



**Illinois Fertilizer &  
Chemical Association**  
Supply • Service • Stewardship

# **How to Comply**

with the new

## **Chemical Facility Anti-Terrorism Standards**

(CFATS)

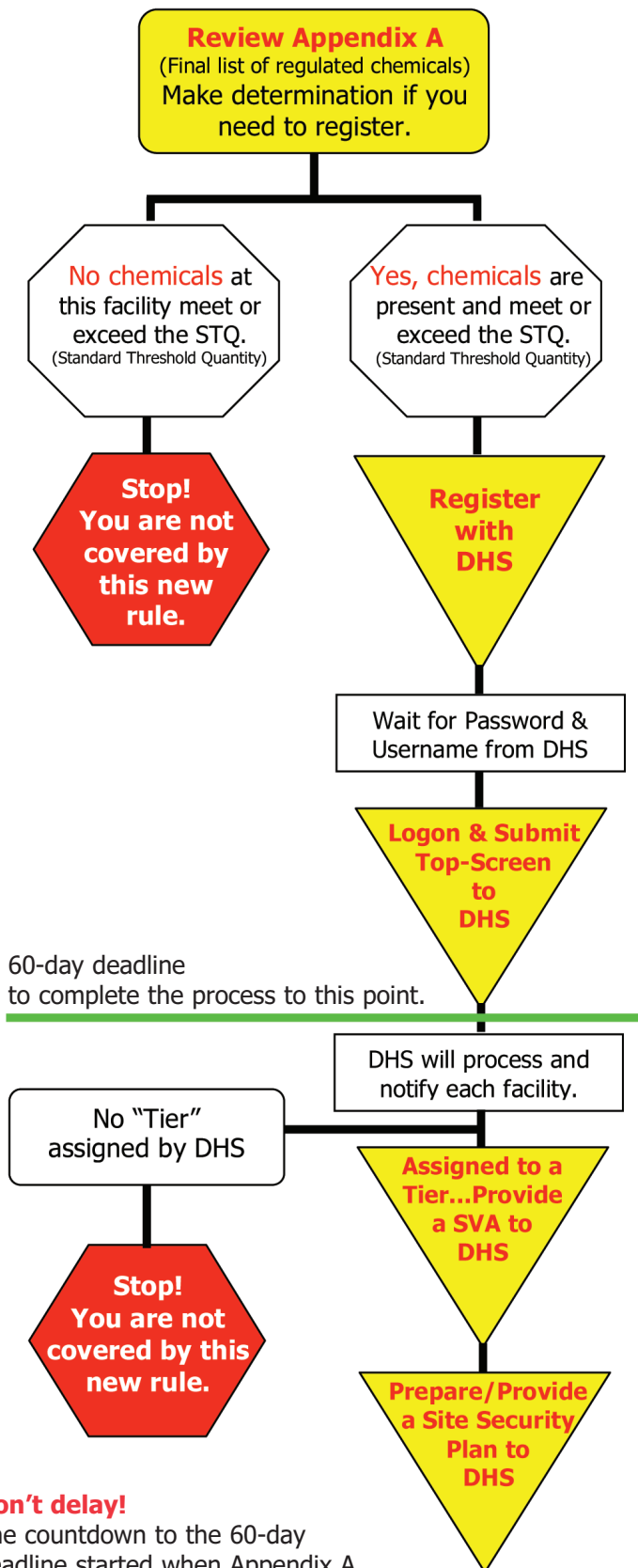
### **Special Report**

Congress has directed the Department of Homeland Security (DHS) to identify, assess, and ensure effective security at high risk chemical facilities. This sweeping and broad-based regulation will initially affect approximately 90,000 chemical facilities in the U.S. DHS has developed and will implement a risk-based approach to protecting the chemical sector. This means DHS will evaluate different sites, different facilities, and different chemicals in terms of their different levels of risk, and the result will be different levels of protection assigned to each of them. This recognition of differentiating risk is the cornerstone of the Chemical Facility Anti-Terrorism Standards. DHS expects to identify 5,000 to 8,000 facilities that will be designated and regulated as high risk chemical facilities within the next 60 days. Chemical facilities have 60 days to review the final list of regulated chemicals and determine if they are required to register and complete the Top-Screen assessment. This special report has been developed to assist agricultural retailers in their effort to comply with CFATS in an efficient and timely manner.

