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U.S. Department of Transportation
Docket Operations
1200 New Jersey Avenue SE
Room W58-213, West Building, 5th Floor
Washington, DC 20590

Re: Comments in Response to FAA Section 2209 NPRM Designation – Restrict the Operation of Unmanned Aircraft in Close Proximity to a Fixed Site Facility [Docket No. FAA-2026-4558]

Executive Summary

The American Chemistry Council (ACC) is pleased to provide comments on the Federal Aviation Administration's (FAA) proposed rule to implement section 2209 of the FAA Extension, Safety and Security Act of 2016, which would establish a process for operators and proprietors of certain fixed site facilities to request and maintain an unmanned aircraft flight restriction.

Chemical manufacturing facilities are essential to the Nation's economy, public health, national security, and supply chain resilience. ACC member companies manufacture essential chemical products used across the energy, water treatment, healthcare, agriculture, transportation, electronics, and national defense sectors. As part of their operations, many facilities manufacture, process, or store hazardous materials, making them attractive targets for unauthorized surveillance, disruption, or other malicious activity.

ACC surveyed chemical manufacturers whose operations collectively represent more than 3,100 facilities nationwide. The results confirm that unmanned aircraft system (UAS) activity is an existing and growing operational concern throughout the chemical sector.¹

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¹ACC Section 2209 Member Survey (June 2026) (responses from chemical manufacturers whose operations collectively represent more than 3,100 facilities nationwide; on file with ACC).



Key survey findings include:

- **84 percent** of respondents reported that drones currently present a threat to one or more of their facilities.
- Nearly **90 percent** believe the threat has increased during the past five years.
- More than **93 percent** expect the threat to continue increasing over the next five years.
- Approximately **77 percent** of represented facilities have experienced at least one unauthorized drone incursion.
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Accordingly, it is critically important for FAA to establish a workable process for chemical facilities to obtain UAS Flight Restriction ("UAFR") while preserving legitimate UAS operations. ACC urges the FAA to expeditiously adopt a final rule that:

- Applies a practical, risk-based evaluation that considers the full record and facility-specific UAS risks.
- Uses the chemical-sector criteria derived from CFATS Appendix A as an eligibility pathway, but not as a bright-line limitation.
- Allows a chemical facility to qualify through Appendix A chemical-of-interest thresholds or technically supported alternative thresholds based on facility-specific risk.
- Does not require Remote ID receiving capability as a prerequisite to submit or obtain conditional approval of a petition; require Part 89-compatible capability before an approved UAFR becomes active.
- Protects confidential business information and other sensitive security information submitted during the petition process.
- Recognizes existing security management systems, including voluntary initiatives such as ACC's Responsible Care® Security Code, as supporting documentation relevant to an applicant's demonstration of protective security measures.
- Preserves the NPRM's "where available" limitation for twenty-four months of historical UAS activity and accepts other credible evidence when records are unavailable.
- Preserves practical access for facility-owned and facility-authorized UAS operations used for inspection, maintenance, environmental monitoring, security, and emergency response.
- Limits applicant responsibilities under proposed §§ 74.68 and 74.70 to facility-specific information reasonably within the applicant's knowledge and expertise.



Introduction

ACC is pleased to provide comments on the FAA's proposed rule to implement section 2209 of the FAA Extension, Safety and Security Act of 2016, which would establish a process for operators and proprietors of certain fixed site facilities to request and maintain an unmanned aircraft flight restriction. ACC has a direct and substantial interest in this rulemaking because Congress expressly identified chemical facilities among the fixed-site facilities eligible to seek protection from UAS operations in close proximity.

ACC represents leading companies engaged in the business of chemistry. ACC members manufacture, process, formulate, distribute, and transport products essential to nearly every sector of the U.S. economy, including energy, healthcare, water treatment, agriculture, transportation, electronics, manufacturing, and national defense. Collectively, ACC member companies operate thousands of facilities across the United States, many of which manufacture, process, or store hazardous chemicals and other materials requiring robust physical security programs.

Chemical manufacturing facilities present varied and complex operating environments. Their processes, inventories, configurations, surrounding communities, and roles in critical supply chains differ significantly. Unauthorized UAS activity can enable surveillance, expose proprietary or security-sensitive information, interfere with operations or emergency response, or create accidental or deliberate risks to workers, nearby communities, property, and essential supply chains. These facility-specific risks make a workable Section 2209 process particularly important to the chemical sector.

ACC and its members also bring substantial experience in chemical security and risk management. For decades, ACC member companies have worked with federal, state, and local partners through regulatory programs, voluntary initiatives, and information sharing. ACC's Responsible Care® Security Code promotes continuous improvement through threat and vulnerability assessment, implementation of protective measures, periodic review, and coordination with government partners. This experience informs ACC's evaluation of how the proposed UAS Flight Restriction ("UAFR") framework can add a meaningful layer of protection without duplicating existing security programs.²

²American Chemistry Council, Responsible Care® Security Code, <https://www.americanchemistry.com/content/download/15996/file/Responsible-Care-Security-Code.pdf>.



Congress enacted Section 2209 in 2016 to direct the Secretary of Transportation to establish a process allowing an operator or proprietor of a fixed-site facility to petition the FAA Administrator to prohibit or restrict UAS operations in close proximity to that facility. The statute expressly encompasses critical infrastructure, including energy production, transmission, and distribution facilities and equipment; oil refineries; chemical facilities; amusement parks; and other locations warranting a restriction. Congress directed FAA to consider aviation safety, protection of persons and property on the ground, national security, and homeland security, and to coordinate with the Department of Homeland Security and other appropriate federal agencies. Congress later amended Section 2209 to include railroad facilities and State prisons.³

The rulemaking is needed to convert that statutory direction into a standardized, facility-initiated process. Although Congress originally directed establishment of the process within 180 days, operators and proprietors still lack a generally available mechanism for petitioning FAA for a site-specific restriction under Section 2209. At the same time, the affordability, capability, and prevalence of UAS have increased substantially. A final rule can close this implementation gap by creating a clear legal designation that reduces unintentional incursions by compliant drone operators, helps facilities and law enforcement distinguish authorized from unauthorized flights, and supports enforcement when a UAFR is violated. The framework will not itself confer authority to detect, seize, disable, or otherwise interfere with an aircraft, which further underscores the importance of making the petition process an effective and accessible security tool.⁴

ACC therefore supports prompt implementation of Section 2209 through a practical, risk-based framework. The final rule should recognize the diversity of the chemical sector and allow a facility to demonstrate eligibility and need using facility-specific information and the best credible evidence reasonably available. It should also leverage existing security assessments and practices where appropriate, protect sensitive information, and avoid unnecessary administrative burdens or requirements that duplicate established security frameworks. The recommendations that follow are intended to help FAA implement Congress's direction while preserving the safe and efficient use of the National Airspace System.

