



Homeland
Security



Securing the Chemical Sector:

An Implementation Overview of the Chemical Facility Anti-Terrorism Standards (6CFR§27).

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Chemical Facilities Anti-Terrorism Standards (CFATS)

- ▶ Of the 3 major areas of activity; this briefing focuses on Field Operations:
 - Development of ***the Regulation*** and supporting tools, rules, guidelines, etc.;
 - Development of ***an organizational/program structure*** to include ***Field Operations*** that can implement the Regulation; and
 - Development of ***administrative structures*** that are necessary to support the regulatory environment established within the sector.

- ▶ The organizational structure leverages existing DHS capabilities including **FPS**, USCG, and S&T capabilities.
 - FPS personnel and expertise comprise the core of the ***Inspections & Enforcement Branch (I&EB)***.

- ▶ The regulatory structure will strike a ***cost-effective balance*** between rigorous adherence to security principles and limiting the financial and operations burden placed on owner/operators.

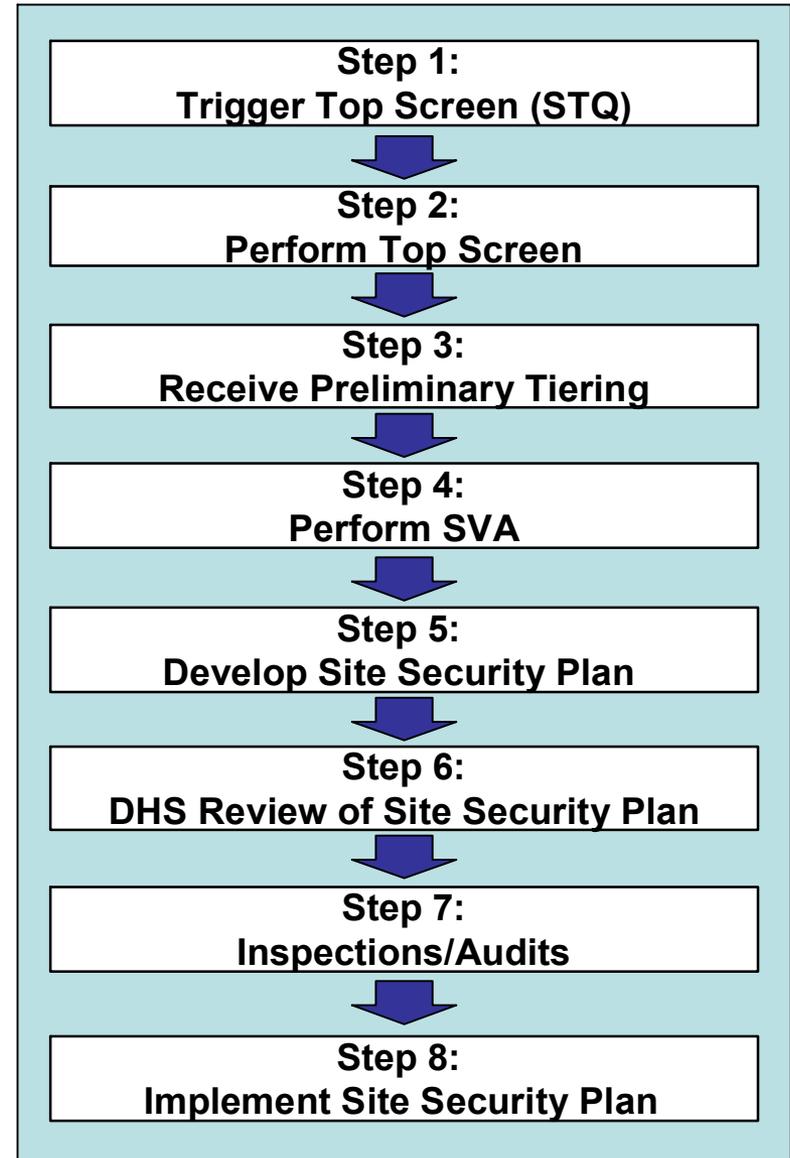
- ▶ Safety Considerations Out-Weigh Security.

- ▶ Risk Transference.