## Notice: Important & Time-Sensitive

Within 60 days of the date the Department of Homeland Security publishes the final list of regulated chemicals, each chemical facility in the United States is required to complete the process shown in the following diagram.

### Quick Overview of the Process



### Don't delay!

The countdown to the 60-day deadline started when Appendix A was published in the Federal Register.

## How to Comply

### *Tips for a better understanding.*

#### Basic information on CFATS:

- The list of regulated chemicals is Appendix A.
- CFATS initially applies to each physical location.
- Start early! If it is determined that you must register, please remember it can take up to 30 days to receive your username and password from DHS. The Top-Screen cannot be accessed until the DHS login information is received.
- Facilities regulated under MTSA are exempt from the CFATS requirements.
- Your correspondence with DHS will be via their web site: [www.dhs.gov/chemicalsecurity](http://www.dhs.gov/chemicalsecurity)
- CFATS works very much like a process of elimination, focusing the efforts of DHS on the chemical facilities with the highest risks.

Chemical facilities in U.S., estimated numbers:

Total number .....	90,000
- No chemicals or <STQ .....	30,000
- Clears Top-Screen .....	52,000
Final number of "high risk" facilities: .....	8,000 ***

\*\*\*DHS anticipates regulating 5,000 to 8,000 chemical facilities as high risk. (Tiers 1-4)

### **Step 1: Review Appendix A**

Included with this Special Report, is the final copy of Appendix A: DHS Chemicals of Interest. The list has been imprinted with the date DHS published it in the Federal Register. Chemical facilities have 60 calendar days from this date to complete Steps 1-3.

CFATS requires any facility that possesses or plans to possess any of the chemicals listed in Appendix A, at or above the STQ, to register with DHS and submit a Top-Screen assessment.

Failure to complete a Top-Screen within the 60-day timeframe may result in civil penalties, a DHS audit and inspection, or an order to cease operations.

To complete this step properly, you will need:

- facility inventory
- any plans or projected additions to inventory
- Material Safety Data Sheets (MSDS)
- cross-reference between chemicals, CAS numbers and trade names (*i.e. Farm Chemicals Handbook*)
- any other reference or guide specific to your facility, inventory or plans

## Step 1: Review Appendix A (continued)

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Upon completion of your review of Appendix A, make a determination:

- this facility does not possess or plan to possess any of the chemicals listed in Appendix A, at or above the Screening Threshold Quantity.

**Action:** Document your review of Appendix A and no further action is required. Within 60 days of coming into possession of any chemical listed in Appendix A, at or above the STQ, the facility must be registered with DHS and submit a Top-Screen.

- this facility does possess or plan to possess one or more chemicals listed in Appendix A, at or above the Screening Threshold Quantity.

**Action:** Proceed to Step 2.

## Step 2: Register with DHS

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Registration with DHS is performed on their website and involves a combination submission of electronic data and a paper certification. Users should familiarize themselves thoroughly with the requirements before registering by downloading the CSAT User Registration User Guide and review it prior to registering.

The following information for each facility is required:

- Name of Facility
- Street Address
- City, State, Zip Code and County
- Latitude and Longitude (Can be found in your RMP or via the online TerraServer program built into CSAT)

In completing the user access request form, your facility must designate a Preparer, a Submitter and an Authorizer. Companies may also designate a Reviewer to review facility information.