³FAA Extension, Safety, and Security Act of 2016, Pub. L. No. 114-190, § 2209, 130 Stat. 615, 649–52 (2016), as amended by the FAA Reauthorization Act of 2018, Pub. L. No. 115-254, and the FAA Reauthorization Act of 2024, Pub. L. No. 118-63; Designation—Restrict the Operation of Unmanned Aircraft in Close Proximity to a Fixed Site Facility, 91 Fed. Reg. 24,650, 24,651–52 (May 6, 2026) (“NPRM”).

⁴FAA Extension, Safety, and Security Act of 2016 § 2209(a); NPRM, 91 Fed. Reg. at 24,651–54.



ACC Survey Findings: The Evolving UAS Threat to the Chemical Sector

To better understand the operational impacts of unauthorized unmanned aircraft systems ("UAS") on the chemical sector, ACC surveyed member companies whose operations collectively represent more than 3,100 chemical manufacturing facilities across the United States. The survey examined unauthorized drone activity, facility preparedness, existing security measures, detection capabilities, and anticipated participation in the Section 2209 petition process.

Collectively, these responses provide one of the most comprehensive industry assessments to date of how chemical manufacturers perceive and respond to unauthorized UAS activity. The findings demonstrate that drone-related security concerns are widespread, increasing in frequency, and affecting facilities of varying sizes, operational profiles, and geographic locations. Most importantly, the survey confirms that unauthorized UAS activity is no longer a theoretical or emerging issue; it is an operational challenge that many facilities are already managing.

A. Unauthorized Drone Activity Is Widespread and Increasing

ACC's survey demonstrates a broad consensus among chemical manufacturers that unauthorized UAS activity presents an increasingly significant security concern.

- **84 percent** of respondents reported that drones currently present a threat to one or more of their facilities.
- Nearly **90 percent** indicated that the threat has increased during the past five years.
- More than **93 percent** expect the threat to continue increasing during the next five years.

These findings indicate that the chemical sector increasingly views unauthorized UAS activity as an operational security issue rather than a speculative future risk. As drone technology becomes more capable, accessible, and affordable, facilities anticipate continued growth in both legitimate and unauthorized operations near industrial sites.

B. Unauthorized Drone Incursions Are Already Occurring

Beyond perceptions of risk, respondents reported substantial real-world experience with unauthorized drone activity.



Approximately **77 percent** of represented facilities have experienced at least one unauthorized drone incursion. While many facilities reported occasional incidents, others described recurring overflights, with approximately **19 percent** reporting more than ten incursions and approximately **4 percent** reporting more than fifty incidents.

These findings demonstrate that unauthorized UAS activity is already occurring across a significant portion of the chemical sector and is not limited to isolated facilities or uncommon circumstances. For many operators, drone activity has become a recurring security consideration requiring ongoing monitoring and evaluation.

C. Chemical Facilities Face Unique Operational and Security Risks

Chemical manufacturing facilities present operating environments that differ from many other fixed-site facilities. Complex industrial processes, hazardous materials, interconnected infrastructure, and critical supply chains create facility-specific UAS risks that must be evaluated through a risk-based framework.

Survey respondents identified concerns related to unauthorized UAS activity, including:

- Surveillance of sensitive infrastructure and security measures;
- Industrial espionage and unauthorized collection of proprietary information;
- Interference with operations or emergency response activities;
- Accidental collisions with process equipment or critical infrastructure; and
- Worker safety risks associated with low-altitude drone operations.

Respondents also emphasized that even when unauthorized drone operations are not malicious, they may create unnecessary operational disruptions, require security investigations, or divert personnel from other safety and security responsibilities.

Member comments included:

"The biggest threat is an errant operator accidentally crashing a drone into process control equipment, resulting in equipment damage or operational disruption."

This member comment illustrates that chemical facilities are concerned not only with intentional malicious activity, but also with the safety and operational risks of accidents involving unauthorized drone operations near complex industrial processes.



D. Existing Security Measures Have Practical Limitations

Many ACC member facilities have implemented security procedures to identify and respond to unauthorized drone activity. However, survey responses demonstrate that current capabilities remain limited.

Most respondents indicated that unauthorized drones are identified primarily through visual observation by employees or contract security personnel rather than through dedicated detection technologies. As discussed later in these comments, relatively few facilities currently possess the technical capability to detect Remote ID broadcasts or consistently document drone activity over extended periods.

Several respondents also noted that while they may observe unauthorized drone activity, they often have few practical options for identifying operators or responding in real time.

Member comments included:

"We currently have no defense against drones and are relying solely on employees to report activity."

This response underscores an important implementation consideration for FAA: the absence of sophisticated detection technology should not be interpreted as the absence of legitimate security risk.

FAA Should Implement Section 2209 Through a Practical, Risk-Based Framework

The NPRM proposes a multi-step framework under which an applicant must demonstrate that the site is a fixed facility and critical infrastructure, satisfies sector-specific criteria, maintains protective security, has assets vulnerable to UAS, and can demonstrate a safety or security need for a UAFR.⁵

ACC supports this general structure if FAA administers it as a practical, risk-based process focused on the facility-specific risks posed by UAS. The final rule should not implement a system where failure to meet minimum eligibility criteria leads to automatic denials, require

⁵NPRM, 91 Fed. Reg. at 24,660–64; proposed 14 C.F.R. §§ 74.54, 74.56, and 74.66.



duplicative submissions, or prevent FAA from considering credible information that demonstrates risk.

ACC recommends that the FAA's implementation framework be guided by the following principles.

A. Maintain a Risk-Based Approach

FAA should evaluate each petition using the full record, including the facility's operations, UAS vulnerabilities, security posture, surrounding environment, critical assets, and the potential effects of disruption. No single factor, including the presence or quantity of a particular chemical, should be dispositive.

Chemical manufacturing facilities vary significantly in their operations, products, configurations, surrounding populations, and roles in critical supply chains. A risk-based evaluation is necessary because those differences affect both the nature of the UAS threat and the suitability of a UAFR.