CFATS – Regulation Overview

▶ The CFATS uses a multi-step process to:

- Identify High-risk Chemical Facilities.
- Assign High-risk Chemical Facilities to Risk Tiers.
- Identify Vulnerabilities at High-risk Chemical Facilities.
- Develop And Implement Site Security Plans.
- Inspect Facilities to Ensure Vulnerabilities are Adequately Addressed and Verify Risk-based Performance Standards.



Risk-Based Performance Standards

▶ **Performance Standards** (6 CFR §27.230)

- Covered facilities must satisfy the Risk-Based Performance Standards (RBPS).
- There are 19 RBPSs in the rule, addressing the following areas:

- | | |
|---|--|
| 1. <i>Restricted Area Perimeter</i> | 12. <i>Personnel Surety</i> |
| 2. <i>Securing Site Assets</i> | 13. <i>Elevated Threats</i> |
| 3. <i>Screening and Access Controls</i> | 14. <i>Specific Threats, Vulnerabilities, or Risks</i> |
| 4. <i>Deter, Detect, and Delay</i> | 15. <i>Reporting of Significant Security Incidents</i> |
| 5. <i>Shipping, Receipt, and Storage</i> | 16. <i>Significant Security Incidents and Suspicious Activities</i> |
| 6. <i>Theft and Diversion</i> | 17. <i>Officials and Organizations</i> |
| 7. <i>Sabotage</i> | 18. <i>Records</i> |
| 8. <i>Cyber</i> | 19. <i>Others as determined by DHS</i> |
| 9. <i>Response</i> | |
| 10. <i>Monitoring</i> | |
| 11. <i>Training</i> | |

▶ **Guidance for Covered Facilities**

- DHS will issue RBPS Guidance in the near future. This guidance will assist industry – not prescribe specific security standards – in meeting the RBPS.

Exemptions

- ▶ This Act specifically exempts those facilities already covered by certain, specified Federal laws:
 - Public water systems (as defined by sec. 1401, Safe Drinking Water Act).
 - Any facilities owned or operated by the Departments of Defense (DoD) or Energy (DOE).
 - Facilities regulated by the Nuclear Regulatory Commission (NRC).
 - Water treatment works facilities (as defined by sec. 212, Federal Water Pollution Control Act).
 - Maritime facilities regulated by the Coast Guard under Part 105 of the Maritime Transportation Security Act (MTSA).

Registration & Helpline

Registration

- DHS encourages facilities to register on the CSAT website for a user identification and password if they believe they may be covered by this regulation. To register, facilities should go to www.DHS.gov/chemicalsecurity and follow the instructions. Once DHS validates a facility's registration, DHS will notify the facility about how to access the other CSAR Tools.

▶ Questions or Difficulty Registering with CFATS/CSAT?

- If you have any questions about how to register or have difficulty registering for CSAT, you may call the CSAT Helpline at [1-866-323-2957](tel:1-866-323-2957) from 7:00 a.m. – 7:00 p.m., Eastern Time, Monday thru Friday.

I&EB Mission Responsibilities

▶ I&EB MISSION AREAS –

1. I&EB is responsible for conducting inspections of assigned chemical facilities against performance standards developed out of CFATS.
2. I&EB is responsible for executing compliance enforcement of CFATS.
3. I&EB is responsible for chemical security focused intelligence management.
4. I&EB is responsible for collaborating with chemical industry and federal, state, local and tribal officials to strengthen chemical site security through emergency preparedness.
5. I&EB is responsible for critical incident liaison to chemical industry and responding governmental emergency service agencies with a primary focus for determining security implications of the incident.

Phased Approach Impact on I&EB Activities and Resources

- ▶ A Phased Approach Will Be Used to Implement the Regulation:
 - **Phase 1** – Focus on expedited review and enhanced security of pre-identified highest risk (Tier 1) facilities and development of long-term DHS regulatory capabilities.
 - ***I&EB Field Inspectors Initiate and Complete about 50 Inspection Assists in Phase 1 by December 31, 2007.***
 - **Phase 2** – Full implementation of regulatory program; all high risk facilities not engaged in Phase 1 will be addressed, including inspection process.
 - ***I&EB Field Inspectors Work Toward Completion of Tier 1 and engage Tiers 2 – 4 commencing in January 2008.***
 - ***Concurrently strengthen areas of Chemical Security Emergency Preparedness and Field Intelligence Management.***