**Warning:** *The data you enter determines who receives the correspondence, who has access, roles of authority, and can make future administration difficult. Read the following until you have a thorough understanding.*

The **Preparer** is authorized to enter the required data into the Top-Screen, but is not authorized to formally submit the data on the company's behalf. *(Should be a qualified individual familiar with the facility.)*

The **Submitter** is the individual certified by the facility to formally submit the required data to DHS. The Submitter must be authorized and domiciled in the U.S. *(To gain user access, each Preparer and each Submitter require the signature of an "Authorizer.")*

The **Authorizer** is empowered by the management of the facility to provide assurance that the user account request for the Preparer and Submitter is valid. The Preparer, Submitter and Authorizer can be the same person or

## Step 2: Register with DHS (continued)

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separate individuals. Some facilities may designate that the Preparer and Submitter be the same individual. Larger facilities or companies with complex organizational structures may wish to consolidate a significant number of facility submissions through a single or a few Submitters. *(Authorizers will not be granted edit privileges unless they are also designated as Preparers or Submitters.)*

Use of a **Reviewer** is optional and does not have edit or approval privileges, and must be invited by a user from within the Top- Screen.

**Please be advised....**You will be asked to provide an E-mail address to receive your username and password from DHS. AOL, Yahoo, Hotmail and other free, public or web-based accounts cannot be used. DHS requires a more-secure E-mail environment.

### To register:

**Go to:** [www.dhs.gov/chemicalsecurity](http://www.dhs.gov/chemicalsecurity)  
**Click on:** Chemical Security Assessment Tool  
**Click on:** Register to Gain Access to CSAT  
**Click on:** CSAT User Registration Website  
**Click on:** "Yes" in the Security Alert message box

Print the completed user registration form and collect the signatures of each Preparer, Submitter, and Authorizer named on the form. Mail or fax the completed form to:

Office of Infrastructure Protection  
Chemical Security Compliance Division  
ATTN: CSAT User Registration  
Department of Homeland Security  
Building 5300, MS 6282  
P.O. Box 2008  
Oak Ridge, TN 37831-6282  
FAX: (866) 731-2728

### Keep a copy of this form for your records!

Once the signed user registration form is received, DHS will create user access accounts and issue usernames and passwords in two separate E-mail notifications to each Preparer and Submitter on record.

**CSAT Helpline: 866-323-2957**  
(7:00 am to 7:00 pm Eastern Time, Monday-Friday)

## Protecting CVI Information

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Information developed in the Top-Screen process is considered Chemical-terrorism Vulnerability Information (CVI). Accordingly, users must protect the information and any documents in accordance with the regulation. We recommend you download the CVI Procedures Manual and review it prior to submitting a Top-Screen.



### Step 3: Submit the Top-Screen

DHS developed the Top-Screen to identify facilities that meet DHS's criteria for high risk chemical facilities. We recommend you download the [CSAT Top-Screen Questions](#) and [CSAT Top-Screen User Manual](#) and review it prior to attempting to submit the Top-Screen for your facility. These documents list all the questions and relative guidance to assist chemical facility owners and operators in assembling the information needed to complete the Top-Screen process.

It is **extremely important** Top-Screen users completely understand the questions **before submitting**. It is very possible that a facility could incorrectly be assigned to one of the 4 high-risk Tiers, based upon an answer to a question not fully understood by the facility personnel.

Especially important are the definitions to the following terms or phrases encountered in the Top-Screen:

- Area of Highest Quantity (AHQ)
- Co-Located Facility
- Man-Portable
- Improvised Explosive Device (IED)
- Weapon of Mass Effect (WME)
- Chemical Weapon/Chemical Weapon Precursor (CW/CWP)

Please refer to the [CSAT Top-Screen User Manual](#) for detailed information on these terms or phrases.

**Tip:** Print off a paper copy of the [CSAT Top-Screen Questions](#) and complete the Top-Screen on paper first. Then login to the DHS website and submit electronically. DHS will not accept paper copy submissions!

#### To Submit Your Top-Screen:

**Go to:** [www.dhs.gov/chemicalsecurity](http://www.dhs.gov/chemicalsecurity)

**Click on:** Chemical Security Assessment Tool

**Cut & Paste:** Using the two E-mail notifications received from DHS, "copy" the link (*i.e.* [www.csat.dhs.gov/csat](http://www.csat.dhs.gov/csat)) and "paste" it into your web browser.