This approach is consistent with FAA's statement that it developed risk-based parameters for the chemical sector and that, when evaluating need, no single factor would be dispositive.⁶

B. Avoid Creating a New Federal Security Program

The final rule should remain focused on the Section 2209 petition and evaluation process. It should not create a separate screening, ranking, or tiering program for chemical facilities.

Applicants may already possess facility security assessments, incident-response plans, and other records that address the information FAA needs. FAA should accept relevant existing documentation and request only the supplemental information necessary to evaluate the UAFR petition.

This approach would reduce administrative burden while preserving FAA's ability to conduct the facility-specific risk evaluation required by the proposed rule.

C. Recognize Existing Security Management Frameworks

⁶NPRM, 91 Fed. Reg. at 24,664, 24,666.



Survey responses demonstrate that many chemical manufacturers have already implemented security practices relevant to unauthorized UAS activity.

For example:

- Approximately **59 percent** of respondents reported incorporating drone-related considerations into facility security plans.
- Approximately **38 percent** maintain formal response procedures for unauthorized drone incidents.
- Nearly one-third conduct exercises or training related to drone security.

These findings demonstrate that many facilities have proactively incorporated UAS considerations into broader security management programs despite the absence of a federal UAFR process.

Similarly, ACC's Responsible Care® Security Code provides participating companies with a structured framework for continuously assessing evolving threats, implementing protective security measures, evaluating vulnerabilities, and improving security performance over time. While participation in Responsible Care® should not establish automatic eligibility for a UAFR, the FAA should recognize Responsible Care® and comparable security management systems as relevant supporting documentation that may assist applicants in demonstrating existing security practices and overall security maturity.

Recognizing existing frameworks would reduce unnecessary duplication while allowing the FAA to evaluate petitions based on the quality and completeness of information submitted.

D. Maintain Flexibility in Demonstrating Need

Proposed § 74.66 requires information about UAS traffic, vulnerability, the effects of exploitation, and how the UAFR would supplement existing security. FAA states that these factors are evaluated together and that no one factor is dispositive.⁷

Applicants should be permitted to support petitions using facility-specific information. Relevant information may include:

- documented unauthorized drone incursions;

⁷NPRM, 91 Fed. Reg. at 24,664; proposed 14 C.F.R. § 74.66.



- facility vulnerability assessments;
- security risk assessments;
- operational-impact analyses;
- incident reports;
- law enforcement coordination;
- physical security assessments; and/or
- other credible evidence demonstrating the security risks posed by unauthorized UAS activity.

This flexible approach will better accommodate the diversity of chemical facilities and recognize that not every facility possesses the same technical capabilities or historical records.

Chemical-Facility Eligibility Should Be Risk-Based and Flexible

Proposed § 74.54 would require an applicant to show that the site is a fixed-site facility, is critical infrastructure, satisfies the criteria for a sector under subpart C, maintains protective security, has critical assets or operational components vulnerable to UAS, and could experience a regional- or national-level debilitating impact from damage, disruption, or destruction.⁸

ACC agrees that an applicant must establish that the site is both a fixed facility and critical infrastructure. For the chemical sector, the final rule should then provide a risk-based method for demonstrating the sector-specific element without making falling short of a single inventory threshold an absolute bar to consideration.

A. ACC Supports the Proposed Fixed Facility and Critical Infrastructure Eligibility Criteria

The NPRM defines a fixed-site facility as a permanent structure, building, or asset with defined geographic boundaries and excludes mobile, virtual, temporary, and impermanent facilities. It separately requires the applicant to demonstrate that the facility is critical infrastructure under the statutory definition.⁹

⁸NPRM, 91 Fed. Reg. at 24,661–62, 24,686–87; proposed 14 C.F.R. § 74.54.

⁹NPRM, 91 Fed. Reg. at 24,651–52, 24,661, 24,686–87; proposed 14 C.F.R. § 74.54(a)–(b); see also 42 U.S.C. § 5195c(e) (definition of critical infrastructure).



ACC supports these two threshold eligibility requirements in 74.54 (a) and (b). A chemical-sector applicant should provide information showing that the petition concerns a permanent chemical facility with defined boundaries and that the facility is sufficiently vital that its incapacity or destruction could have a debilitating impact on security, national economic security, national public health or safety, or a combination of those matters.

Once those requirements are met, FAA should evaluate the remaining eligibility and need factors through a facility-specific, risk-based review.

B. Appendix A Should Be an Eligibility Pathway, Not a Bright Line

For the chemical sector, proposed § 74.81 provides that a fixed-site facility satisfies the sector-specific requirement if it uses, manufactures, stores, transports, possesses, or distributes one or more hazardous-release chemicals at or above the minimum concentration percentages and screening threshold quantities in proposed Appendix A to part 74. FAA explains that its proposed list draws from selected release chemicals and thresholds in Appendix A to 6 CFR part 27.¹⁰

ACC supports using the CFATS Appendix A chemical-of-interest (COI) framework and screening threshold quantities as a recognized pathway for chemical-sector eligibility. Those chemicals and thresholds reflect substantial prior government analysis and provide applicants and FAA with a familiar, administrable starting point.¹¹

The Appendix A pathway, however, should not operate as a bright-line exclusion. The former CFATS screening threshold quantities were designed for a different statutory program and purpose. A chemical facility may warrant UAFR protections based on the nature of the facility's assets, the vulnerabilities of these assets to unmanned aircraft, the potential consequences or effects if an unmanned aircraft exploited a vulnerability, or other facility-specific facts even when a listed COI is below the referenced threshold.

Commented [JS2]: Suggested text mirrors language in NPRM.

¹⁰NPRM, 91 Fed. Reg. at 24,666, 24,688; proposed 14 C.F.R. § 74.81.

¹¹See Appendix A to 6 C.F.R. part 27 (DHS Chemicals of Interest); Appendix A to Chemical Facility Anti-Terrorism Standards, 72 Fed. Reg. 65,396, 65,420–35 (Nov. 20, 2007).



C. Proposed § 74.81 Should Permit Alternative Risk-Based Pathways

The final rule should permit a chemical facility to satisfy the sector-specific criterion through either (1) a listed hazardous-release COI at or above the applicable Appendix A concentration and screening threshold quantity, or (2) an alternative facility-specific demonstration of need for UAFR.