Phase 1 Implementation Approach

- ▶ **Purpose** – Expedite assurance that RBPS is addressed at highest risk facilities by partnering limited DHS resources with Industry.
- ▶ Facilities complete the CSAT Top-Screen within a reasonable but relatively brief period. I&EB Technical Assistance is available.
- ▶ At the facilities request, I&EB Inspectors will be present when the facility develops the CSAT Top-Screen
- ▶ CSCD will begin certifying facility designated employees to handle **Chemical-terrorism Vulnerability Information (CVI)** materials. CVI is the new Sensitive But Unclassified information-handling protocol established under CFATS to protect information generated through the regulatory process.
- ▶ Shortly after receipt of a completed Top-Screen, CSCD will notify the facility of its ***initial risk-based tier***.
- ▶ The Facilities will then complete a CSAT Security Vulnerability Assessment (SVA), in a similarly reasonable, but relatively brief period. I&EB Technical Assistance is available.

Field Inspections Primary Mission Structure

- ▶ I&EB Inspector Cadre/Field Staff
 - Initial Cadre of experienced I&EB inspectors who have completed **Physical Security Academy** and are **HAZMAT certified**.
 - I&EB Inspection teams may be augmented by chemical engineering expertise.
 - Field Inspections will be integrated with I&EB Staffed Intelligence Section in HITRAC dedicated to Chemical Security.
 - I&EB Inspector roles and responsibilities vary based on facility tiering:
 - **Tier 1** – *I&EB Inspectors will inspect Tier 1 facilities on a relatively short cycle – once every year.*
 - **Tier 2** – *I&EB Inspectors will inspect Tier 2 facilities at least once every 2 years.*
 - **Tier 3** – *Facilities will be inspected at least once every 3 years. These inspections may be carried out by I&EB and/or Third Party Inspectors.*
 - **Tier 4** will be inspected on a 4 year cycle..

I&EB Staffing Resources

- ▶ I&EB is committing the following staffing, dedicated to IP for Chemical Security Compliance Enforcement:
 - Branch Chief
 - Deputy Branch Chief
 - Field Operations Program Coordinator
 - Training & Safety Compliance Coordinator
 - Intelligence Management Coordinator
 - Senior Operations Specialist
 - Area Commanders (6)
 - Inspectors (30)
- ▶ Total Personnel – 41.
- ▶ FPS Reserve Capacity.