**Tip:** Navigation within the Top-Screen tool must be done using the Next and Back buttons on the DHS screen. Do not use the buttons on your browser, as it will not save your information.

**Tip:** Facilities with anhydrous ammonia will be required to download RMP\*Comp. Users will need to provide the "Distance of Concern" for ammonia using RMP\*Comp. Most Risk Management Plans for agricultural facilities were prepared using The Fertilizer Institute's DEGADIS Model, however, for the sake of consistency, DHS requires RMP\*Comp data. To download RMP\*Comp, go to:

<http://yosemite.epa.gov/oswer/ceppoweb.nsf/content/rmp-comp.htm>

RMP\*Comp is a free program and relatively simple to install and use. The file size is about 2 MB.

### List of Acronyms

**ASP** - Alternative Security Program  
**CCPS** - Center for Chemical Process Safety  
**CFATS** - Chemical Facility Anti-Terrorism Standards  
**CSAT** - Chemical Security Assessment Tools  
**CVI** - Chemical-Terrorism Vulnerability Information  
**DHS** - Department of Homeland Security  
**MTSA** - Maritime Transportation Security Act  
**SSP** - Site Security Plan  
**STQ** - Screening Threshold Quantity  
**SVA** - Security Vulnerability Assessment

### Definitions

**Area of Highest Quantity (AHQ)** means an onsite area, within a radius of 170 feet, where the greatest amount of the toxic chemical of concern is located. For facilities with chemicals located in more than one area, the amount in the AHQ might be found in the largest storage vessel or the area where the nurse tanks are parked when filled.

**Chemical Facility** means any establishment that possesses or plans to possess, at any relevant point in time, a quantity of a chemical substance determined by DHS to be potentially dangerous or that meets other risk-related criteria identified by DHS. The term chemical facility shall also refer to the owner or operator of the chemical facility. Where multiple owners and/or operators function within a common infrastructure or within a single fenced area, DHS may determine that such owners and/or operators constitute a single chemical facility or multiple chemical facilities depending on the circumstances.

**Chemical Security Assessment Tools (CSAT)** means a suite of four applications, including Registration, Top-Screen, Security Vulnerability Assessment, and Site Security Plan, through which DHS will collect and analyze key data from chemical facilities.

### Definitions

**Chemical-terrorism Vulnerability Information (CVI)** means all the information listed in Sec. 27.400(b) (CFATS), including but not limited to, Top-Screen results, Security Vulnerability Assessments, Site Security Plans, and any related documents.

**Co-Located** is a facility that shares a site with another company's facility as either the host or tenant.

**Covered Facility** means a chemical facility determined by DHS to present high levels of security risk, or a facility that DHS determined is presumptively high risk under Sec. 27.200. (CFATS)

**Operator** means a person who has responsibility for the daily operations of a facility or facilities.

**Owner** means the person or entity that owns any facility.

**High Risk** refers to a chemical facility that, in the discretion of DHS, presents a high risk of significant adverse consequences for human life or health, national security and/or critical economic assets if subjected to terrorist attack, compromise, infiltration, or exploitation.

**RMP\*Comp** is EPA's air dispersion modeling program.

**Screening Threshold Quantity (STQ)** means the quantity of a chemical of interest, upon which the facility's obligation to complete and submit the Top-Screen is based.

**Terrorist Attack** means any incident or attempt that constitute terrorism or terrorist activity including any incident that involves sabotage of chemical facilities or theft, misappropriation or misuse of a dangerous quantity of chemicals.

**Tier** means the risk level associated with a covered chemical facility and which is assigned to a facility by DHS. There are four risk-based tiers, ranging from highest risk at Tier 1 to lowest risk at Tier 4.

**Top-Screen** means an initial screening process through which chemical facilities will provide information to DHS for use in determining security risk.



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