To avoid making Appendix A a bright-line limitation, FAA should revise the operative phrase "satisfies the requirements under § 74.54(c) if" to provide that a chemical facility "may satisfy" § 74.54(c) through either the Appendix A pathway or an alternative facility-specific demonstration of need.

This alternative pathway would not recreate the CFATS Top-Screen, ranking, or tiering process. The applicant would submit only the information needed to demonstrate eligibility and need for the requested UAFR, and FAA would evaluate that information under the standards in proposed §§ 74.54 and 74.66.

FAA may consult the applicable Sector Risk Management Agency when specialized technical information is needed, as contemplated by proposed § 74.66(e), but the final decision should remain a facility-specific FAA determination based on the record.

D. FAA's Evaluation Should Consider the Full Record

Meeting the sector-specific requirements should establish access to the petition process, not automatic approval of a UAFR. FAA would still evaluate the facility's UAS vulnerabilities, the risk presented, how the restriction would supplement existing security, effects on other airspace users, and whether the restriction is necessary.¹²

ACC's survey found that more than 90 percent of respondents would petition if eligible. This high level of interest demonstrates the importance of a clear and workable gateway through which facilities can present facility-specific risk information for FAA review.

¹²NPRM, 91 Fed. Reg. at 24,660, 24,664–65, 24,689–90; proposed 14 C.F.R. §§ 74.66 and 74.100.



Combined with the survey's findings on actual incursions and increasing UAS concerns, the results support an eligibility framework that allows FAA to review credible petitions rather than rejecting facilities solely because they fall on one side of a single inventory threshold.

E. ACC's Recommended Revision to Proposed § 74.81

ACC recommends revising the chemical-sector criterion substantially as follows:

- A fixed-site facility in the chemical sector may satisfy § 74.54(c) if it uses, manufactures, stores, transports, possesses, or distributes one or more hazardous-release chemicals at or above the minimum concentration percentages and screening threshold quantities in Appendix A to part 74; or
- the applicant provides a technically supported, facility-specific demonstration of need consistent with 74.66.

This revision would retain Appendix A as an objective eligibility pathway while preventing it from becoming an exclusive bright-line limitation

Remote ID Compatibility and Historical UAS Information

The NPRM addresses two distinct information-capability issues: proposed § 74.56(d) would require security monitoring capable of receiving Remote ID broadcasts using equipment compatible with 14 CFR part 89 and proposed § 74.66(a) would request information about UAS operations during the previous twenty-four months, where available.¹³

ACC supports the operational objectives of those provisions, but the timing and implementation requirements must reflect that many member facilities do not currently possess Remote ID receiving capability or comprehensive historical UAS records.

A. Remote ID Capability Should Be Required for Activation, Not Application

Approximately 78 percent of survey respondents reported that they do not currently possess the capability to detect or monitor Remote ID broadcasts.

¹³NPRM, 91 Fed. Reg. at 24,662–64, 24,687; proposed 14 C.F.R. §§ 74.56(d) and 74.66(a).



Proposed § 74.56(d) would require a facility's security monitoring to include the capability, directly or through a contracted service, to receive Remote ID broadcasts from UAS operating within or near the requested UAFR, using equipment compatible with part 89. FAA explains that this capability would help the facility identify allowed operations.¹⁴

ACC supports requiring an approved UAFR site to have Part 89-compatible Remote ID receiving capability when the restriction becomes active. That capability, however, should not be a prerequisite to file a petition or to receive conditional approval. Requiring installation before FAA determines that a facility is otherwise eligible would force applicants to incur costs before knowing whether a UAFR will be granted and could deter facilities with legitimate risks from applying.

The final rule should allow FAA to condition approval on deployment of compatible Remote ID receiving capability before activation of the UAFR. FAA should also permit direct equipment or a contracted service, as the proposed text contemplates, and should avoid prescribing a specific technology beyond compatibility with part 89.

B. Twenty-Four Months of Information Should Be Provided Only Where Available

Proposed § 74.66(a) asks an applicant to describe UAS operations during the previous twenty-four months "where available." The preamble likewise states that the information would be submitted "if available."¹⁵

ACC supports and asks FAA to preserve that limitation. Approximately 65 percent of survey respondents do not possess twenty-four months of historical UAS activity records, often because their facilities lack dedicated UAS detection systems and have relied on employee observation or ordinary incident reporting.

The absence of a complete twenty-four-month record should not create a presumption that the facility lacks UAS risk and should not render an application incomplete.

Applicants should provide the information reasonably available for the relevant period and may supplement it with incident reports, employee observations, law-enforcement

¹⁴NPRM, 91 Fed. Reg. at 24,662–63, 24,687; proposed 14 C.F.R. § 74.56(d); see also 14 C.F.R. part 89.

¹⁵NPRM, 91 Fed. Reg. at 24,664, 24,687; proposed 14 C.F.R. § 74.66(a).



information, facility risk assessments, and other credible evidence. FAA should evaluate the total record under the risk-based standard in proposed § 74.66.

C. The Evidentiary Standard Should Reflect Current Capabilities

Chemical facilities differ in their security resources, UAS experience, and technical capabilities. The final rule should allow each applicant to use the best credible information reasonably available to demonstrate facility-specific UAS risk.

Relevant information may include:

- documented UAS incursions;
- facility vulnerability and risk assessments;
- security incident reports and employee observations;
- physical security assessments;
- law-enforcement coordination or information;
- operational-impact analyses; and
- other credible information relevant to the facility-specific UAS risk.

This approach is consistent with FAA's proposal to consider the demonstration-of-need factors together and not treat any one factor as dispositive.¹⁶

Protection of Sensitive Security Information

Section 2209 petitions may require applicants to submit information that is both security-sensitive and commercially confidential. The effectiveness of the petition process therefore depends, in part, on the FAA's ability to appropriately protect sensitive information submitted by applicants.

Public disclosure of facility security measures, operational vulnerabilities, or other protective information could undermine facility security and discourage owners and operators from providing the level of detail necessary for the FAA to make informed decisions regarding UAFRs.

¹⁶NPRM, 91 Fed. Reg. at 24,664; proposed 14 C.F.R. § 74.66.



Accordingly, the FAA should establish clear procedures to ensure that sensitive information submitted in support of a petition is appropriately protected from unnecessary public disclosure while remaining available to authorized government personnel responsible for evaluating petitions.