Chemical Facility Security



Workload & Resource Distribution



DENSITY STUDY OF CHEMICAL FACILITIES / TIERS 1-3

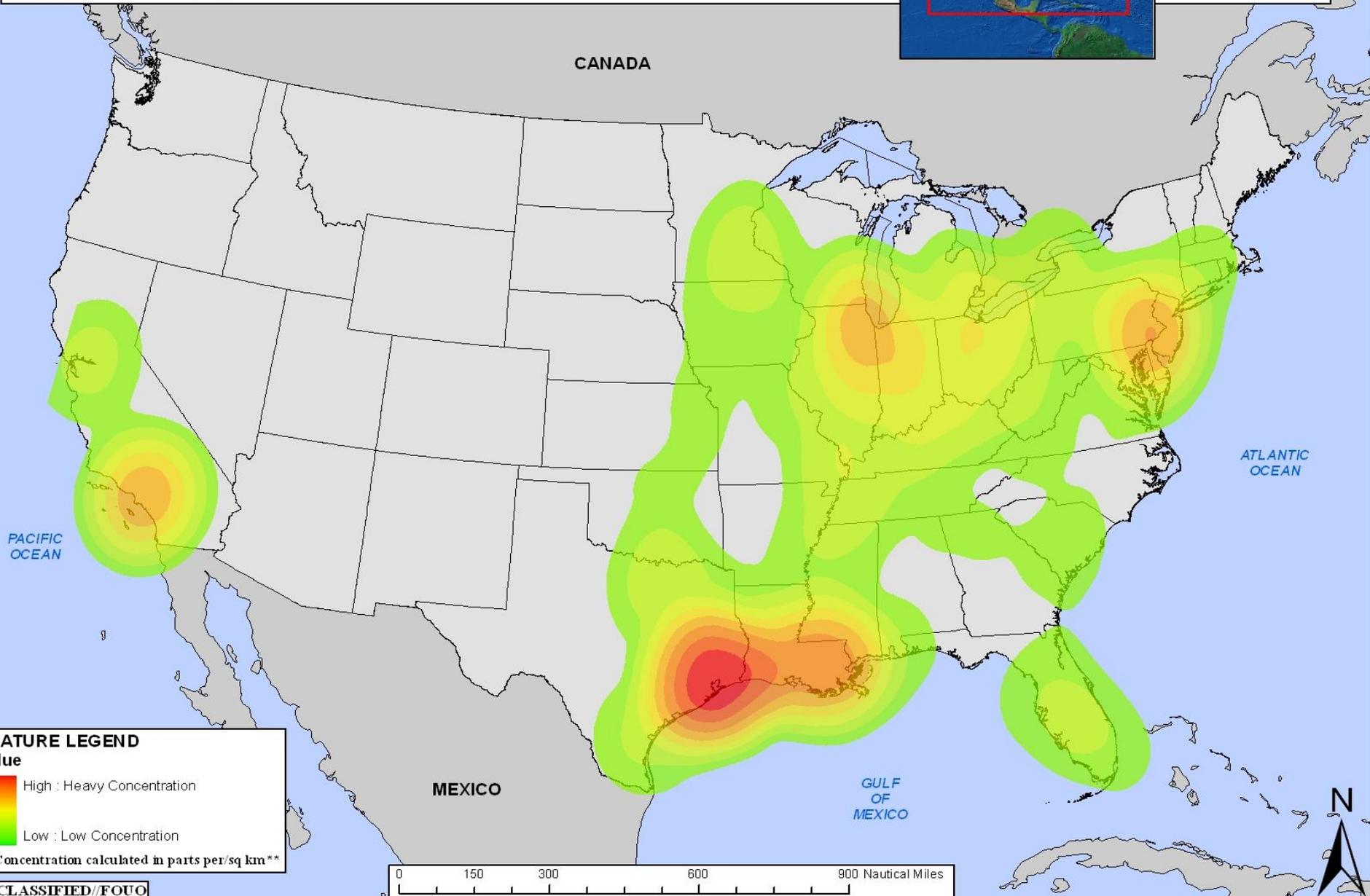
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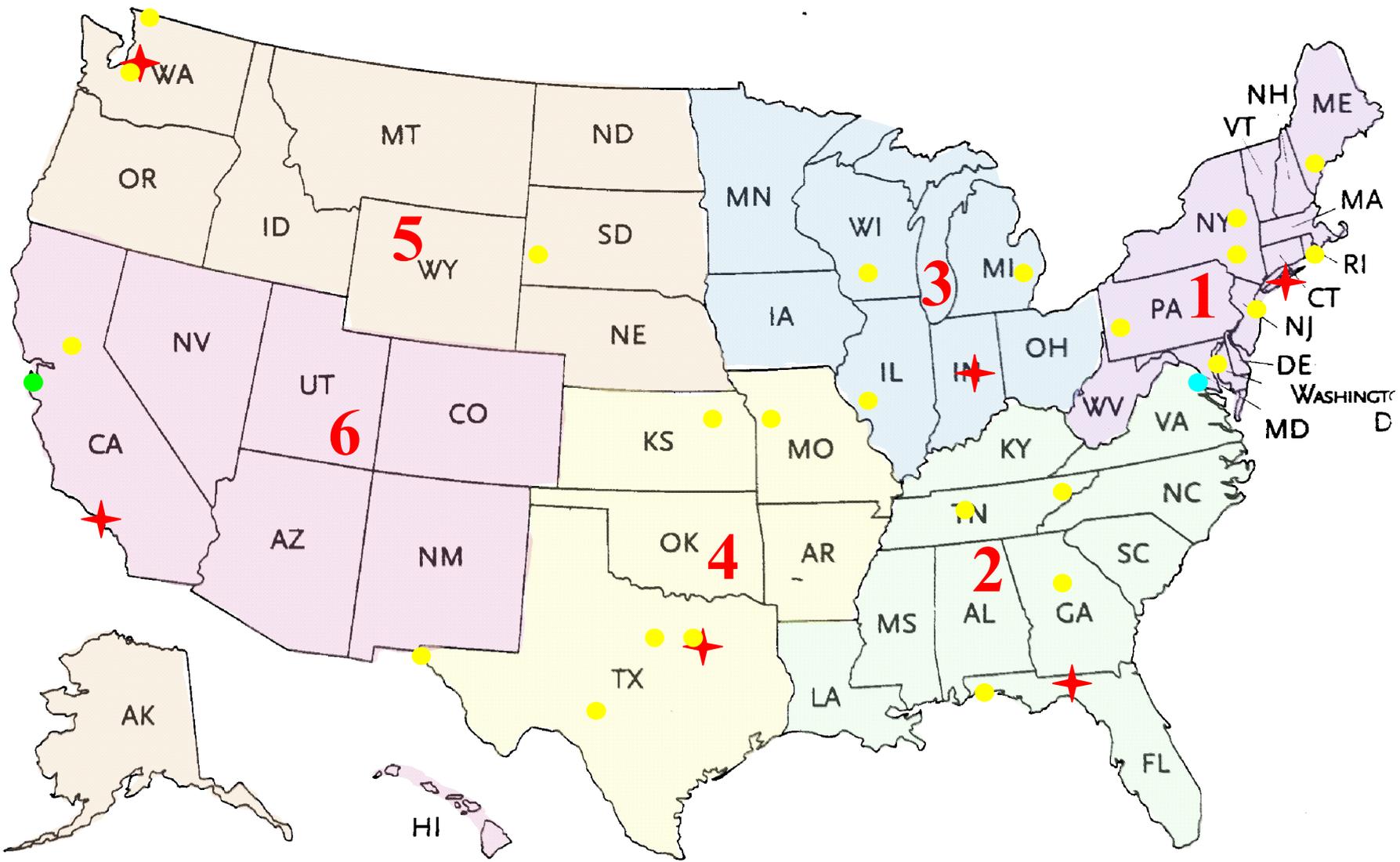


