



**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](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>