A. Protect Sensitive Security and Proprietary Information

Applicants may need to submit information including:

- facility security assessments;
- physical security measures;
- facility layouts or perimeter information;
- operational vulnerabilities;
- documented security incidents;
- emergency response considerations;
- proprietary operational processes; and
- other information that could reasonably be expected to increase security risks if publicly released.

The FAA should minimize requests for sensitive information to that which is reasonably necessary to evaluate a petition and should clearly communicate how submitted information will be handled and protected throughout the review process. Appropriately protecting this information will encourage applicants to provide the operational and security details FAA needs to evaluate petitions effectively.

B. Utilize Existing Information Where Appropriate

Where practicable, the FAA should leverage existing government information rather than requesting applicants to recreate or resubmit information that may already be available through other federal agencies or existing security programs.

Reducing unnecessary duplication will lessen administrative burden while allowing applicants to focus on providing information directly relevant to the Section 2209 petition.

C. Establish Clear Confidentiality Procedures



ACC encourages the FAA to establish transparent procedures for protecting sensitive security and proprietary information submitted in support of Section 2209 petitions.

These procedures should clearly explain:

- what information may be designated as confidential;
- how submitted information will be stored, shared, and protected;
- the circumstances under which information may be disclosed;
- how confidentiality determinations will be made; and
- how applicants may identify information they believe warrants protection.

Clear confidentiality procedures will give facilities greater confidence that proprietary and security-sensitive information will be appropriately protected. That confidence will encourage more complete submissions, enable FAA to make better-informed decisions, and reduce the need for follow-up requests or supplemental documentation.

Additional Implementation Recommendations

In addition to the recommendations discussed throughout these comments, ACC encourages the FAA to adopt implementation practices that promote consistency, transparency, and long-term effectiveness of the Section 2209 petition process. A predictable and efficient process will encourage participation by eligible facilities while allowing the Agency to administer the program effectively.

A. Establish an Efficient and Predictable Petition Process

The final rule should provide applicants with clear guidance regarding petition requirements, supporting documentation, expected review timelines, and opportunities to address incomplete submissions.

Providing standardized application materials and clearly communicating procedural expectations will improve the quality and consistency of petitions while reducing unnecessary administrative burden for both applicants and the FAA.

Proposed § 74.68 would require applicants to describe costs, disruptions, and other negative effects on airspace users and measures to reduce those effects. Chemical-facility applicants can provide information about known facility operations, neighboring uses, and site-



specific conditions, but they generally do not possess FAA's airspace data or expertise. The final rule should require applicants to provide only information reasonably available to them and should assign FAA responsibility for the broader airspace analysis.¹⁷

Similarly, proposed § 74.70 should not be administered as a new facility-level environmental review program. FAA is responsible for compliance with the National Environmental Policy Act and other applicable environmental requirements. Applicants should provide relevant site-specific information reasonably within their knowledge, while FAA conducts the legally required environmental analysis and permits applicants to reference existing environmental or regulatory submissions where appropriate.¹⁸

Where additional information is required, the FAA should provide applicants with a reasonable opportunity to supplement or clarify their submissions before denying a petition. FAA should also clarify in the final rule and implementing guidance that the one opportunity to correct and resubmit a denied application applies only to that application and does not preclude a facility from filing a new petition based on additional information, changed circumstances, or a materially revised request.

B. Allow Flexibility for Petition Updates

Facility operations, surrounding environments, and security risks may evolve over time. Likewise, technological developments and changes in UAS operations may affect the information supporting an approved petition.

Rather than requiring applicants to submit entirely new petitions whenever circumstances change, the FAA should establish a streamlined process for updating previously approved petitions when appropriate.

This approach will reduce unnecessary administrative burden while allowing the Agency to maintain accurate and current information.

C. Preserve Facility-Authorized UAS Operations

ACC members increasingly use UAS, directly or through contractors, for inspection, maintenance, construction, environmental monitoring, security, emergency response, and other

¹⁷NPRM, 91 Fed. Reg. at 24,666–67, 24,687–88; proposed 14 C.F.R. § 74.68.

¹⁸NPRM, 91 Fed. Reg. at 24,667–68, 24,688; proposed 14 C.F.R. § 74.70.



legitimate facility purposes. A UAFR should protect a chemical facility without impeding these safety- and security-supporting operations.

Proposed §§ 74.250 and 74.255 would govern allowed operations and require advance notice to the facility site manager. The final rule should expressly accommodate facility-owned and facility-authorized operations through a practical mechanism such as standing notifications or a facility-specific list of authorized operators and aircraft. Any mechanism should preserve FAA's airspace authority, maintain facility situational awareness, and avoid operation-by-operation submissions for recurring facility-authorized flights.¹⁹

D. Continue Interagency Coordination

Implementation of Section 2209 intersects with the responsibilities of multiple federal agencies involved in critical infrastructure protection, aviation safety, law enforcement, and national security.

ACC encourages the FAA to continue coordinating, as appropriate, with agencies including:

- the Cybersecurity and Infrastructure Security Agency (CISA);
- the Department of Homeland Security (DHS);
- the Department of Energy (DOE);
- the United States Coast Guard (USCG);
- the Federal Bureau of Investigation (FBI); and
- other Sector Risk Management Agencies with responsibility for covered facilities.

Continued coordination will promote consistent implementation, reduce duplicative information requests, and improve government understanding of facility-specific security considerations.

E. Maintain Ongoing Public-Private Engagement

The UAS operating environment continues to evolve rapidly as technology, operational practices, and security threats change.

¹⁹NPRM, 91 Fed. Reg. at 24,676–78, 24,691; proposed 14 C.F.R. §§ 74.250 and 74.255.



Accordingly, ACC encourages the FAA to continue engaging industry stakeholders after publication of the final rule through periodic outreach, implementation guidance, and opportunities for feedback. Continued engagement will help identify implementation challenges, improve program administration, and support consistent application of the rule across diverse industries.

F. Periodically Review Program Implementation

Because Section 2209 establishes a new regulatory framework, the FAA should periodically evaluate the effectiveness of the petition process after implementation.

Areas for future evaluation may include:

- petition participation rates;
- administrative processing timelines;
- operational challenges experienced by applicants;
- evolving UAS technologies;
- changes in threat activity; and
- opportunities to improve program efficiency.

Periodic review will help ensure that the regulatory framework remains responsive to changing technologies, operational realities, and emerging security risks.