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- - 1 Inspector
- - 2 Inspectors
- - 4 Inspectors
- ★ - Area Commander

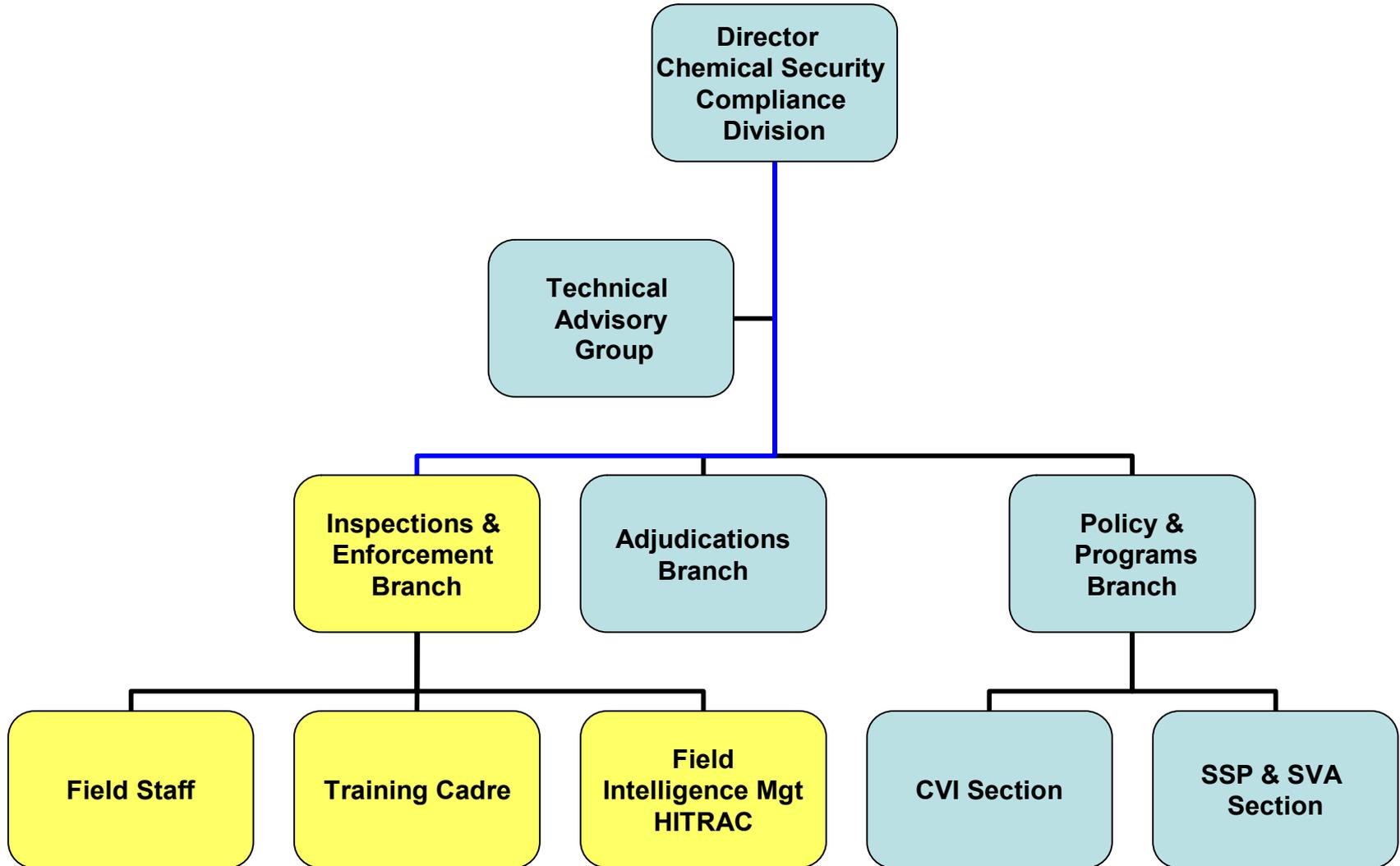
Area Distribution of Personnel

Chemical Facility Security



Organizational Integration

CSCD Simplified Organizational Chart



Chemical Facility Anti-Terrorism Standards



I&EB Administration

I&EB Inspector Base Line Training

- ▶ FPS Inspectors Assigned to CSCD received the following minimal training before reporting to CSCD:
 - Basic Police Academy at the Federal Law Enforcement Training Center (FLETC) – 400hrs.
 - Physical Security Academy at FPS National Academy (an ASIS accredited program) – 160hrs.
 - HAZMAT Tech Level or Higher – 40 to 80hrs.
- ▶ Upon Reporting to CSCD, I&EB Inspectors received the following training:
 - Certified Chemical Security Inspector Training Program – 168hrs.
 - On-Site SVA and SSP Practical Exercise – 40hrs.
- ▶ In Total – 808 to 848 hours of training applicable or dedicated to CFATS implementation.
- ▶ Additionally – All EMI trained in NRP, ICS, NIMS, and numerous other courses.

Overview of the Certified Chemical Security Inspector Training Program

Regulatory Requirements – (OGC)	4 hrs
Regulatory Processes – (CSCD)	≈ 30 hrs
Internal Protocols & Procedures	8 hrs
Ethics & OGE-450	2 hrs
Chemical Plant Operations	56 hrs
OSHA Regulatory Compliance	14 hrs
Chemical Process Engineering	28 hrs
Interagency Collaboration	14 hrs
Firearms Re-qualification & PPE Live Fire Operations	4 hrs
HAZMAT Refresher	8 hrs
TOTAL PROGRAM:	168 hrs

Field Operations Administration

▶ Span of Supervision:

- Area Commander to Inspector Ratio 1:5.
- All FPS personnel remain in parent regional offices.
- Area Commanders supervise Inspectors using distance bridging techniques of teleconferencing, work product evaluation, close schedule coordination and accompanied on-site inspections.

▶ Consistency in Field Execution:

- I&EB Inspector Training and Updates are Consistent Nationwide.
- I&EB Inspection Reports are Reviewed up a Chain of Command to CSCD HQ.
- Areas of Disagreement Attempt Resolution at Lowest Level – Appeals are Addressed at CSCD Adjudications Branch.
- I&EB Inspectors have Direct Links to Oakridge National Laboratory and CSCD Management Team to Quickly provide Uniform Guidance.

