to escalate the levels of security measures for periods of elevated threat.”¹ The *Risk Based Performance Standards Guidance* (May 2009) identifies the Homeland Security Advisory System (HSAS) as one mechanism used by DHS and other Federal agencies to inform the public of potential periods of elevated threats and suggests that a facility should have

¹ Chemical Facility Anti-Terrorism Standards, 6 C.F.R. 27.230(a)(13)

documented and implementable security measures to respond to the two highest threat levels – ORANGE and RED.

Accordingly, the questions in the on-line CSAT SSP tool have been revised to reference the new NTAS (revised text in italics):

- Does the facility have a documented process for increasing security measures during periods of elevated threats tied to the *National Terrorism Alert System (NTAS)*? (Q:19.1-16350)
- What level of security measures are implemented during periods of elevated threat as designated under *NTAS*? (Q:19.1-16364)
- Select "Yes" for all the measures that the facility uses when an *Elevated Threat Alert is issued that applies to the facility*. (Q:19.2-16736)
- *Elevated Threat Level Security Measures* (Q:19.2-16736)
- Select "Yes" for all the measures that the facility uses when an *Imminent Threat Alert is issued that applies to the facility*. (Q:19.3-16726)
- *Imminent Threat Level Security Measures*
- Indicate the time period in which the facility has the capability to implement increased levels of security in response to DHS elevating the *NTAS* threat level, while maintaining the measures already in use during normal operating periods. (Q:19.3-16732)

A facility will not need to make a change in a submitted SSP unless the facility has explicitly referenced HSAS in facility-provided explanatory text. In such a case, the facility will need to revise that text by either making a technical edit through the CSAT SSP Edit function or requesting DHS to unlock the SSP to allow the site to make the edit. (See [CSAT SSP Edit Process Users Guide](#)).

In regards to implementing security measures in response to the issuance of an applicable Elevated Threat Alert or Imminent Threat Alert, a facility typically will be expected to implement those measures identified in the portion of their SSP addressing RBPS 13 – Elevated Threats in the manner described in the SSP. If an Elevated Threat Alert or Imminent Threat Alert is of a specific enough nature to implicate RBPS 14 – Specific Threats, Vulnerabilities, or Risks, DHS will contact the impacted facility and work with the facility to identify appropriate measures, procedures, or other activities that the facility could use to address the identified threat.



Homeland Security | CFATS Knowledge Center

Article Number: 1726

Date Published: September 09, 2011

Last Updated: September 09, 2011

Subject: Letter sent to CFATS-Covered Facilities Tiered for Theft/Diversion COI on September 9, 2011

Abstract: Seven years after the release of the 9/11 Commission report and leading up to the 10th anniversary of the September 11th terrorist attacks, the United States, the Department of Homeland Security, and the chemical industry at large have made significant strides in building a nation that is stronger, more secure, and more resilient. However, we must not grow complacent; the Homeland faces a persistent and evolving threat, and we must continue to exercise vigilance as the anniversary of the September 11th terrorist attack approaches. Through ongoing dialogue and partnership, the Department, along with our security partners in both the public and private sectors, continues to strengthen our security and defend against evolving threats, minimizing risks, and maximizing our ability to respond to and recover from attacks and disasters of all kinds.

Article:

For questions and assistance, please call the CFATS Helpdesk at 1-866-323-2957

Monday - Friday 7:00a.m. - 7:00p.m., Eastern Time

Not open on federal holidays

2016-11-01 15:59



Homeland Security

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As you already know, many theft and diversion chemicals – and the chemical facilities that possess them – can be attractive to terrorists, as these chemicals may be used as a weapon of mass effect, chemical weapon, chemical weapon precursor, or can be used as an improvised explosive device in a vehicle or package. Mitigating threats associated with theft and diversion chemicals remains a vital priority. Personnel at the nation’s high-risk chemical facilities, i.e., those regulated under the Chemical Facility Anti-Terrorism Standards (CFATS) program, have a unique and vital role in securing our nation.

