



Chemicals are vital to our economy. They are used to develop medicines that maintain our health, provide refrigeration for our food supply, manufacture fuel for our vehicles and build the microchip that runs our smartphones. But in the hands of a terrorist, chemicals could potentially be used to cause a significant number of deaths and injuries. The U.S. Department of Homeland Security, through the Infrastructure Security Compliance Division (ISCD), administers the CFATS program by working with facilities to ensure they have security measures in place to reduce the risks associated with certain hazardous chemicals, and prevent them from being exploited in an attack.

What is CFATS?

CFATS is a regulatory program (6 CFR Part 27) established in 2007 that addresses chemical security by identifying and regulating high-risk facilities that possess certain chemicals of interest (COI) at specific concentrations and quantities. In 2014, Congress reauthorized and amended the program through the Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014 (6 U.S.C. § 621, et seq).

The CFATS regulation applies to facilities across many industries, including:

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

Appendix A and Chemicals of Interest

Appendix A of the CFATS regulation (6 CFR Part 27) lists more than 300 COI and their respective screening threshold quantities (STQ). These COI are categorized into three main security issues.

- Release: Toxic, flammable, or explosive chemicals or materials that can be released at a facility.
- Theft or Diversion: Chemicals or materials that, if stolen or diverted, can be converted into weapons using simple chemistry, equipment, or techniques.
- Sabotage: Chemicals or materials that can be mixed with readily available materials.

Any facility that meets or exceeds the STQ for any COI listed in Appendix A is required to report possession of those chemicals to DHS via an online questionnaire called a Top-Screen.



Pipes at an industrial facility. (Source: DHS)

The CFATS Process

1. If not statutorily excluded from CFATS¹, read Appendix A (www.dhs.gov/publication/appendix-final-rule) to determine if your facility manufactures, stores, or distributes any of the COI at or above the STQ. If your facility possesses COI at or above STQ, complete a Top-Screen (www.dhs.gov/csats-top-screen) about your chemical holdings via the Chemical Security Assessment Tool (CSAT).
2. ISCD reviews Top-Screens using a risk-based methodology. Facilities are notified if they are:
 - Determined to be a high-risk facility and ranked into Tiers 1, 2, 3, and 4, with Tier 1 being the highest risk.
 - Determined to not be a high-risk facility and not regulated under CFATS.
3. If your facility is tiered, your facility must submit a Security Vulnerability Assessment (SVA) and a Site Security Plan (SSP)—or an Alternative Security Program (ASP)—that meets the risk-based performance standards (RBPS) (www.dhs.gov/cfats-risk-based-performance-standards) specified in the CFATS regulation.
 - The 18 RBPS address security issues such as perimeter security, access control, personnel security, cyber security, etc.
 - Your facility's security plan is tailored to its tier level, risk, and circumstances.
4. ISCD Inspectors perform an authorization inspection at your facility prior to approving the security plan.
 - Once the plan is approved, inspectors conduct regular compliance inspections to verify your facility implements the agreed-upon security measures.

CFATS Enforcement Actions

ISCD is committed to helping facility personnel understand and comply with CFATS by providing technical assistance or onsite consultation. However, ISCD is authorized to pursue civil enforcement action against any facility found in violation of CFATS, which could result in the imposition of a civil fine and/or the issuance of an order to cease operations. Violations vary from a facility refusing to report its COI holdings, failing to develop and/or implement certain security measures, or knowingly providing false information. ISCD will specify the nature of violation(s) and steps that must be taken to correct the noncompliance before fines are assessed. The maximum civil penalty is \$33,333 for each day a violation continues.

Tools and Resources

- Request a CFATS Presentation to learn about any part of the CFATS regulation from submitting a Top-Screen to editing a security plan: www.dhs.gov/request-cfats-presentation.
- Request a Compliance Assistance Visit to learn what to expect from a CFATS Authorization or Compliance Inspection: www.dhs.gov/cfats-request-compliance-assistance-visit.
- The Chemical Security Assessment Tool Help Desk provides timely support to chemical facility owners and operators. Call 1-866-323-2957 or email csat@hq.dhs.gov.
- The CFATS Knowledge Center is an online repository of Frequently Asked Questions, articles, and documents relating to CFATS. Visit the CFATS Knowledge Center at csat-help.dhs.gov/.

Contact Information

For any questions, comments, or concerns, please contact CFATS@hq.dhs.gov or visit www.dhs.gov/chemicalsecurity.

¹ Section 2101 of the CFATS Act of 2014 defined excluded facility as: a facility regulated under the Maritime Transportation Security Act of 2002; a public water systems as defined in the Safe Drinking Water Act; a Treatment Works as defined in the Federal Water Pollution Control Act; a facility owned or operated by the Department of Defense or the Department of Energy; and a facility subject to regulation by the Nuclear Regulatory Commission.