Conclusion

ACC supports FAA's implementation of Section 2209 and the creation of a workable UAFR petition process for eligible fixed-site facilities. The final rule should remain risk-based, provide a practical path for chemical facilities to demonstrate eligibility and need, and protect sensitive information.

ACC's survey confirms that unauthorized UAS activity is an existing and increasing concern across the chemical sector. It also shows that many facilities do not yet possess Remote ID receiving capability or complete twenty-four-month UAS records, making flexible implementation essential.

ACC respectfully recommends that the final rule:



- require an applicant to demonstrate that the site is a fixed facility and critical infrastructure;
- use Appendix A COI concentrations and screening threshold quantities as a chemical-sector eligibility pathway without making them an exclusive bright-line cutoff;
- permit technically supported alternative thresholds based on facility-specific UAS risk;
- allow Remote ID capability to be installed after conditional approval but before an approved UAFR becomes active, using equipment or services compatible with part 89;
- preserve the "where available" limitation for twenty-four months of historical UAS information and accept other credible evidence;
- protect sensitive security and proprietary information submitted with a petition; preserve practical access for facility-owned and facility-authorized UAS operations; and limit applicant responsibilities for externalities and environmental information to facility-specific information reasonably within the applicant's knowledge and expertise.

These recommendations would implement Congress's direction while allowing FAA to evaluate each chemical facility on its own risk record and preserve safe and efficient use of the National Airspace System.

ACC appreciates FAA's consideration of these comments and welcomes continued engagement as the Agency finalizes and implements this important rulemaking.

Respectfully submitted,

American Chemistry Council



Appendix A — DHS Chemicals of Interest

Appendix A to 6 CFR part 27 is reproduced below as a reference for ACC's recommended chemical-sector eligibility pathway. ACC supports use of the listed chemicals, minimum concentrations, and screening threshold quantities as an objective pathway, but not as an exclusive bright-line limitation on eligibility.

Source: Appendix A to 6 CFR part 27, DHS Chemicals of Interest.²⁰

²⁰Appendix A to 6 C.F.R. part 27 (DHS Chemicals of Interest); Appendix A to Chemical Facility Anti-Terrorism Standards, 72 Fed. Reg. 65,396, 65,420–35 (Nov. 20, 2007).



Appendix A to Part 27. -- DHS Chemicals of Interest ¹

Chemicals of Interest (COI)	Synonym	Chemical Abstract Service (CAS) #	Release		Theft		Sabotage		Security Issue						
			Minimum Concentration (%)	Screening Threshold Quantities (in pounds)	Minimum Concentration (%)	Screening Threshold Quantities (in pounds unless otherwise noted)	Minimum Concentration (%)	Screening Threshold Quantities	Release – Toxic	Release – Flammables	Release – Explosives	Theft – CW/CWP	Theft – WME	Theft – EXP/EDP Sabotage/Contamination	
Acetaldehyde		75-07-0	1.00	10,000											
Acetone cyanohydrin, stabilized		75-86-5					ACG	APA		X					X
Acetyl bromide		506-96-7					ACG	APA							X
Acetyl chloride		75-36-5					ACG	APA							X
Acetyl iodide		507-02-8					ACG	APA							X
Acetylene	[Ethyne]	74-86-2	1.00	10,000						X					
Acrolein	[2-Propenal] or Acrylaldehyde	107-02-8	1.00	5,000					X						
Acrylonitrile	[2-Propenenitrile]	107-13-1	1.00	10,000						X					
Acrylyl chloride	[2-Propenoyl chloride]	814-68-6	1.00	10,000						X					
Allyl alcohol	[2-Propen-1-ol]	107-18-6	1.00	15,000					X						
Allylamine	[2-Propen-1-amine]	107-11-9	1.00	10,000						X					
Allyltrichlorosilane, stabilized		107-37-9					ACG	APA							X
Aluminum (powder)		7429-90-5			ACG	100									X
Aluminum bromide, anhydrous		7727-15-3					ACG	APA							X
Aluminum chloride, anhydrous		7446-70-0					ACG	APA							X
Aluminum phosphide		20859-73-8					ACG	APA							X
Ammonia (anhydrous)		7664-41-7	1.00	10,000					X						
Ammonia (conc. 20% or greater)		7664-41-7	20.00	20,000					X						
Ammonium nitrate, [with more than 0.2 percent combustible substances, including any organic substance calculated as carbon, to the exclusion of any other added substance]		6484-52-2	ACG	5,000	ACG	400					X			X	

APPENDIX A TO PART 27--DHS CHEMICALS OF INTEREST

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Appendix A to Part 27. -- DHS Chemicals of Interest ¹

Chemicals of Interest (COI)	Synonym	Chemical Abstract Service (CAS) #	Release		Theft		Sabotage		Security Issue							
			Minimum Concentration (%)	Screening Threshold Quantities (in pounds)	Minimum Concentration (%)	Screening Threshold Quantities (in pounds unless otherwise noted)	Minimum Concentration (%)	Screening Threshold Quantities	Release – Toxic	Release – Flammables	Release – Explosives	Theft – CW/CWP	Theft – WME	Theft – EXP/IEDP	Sabotage/Contamination	
Ammonium nitrate, solid [nitrogen concentration of 23% nitrogen or greater]		6484-52-2			33.00	2000									X	
Ammonium perchlorate		7790-98-9	ACG	5,000	ACG	400							X			X
Ammonium picrate		131-74-8	ACG	5,000	ACG	400							X			X
Amyltrimethylsilane		107-72-2						ACG	APA							X
Antimony pentafluoride		7783-70-2						ACG	APA							X
Arsenic trichloride	[Arsenous trichloride]	7784-34-1	1.00	15,000	30.00	2.2				X			X			
Arsine		7784-42-1	1.00	1,000	0.67	15				X				X		
Barium azide		18810-58-7	ACG	5,000	ACG	400							X		X	
1,4-Bis(2-chloroethylthio)-n-butane		142868-93-7				CUM 100g								X		
Bis(2-chloroethylthio)methane		63869-13-6				CUM 100g								X		
Bis(2-chloroethylthiomethyl)ether		63918-90-1				CUM 100g								X		
1,5-Bis(2-chloroethylthio)-n-pentane		142868-94-8				CUM 100g								X		
1,3-Bis(2-chloroethylthio)-n-propane		63905-10-2				CUM 100g								X		
Boron tribromide		10294-33-4			12.67	45	ACG	APA							X	X
Boron trichloride	[Borane, trichloro]	10294-34-5	1.00	5,000	84.70	45				X					X	
Boron trifluoride	[Borane, trifluoro]	7637-07-2	1.00	5,000	26.87	45				X					X	
Boron trifluoride compound with methyl ether (1:1)	[Boron, trifluoro [oxybis (methane)]-T-4-]	353-42-4	1.00	15,000						X						
Bromine		7726-95-6	1.00	10,000						X						
Bromine chloride		13863-41-7			9.67	45									X	
Bromine pentafluoride		7789-30-2						ACG	APA							X
Bromine trifluoride		7787-71-5			6.00	45		ACG	APA						X	X
Bromotrifluoroethylene	[Ethene, bromotrifluoro-]	598-73-2	1.00	10,000							X					