In light of the 10th anniversary of the September 11th terrorist attacks, I am contacting you to encourage your continued vigilance and commitment towards addressing the risks associated with possession of a theft/diversion chemical of interest (COI) and to prevent those who would do us harm from acquiring such chemicals for nefarious use. The [**CFATS Risk-Based Performance Standards \(RBPS\) Guidance**](#) describes security measures and options for consideration to address attack scenarios involving theft or diversion. These include:

- Inventory controls;
- Procedural measures;
- Product stewardship – “know-your-customer” – programs; and
- Physical security measures.

The CFATS RBPS Guidance, as well as other information regarding CFATS, may be found at www.dhs.gov/chemicalsecurity .

In addition, I encourage you to review the presentation on [**Theft-Diversion and the Chemical Facility Anti-Terrorism Standards**](#) that discusses how terrorists may try to acquire chemicals for illegal uses.



Homeland Security | CFATS Knowledge Center

Article Number: 1727

Date Published: October 04, 2011

Last Updated: November 07, 2011

Subject: AN Listening Sessions

Abstract: DHS has scheduled 12 public meetings on the recently proposed Ammonium Nitrate Security Program. Information on the meetings is posted under "Articles" below, or at www.dhs.gov/ammoniumnitratesecurity. Facilities covered by CFATS for ammonium nitrate may be affected by the new AN Security Program.

Article:

For questions and assistance, please call the CFATS Helpdesk at 1-866-323-2957

Monday - Friday 7:00a.m. - 7:00p.m., Eastern Time

Not open on federal holidays

2016-11-01 15:59

**U.S. Department of Homeland Security
Public Meetings on
The Ammonium Nitrate Security Program Proposed Rule**

On August 3, 2011, the U.S. Department of Homeland Security (DHS) published a Notice of Proposed Rulemaking (NPRM) for the Ammonium Nitrate Security Program, which describes DHS's plan to regulate the sale and transfer of Ammonium Nitrate. Through the Ammonium Nitrate Security Program, DHS seeks to prevent the misappropriation or use of Ammonium Nitrate in an act of terrorism. Comments on the proposed rule are due on or before December 1, 2011.

DHS has scheduled the following public meetings to consult with the public and other interested parties:

Tuesday, October 11, 2011	Jackson, MS	Jackson Marriott 200 East Amite Street Jackson, MS 39201
Thursday, October 13, 2011	Lubbock, TX	Holiday Inn Hotel & Towers 801 Avenue Q Lubbock, TX 79401
Tuesday, October 18, 2011	Sacramento, CA	DoubleTree Hotel Sacramento 2001 Point West Way Sacramento, CA 95815
Thursday, October 20, 2011	Knoxville, TN	Knoxville Marriott 500 E. Hill Ave Knoxville, TN 37915
Tuesday, October 25, 2011	Overland, KS	Marriott Overland (Near Kansas City, MO) 10800 Metcalf Ave Overland Park, KS 66210
Thursday, October 27, 2011	Oklahoma City, OK	Sheraton Oklahoma City 1N. Broadway Ave. Oklahoma City, OK 73102
Tuesday, November 1, 2011	Savannah, GA	Hilton Savannah DeSoto 15 East Liberty Street Savannah, GA 31401-3979
Thursday, November 3, 2011	Charleston, WV	Ramada Charleston Downtown 600 Kanawha Blvd. E. Charleston, WV 25301
Tuesday, November 8, 2011	Mobile, AL	Mobile Marriott 3101 Airport Blvd. Mobile, AL 36606
Thursday, November 10, 2011	Washington, DC	The Kellogg Conference Center at Gallaudet University 800 Florida Ave. NE Washington, DC 20002

Tuesday, November 15, 2011	Denver, CO	Grand Hyatt Denver 1750 Welton Street Denver, CO 80202
Thursday, November 17, 2011	St. Petersburg, FL	Hilton St Petersburg Carillon Park 950 Lake Carillon Drive St Petersburg, FL 33716

Each meeting is scheduled from 10 a.m. - 2 p.m.

No pre-registration is required, though sign-in sheets will be provided to voluntarily collect contact information from the attending public and to properly log oral comments received during the meetings.

To accommodate as many speakers as possible, oral remarks should be limited to 3 minutes.

Transcripts of the meetings will be made available for public review through the DHS-2008-0076 electronic docket at www.regulations.gov.

If you have a disability and would like to request an accommodation, please call (703) 235-5263.