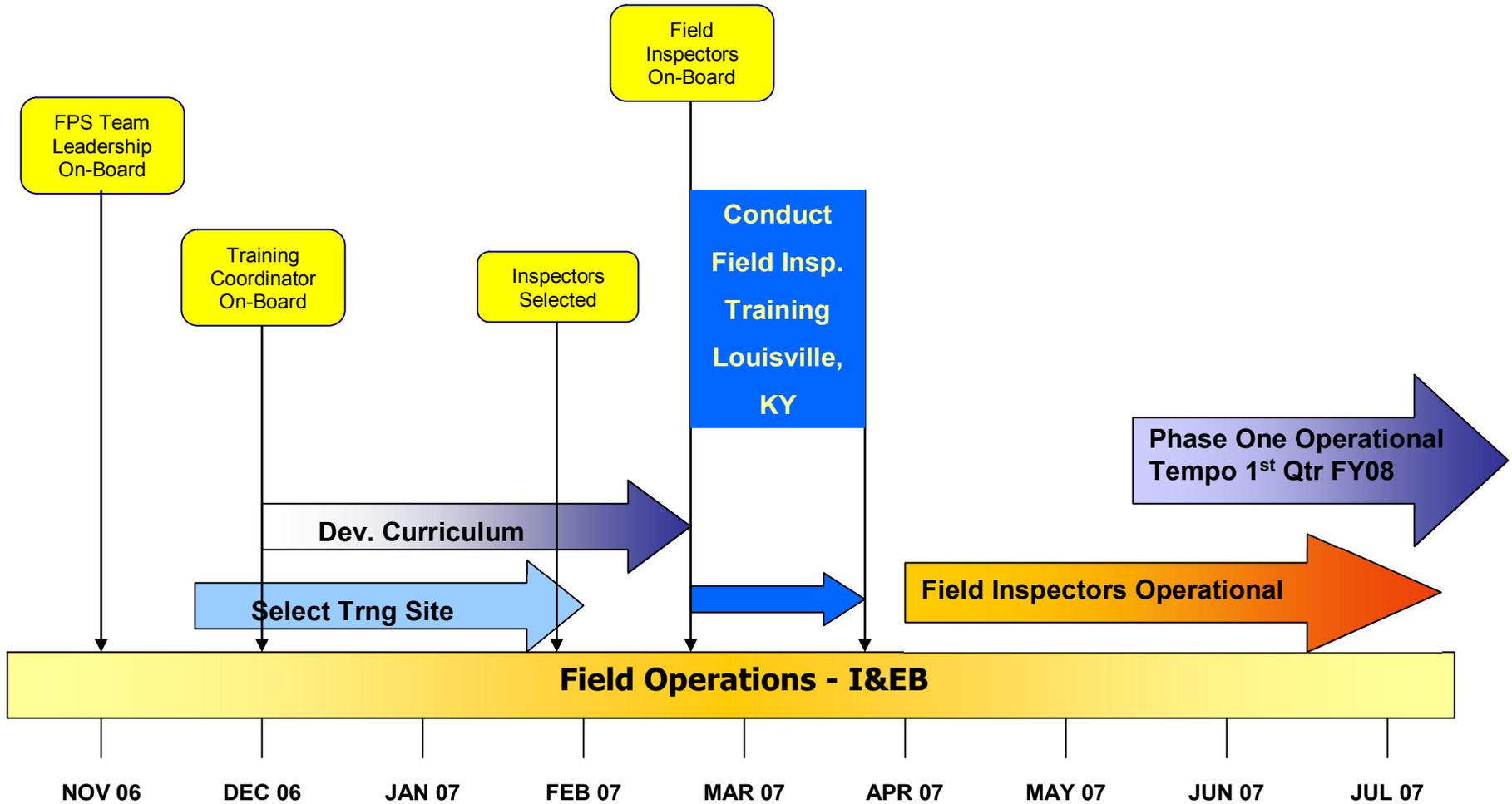


Chemical Facility Security



FY07 Field Operations Timeline

Field Operations Team Development Timeline





What are Your Questions?

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