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Chemicals of Interest (COI)	Synonym	Chemical Abstract Service (CAS) #	Release		Theft		Sabotage		Security Issue						
			Minimum Concentration (%)	Screening Threshold Quantities (in pounds)	Minimum Concentration (%)	Screening Threshold Quantities (in pounds unless otherwise noted)	Minimum Concentration (%)	Screening Threshold Quantities	Release – Toxic	Release – Flammables	Release – Explosives	Theft – CW/CWP	Theft – WME	Theft – EXP/IEDP	Sabotage/Contamination
1,3-Butadiene		106-99-0	1.00	10,000						X					
Butane		106-97-8	1.00	10,000						X					
Butene		25167-67-3	1.00	10,000						X					
1-Butene		106-98-9	1.00	10,000						X					
2-Butene		107-01-7	1.00	10,000						X					
2-Butene-cis		590-18-1	1.00	10,000						X					
2-Butene-trans	[2-Butene, (E)]	624-64-6	1.00	10,000						X					
Butyltrichlorosilane		7521-80-4					ACG	APA							X
Calcium hydrosulfite	[Calcium dithionite]	15512-36-4					ACG	APA							X
Calcium phosphide		1305-99-3					ACG	APA							X
Carbon disulfide		75-15-0	1.00	20,000					X						
Carbon oxydisulfide	[Carbon oxide sulfide (COS); carbonyl sulfide]	463-58-1	1.00	10,000						X					
Carbonyl fluoride		353-50-4			12.00	45							X		
Carbonyl sulfide		463-58-1			56.67	500							X		
Chlorine		7782-50-5	1.00	2,500	9.77	500			X				X		
Chlorine dioxide	[Chlorine oxide, (ClO2)]	10049-04-4	1.00	1,000			ACG	APA	X						X
Chlorine monoxide	[Chlorine oxide]	7791-21-1	1.00	10,000						X					
Chlorine pentafluoride		13637-63-3			4.07	15							X		
Chlorine trifluoride		7790-91-2			9.97	45							X		
Chloroacetyl chloride		79-04-9					ACG	APA							X
2-Chloroethylchloromethylsulfide		2625-76-5			CUM 100g						X				
Chloroform	[Methane, trichloro-]	67-66-3	1.00	20,000					X						
Chloromethyl ether	[Methane, oxybis(chloro-)]	542-88-1	1.00	1,000					X						
Chloromethyl methyl ether	[Methane, chloromethoxy-]	107-30-2	1.00	5,000					X						
1-Chloropropylene	[1-Propene, 1-chloro-]	590-21-6	1.00	10,000						X					
2-Chloropropylene	[1-Propene, 2-chloro-]	557-98-2	1.00	10,000						X					

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Chemicals of Interest (COI)	Synonym	Chemical Abstract Service (CAS) #	Release		Theft		Sabotage		Security Issue						
			Minimum Concentration (%)	Screening Threshold Quantities (in pounds)	Minimum Concentration (%)	Screening Threshold Quantities (in pounds unless otherwise noted)	Minimum Concentration (%)	Screening Threshold Quantities	Release – Toxic	Release – Flammables	Release – Explosives	Theft – CW/CWP	Theft – WME	Theft – EXP/IEDP	Sabotage/Contamination
Chlorosarin	[o-Isopropyl methylphosphonochloridate]	1445-76-7			CUM 100g								X		
Chlorosoman	[o-Pinacetyl methylphosphonochloridate]	7040-57-5			CUM 100g								X		
Chlorosulfonic acid		7790-94-5					ACG	APA							X
Chromium oxychloride		14977-61-8					ACG	APA							X
Crotonaldehyde	[2-Butenal]	4170-30-3	1.00	10,000							X				
Crotonaldehyde, (E)-	[2-Butenal], (E)-	123-73-9	1.00	10,000							X				
Cyanogen	[Ethanedinitrile]	460-19-5	1.00	10,000	11.67	45					X		X		
Cyanogen chloride		506-77-4	1.00	10,000	2.67	15			X				X		
Cyclohexylamine	[Cyclohexanamine]	108-91-8	1.00	15,000					X						
Cyclohexyltrichlorosilane		98-12-4					ACG	APA							X
Cyclopropane		75-19-4	1.00	10,000						X					
DF	Methyl phosphonyl difluoride	676-99-3			CUM 100g								X		
Diazodinitrophenol		87-31-0	ACG	5,000	ACG	400					X				X
Diborane		19287-45-7	1.00	2,500	2.67	15			X				X		
Dichlorosilane	[Silane, dichloro-]	4109-96-0	1.00	10,000	10.47	45			X				X		
N,N-(2-diethylamino)ethanethiol		100-38-9			30.00	2.2							X		
Diethyldichlorosilane		1719-53-5					ACG	APA							X
o,o-Diethyl S-[2-(diethylamino)ethyl] phosphorothiolate		78-53-5			30.00	2.2							X		
Diethyleneglycol dinitrate		693-21-0	ACG	5,000	ACG	400					X			X	
Diethyl methylphosphonite		15715-41-0			30.00	2.2							X		
N,N-Diethyl phosphoramidic dichloride		1498-54-0			30.00	2.2							X		
N,N-(2-diisopropylamino)ethanethiol	N,N-diisopropyl-(beta)-aminoethane thiol	5842-07-9			30.00	2.2							X		