Visit www.dhs.gov/ammoniumnitratesecurity for more information on the Ammonium Nitrate Security Program.



Homeland Security | CFATS Knowledge Center

Article Number: 1729

Date Published: October 26, 2012

Last Updated: October 26, 2012

Subject: Requesting an Extension

Abstract: Facilities may request an extension of time to file a Chemical Security Assessment Tool (CSAT) Application (i.e. a Top-Screen, Security Vulnerability Assessment (SVA) or Site Security Plan (SSP)). The request should include the facility identification number and the reason the facility is requesting an extension of time to file a CSAT Application. A request for an extension of time may be submitted to DHS in paper form or electronically. Upon receipt of the extension request, whether in paper or electronic form, the Department will review all relevant information and notify the facility of the Department's decision through CSAT.

Article:

For questions and assistance, please call the CFATS Helpdesk at 1-866-323-2957

Monday - Friday 7:00a.m. - 7:00p.m., Eastern Time

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2016-11-01 15:59



Homeland Security

CSAT Application Extension Requests

Facilities may request an extension of time to file a Chemical Security Assessment Tool (CSAT) Application (i.e. a Top-Screen, Security Vulnerability Assessment (SVA) or Site Security Plan (SSP)). The request should include the facility identification number and the reason the facility is requesting an extension of time to file a CSAT Application. A request for an extension of time may be submitted to DHS in paper form or electronically. Upon receipt of the extension request, whether in paper or electronic form, the Department will review all relevant information and notify the facility of the Department's decision through CSAT.

Submitting Requests in Writing

Anyone at the facility may submit a request for an extension of time to file a CSAT Application in paper form by sending the written request to DHS by USPS or a delivery service to:

David Wulf
Director, Infrastructure Security Compliance Division
Office of Infrastructure Protection
Mail Stop #0610
U. S. Department of Homeland Security
245 Murray Lane, SW, Building 410
Washington, DC 20528

Any Chemical-terrorism Vulnerability Information (CVI) submitted must be marked, packaged, and sent in compliance with CVI requirements. (See 6 CFR § 27.400, available at www.dhs.gov/chemical-security.)

Submitting Requests via CSAT

Only the CSAT Submitter can submit an extension request via CSAT. To submit a request for an extension of time to file a CSAT Application, please adhere to the following steps.

1. Click on the "Request Extension" button for the survey for which you would like to request an extension.
2. Provide a statement as to why you are requesting an extension of time in the "Explanation" data field. You are limited to 2000 characters. This data field is mandatory.
3. In the "Proposed Due Date" box, enter the proposed due date for your survey (in mm/dd/yyyy format) or click the calendar arrow button next to the box and select the desired date from the calendar display.
NOTE: At a minimum, the proposed due date must be at least one day beyond the current due date. This data field is not mandatory.
4. Affirm the following statement before submitting your request: "My statements in this submission are true, complete, and correct to the best of my knowledge and belief and are made in good faith. I understand that a knowing and willful false statement on this form can be punished by fine or imprisonment or both. (See 18 U.S.C. § 1001)."
5. Complete your extension request by clicking the "Submit" button. If you decide not to submit your extension request, click the "Cancel" button.

After you submit your extension request, you will be returned to the CSAT Survey List screen. In the row that displays the survey for which you have just submitted an extension request, the "Request Extension" button will have been replaced with a status message that reads "Extension Request Pending." Please be advised that once a request for an extension of time has been submitted for a CSAT application, a new request cannot be submitted until DHS has made a determination on the pending request.



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Article Number: 1775

Date Published: October 28, 2016

Last Updated: October 28, 2016

Subject: CFATS Fact Sheet

Abstract: The Department of Homeland Security regulates security at high-risk chemical facilities under the Chemical Facility Anti-Terrorism Standards (CFATS) program, 6 C.F.R. Part 27.

