



## Protecting our Homeland – Is Your Facility High-Risk?

By Ruth Mayo, Regulatory Compliance Specialist

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On October 4, 2006 the President signed the Department of Homeland Security (DHS) Appropriations Act of 2007 (the Act) which provided the DHS with the authority to regulate the security of high-risk chemical facilities. In response to the Act, the U.S. [Department of Homeland Security](#) published an interim [final rule](#) setting forth security standards for high-risk chemical facilities. SiteHawk has been monitoring this rulemaking while searching for ways to assist our clients in determining how these changes will affect their facilities. The DHS rule establishes risk-based performance standards for facilities determined to be “high-risk” by the DHS and requires them to: a) prepare Security Vulnerability Assessments (SVAs), which identify facility security vulnerabilities; and b) to develop and implement Site Security Plans (SSPs), which include measures that satisfy the identified risk-based performance standards. The rule does allow certain covered chemical facilities, in specified circumstances, to submit Alternate Security Programs in lieu of a Security Vulnerability Assessment, Site Security Plan, or both.

So, how does the DHS determine which facilities fall into this “high-risk” category? Appendix A to CFR 6 Part 27 has yet to be finalized, but it contains the proposed [Chemicals of Interest](#) list. Facilities that manufacture, use, store, or distribute any of these chemicals above a screening threshold quantity (STQ) must complete and submit a CSAT Top-Screen. Facilities are encouraged to use the Chemical

Security Assessment Tool (CSAT) as provided by the Department of Homeland Security so that the DHS may electronically collect key data from the facility to determine its level of risk and assigning the facility to one of four tiers. DHS will require facilities placed into Tiers 1-3 to complete a SVA and the results of this will allow DHS to further granulate each facility’s level of threat which will affect the type of SSP needed. The CSAT is comprised of four tools: 1) facility registration; 2) consequence screening questionnaire (Top-Screen); 3) Security Vulnerability Assessment (SVA) tool; and 4) Site Security Plan (SSP) template. Prior to the finalization of Appendix A, the Department of Homeland Security may choose to notify facilities directly or through a Federal Register notice that they need to complete and submit a CSAT Top-Screen.

Facilities are required to submit a CSAT Top-Screen within 60 calendar days of the effective date of a final “Appendix A: DHS Chemicals of Interest” or within 60 days of coming into possession of any such Chemical of Interest at or above the STQ. SiteHawk Professional is prepared to facilitate the process of determining which chemicals in a facility are on Appendix A: DHS Chemicals of Interest. Once the list is finalized, it will be uploaded to SiteHawk. Subsequently, SiteHawk will provide a report that will assist with determining if a Top-Screen is necessary. It is important to note that failure to complete a CSAT Top-Screen within the timeframe provided may result in civil penalties, a Department of

Homeland Security audit and inspection, or an order to cease operations.

If a Top-Screen must be completed, the CSAT tool can be easily accessed by registering for it at the Department of Homeland Security's website ([www.dhs.gov](http://www.dhs.gov)). Once registered, the DHS will issue usernames and passwords for access to the CSAT data collection tool. The username and password serve to keep the information required secure and confidential.

SiteHawk is constantly on the lookout for upcoming regulatory changes and always considering ways we can assist our clients in complying with such changes. Contact us today with questions regarding how we can assist with regulatory compliance, whether related to the forthcoming Homeland Security rule or other rules (1-877-483-4295 or [info@sitehawk.com](mailto:info@sitehawk.com)). As always, SiteHawk is working to ensure you remain prepared!

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