Article:



The Department of Homeland Security regulates security at high-risk chemical facilities under the Chemical Facility Anti-Terrorism Standards (CFATS) program, 6 C.F.R. Part 27. Under CFATS, facilities that have been determined by DHS to be high-risk are required to develop and implement security plans that meet applicable risk-based performance standards (RBPS). CFATS was created pursuant to Section 550 of the Homeland Security Appropriations Act of 2007, and Congress reauthorized and amended the program in 2014 via the CFATS Act of 2014 (6 U.S.C. § 621, et seq). Facilities that are required to comply with at least some provisions of the CFATS regulation will largely fall into several categories:



- Chemical manufacturing, storage, and distribution
- Energy and utilities
- Agriculture and food
- Explosives
- Mining
- Electronics
- Plastics
- Universities and research
- Paint and coatings
- Healthcare and pharmaceuticals

What Is the Chemical Facility Anti-Terrorism Standards Program?

CFATS is a risk-based performance program that sets the standards for security at the Nation's highest risk chemical facilities.

- DHS determines a facility's risk profile by requiring facilities to complete a risk assessment, known as a Top-Screen, if the facility is in possession of specific quantities of specific chemicals of interest (COI) that give rise to one or more security issues: release of toxic chemicals, theft or diversion of chemicals, and chemicals that can be used for sabotage or contamination.
- Facilities determined by DHS to be high-risk are required to complete a Security Vulnerability Assessment (SVA) and have a Site Security Plan (SSP) that addresses risk-based performance standards (RBPS).

What Are Chemicals of Interest?

Chemicals of interest (COI) are chemicals that give rise to one or more security issues, namely release, theft/diversion, and sabotage/contamination, as listed in Appendix A of the CFATS regulation. Under CFATS, if a facility possesses an Appendix A COI at or above the applicable Screening Threshold Quantity (STQ), the facility must complete and submit a Top-Screen to DHS within 60 calendar days of coming into possession of the COI.

Risk-Based Tiering

The CFATS regulation follows a risk-based approach that allows DHS to focus its resources on high-risk chemical facilities in accordance with their specific level of risk. DHS uses information submitted by facilities through the Top-Screen and Security Vulnerability Assessment (SVA) processes to identify a facility's risk. After analyzing Top-Screen data from facilities, DHS will assign high-risk facilities to one of four risk-based tiers.

The Risk-Based Performance Standards (RBPS)

Section 2102 (a)(2)(C) (6 U.S.C. § 622(a)(2)(C)) requires DHS to establish risk-based performance standards to address high levels of security risk at covered chemical facilities.

CFATS establishes RBPS for security issues, such as perimeter security, access control, personnel surety, and cybersecurity. However, not all high-risk facilities will need to take action to satisfy each RBPS. A facility's SSP will be tailored to its specific tier level, security issues, risks, and circumstances, as determined by the Department's review of its SVA.

Inspections Process

The Department inspects high-risk chemical facilities at regular intervals, with higher tiered facilities being inspected more frequently.

The Department may also inspect a high-risk facility at any time based on new information or security concerns. A minimum of 24 hours advance notice typically will be provided to facilities unless specific security concerns demand immediate attention.

The DHS staff who conduct inspections have completed a rigorous training program, incorporating both classroom and onsite facility instruction by experts in chemistry, emergency response, terrorism, and industrial security.

Compliance and Enforcement

The CFATS regulation provides that if DHS believes any facility is in violation of the regulation, the Department may issue an appropriate order to the facility specifying the violation and steps that must be taken to correct the noncompliance. Violation of such a compliance order may result in additional orders assessing civil penalties of up to \$25,000 per day or to cease operations.

DHS Compliance Assistance and Outreach

DHS has developed a variety of tools to facilitate compliance with CFATS:

- **The CSAT Help Desk** provides timely support to chemical facility owners and operators. It can be reached at 1-866-323-2957, or at csat@hq.dhs.gov.
- To submit a confidential report to the Department regarding a potential CFATS violation, contact the **CFATS Chemical Facility Security Tip Line**, 877-394-4347 (877-FYI 4 DHS), or email CFATSTips@hq.dhs.gov.
- **The CFATS Knowledge Center**, available at <http://csat-help.dhs.gov>, is an online repository of frequently asked questions, articles, and documents relating to the CFATS and Ammonium Nitrate Programs.

Contact Information

For more information, visit www.dhs.gov/chemicalsecurity. For all questions or to ask a Department representative to speak on the CFATS regulatory program, please contact cfats@hq.dhs.gov.