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Chemicals of Interest (COI)	Synonym	Chemical Abstract Service (CAS) #	Release		Theft		Sabotage		Security Issue						
			Minimum Concentration (%)	Screening Threshold Quantities (in pounds)	Minimum Concentration (%)	Screening Threshold Quantities (in pounds unless otherwise noted)	Minimum Concentration (%)	Screening Threshold Quantities	Release – Toxic	Release – Flammables	Release – Explosives	Theft – CW/CWP	Theft – WME	Theft – EXP/IEDP	Sabotage/Contamination
Difluoroethane	[Ethane, 1,1-difluoro-]	75-37-6	1.00	10,000					X						
N,N-Diisopropyl phosphoramidic dichloride		23306-80-1			30.00	2.2						X			
1,1-Dimethylhydrazine	[Hydrazine, 1, 1-dimethyl-]	57-14-7	1.00	10,000					X						
Dimethylamine	[Methanamine, N-methyl-]	124-40-3	1.00	10,000					X						
N,N-(2-dimethylamino)ethanethiol		108-02-1			30.00	2.2						X			
Dimethyldichlorosilane	[Silane, dichlorodimethyl-]	75-78-5	1.00	10,000			ACG	APA	X						X
N,N-Dimethyl phosphoramidic dichloride	[Dimethylphosphoramido-dichloridate]	677-43-0			30.00	2.2						X			
2,2-Dimethylpropane	[Propane, 2,2-dimethyl-]	463-82-1	1.00	10,000					X						
Dingu	[Dinitroglycoluril]	55510-04-8	ACG	5,000	ACG	400					X			X	
Dinitrogen tetroxide		10544-72-6			3.80	15							X		
Dinitrophenol		25550-58-7	ACG	5,000	ACG	400					X			X	
Dinitroresorcinol		519-44-8	ACG	5,000	ACG	400					X			X	
Diphenyldichlorosilane		80-10-4					ACG	APA							X
Dipicryl sulfide		2217-06-3	ACG	5,000	ACG	400					X			X	
Dipicrylamine [or] Hexyl	[Hexanitrodiphenylamine]	131-73-7	ACG	5,000	ACG	400					X			X	
N,N-(2-dipropylamino)ethanethiol		5842-06-8			30.00	2.2						X			
N,N-Dipropyl phosphoramidic dichloride		40881-98-9			30.00	2.2						X			
Dodecyltrichlorosilane		4484-72-4					ACG	APA							X
Epichlorohydrin	[Oxirane, (chloromethyl)-]	106-89-8	1.00	20,000					X						
Ethane		74-84-0	1.00	10,000						X					
Ethyl acetylene	[1-Butyne]	107-00-6	1.00	10,000						X					
Ethyl chloride	[Ethane, chloro-]	75-00-3	1.00	10,000						X					
Ethyl ether	[Ethane, 1,1-oxybis-]	60-29-7	1.00	10,000						X					
Ethyl mercaptan	[Ethanethiol]	75-08-1	1.00	10,000					X						

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Chemicals of Interest (COI)	Synonym	Chemical Abstract Service (CAS) #	Release		Theft		Sabotage		Security Issue						
			Minimum Concentration (%)	Screening Threshold Quantities (in pounds)	Minimum Concentration (%)	Screening Threshold Quantities (in pounds unless otherwise noted)	Minimum Concentration (%)	Screening Threshold Quantities	Release – Toxic	Release – Flammables	Release – Explosives	Theft – CW/CWP	Theft – WME	Theft – EXP/IEDP	Sabotage/Contamination
Ethyl nitrite	[Nitrous acid, ethyl ester]	109-95-5	1.00	10,000						X					
Ethyl phosphonyl difluoride		753-98-0			CUM 100g							X			
Ethylamine	[Ethanamine]	75-04-7	1.00	10,000						X					
Ethyldiethanolamine		139-87-7			80.00	220						X			
Ethylene	[Ethene]	74-85-1	1.00	10,000						X					
Ethylene oxide	[Oxirane]	75-21-8	1.00	10,000						X					
Ethylenediamine	[1,2-Ethanediamine]	107-15-3	1.00	20,000					X						
Ethyleneimine	[Aziridine]	151-56-4	1.00	10,000						X					
Ethylphosphonoethioic dichloride		993-43-1			30.00	2.2						X			
Ethyltrichlorosilane		115-21-9					ACG	APA							X
Fluorine		7782-41-4	1.00	1,000	6.17	15			X				X		
Fluorosulfonic acid		7789-21-1					ACG	APA							X
Formaldehyde (solution)		50-00-0	1.00	15,000					X						
Furan		110-00-9	1.00	10,000						X					
Germane		7782-65-2			20.73	45							X		
Germanium tetrafluoride		7783-58-6			2.11	15							X		
Guanyl nitrosaminoguanylidene hydrazine			ACG	5,000	ACG	400					X			X	
Hexaethyl tetraphosphate and compressed gas mixtures		757-58-4			33.37	500							X		
Hexafluoroacetone		684-16-2			15.67	45							X		
Hexanitrostilbene		20062-22-0	ACG	5,000	ACG	400					X			X	
Hexolite	[Hexoto]	121-82-4	ACG	5,000	ACG	400					X			X	
Hexyltrichlorosilane		928-65-4					ACG	APA							X
HMX	[Cyclotetramethylene-tetranitramine]	2691-41-0	ACG	5,000	ACG	400					X			X	

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Chemicals of Interest (COI)	Synonym	Chemical Abstract Service (CAS) #	Release		Theft		Sabotage		Security Issue							
			Minimum Concentration (%)	Screening Threshold Quantities (in pounds)	Minimum Concentration (%)	Screening Threshold Quantities (in pounds unless otherwise noted)	Minimum Concentration (%)	Screening Threshold Quantities	Release – Toxic	Release – Flammables	Release – Explosives	Theft – CW/CWP	Theft – WME	Theft – EXP/IEDP	Sabotage/Contamination	
HN1 (nitrogen mustard-1)	[Bis(2-chloroethyl)ethylamine]	538-07-8				CUM 100g								X		
HN2 (nitrogen mustard-2)	[Bis(2-chloroethyl)methylamine]	51-75-2				CUM 100g								X		
HN3 (nitrogen mustard-3)	[Tris(2-chloroethyl)amine]	555-77-1				CUM 100g								X		
Hydrazine		302-01-2	1.00	10,000							X					
Hydrochloric acid (conc. 37% or greater)		7647-01-0	37.00	15,000						X						
Hydrocyanic acid		74-90-8	1.00	2,500						X						
Hydrofluoric acid (conc. 50% or greater)		7664-39-3	50.00	1,000						X						
Hydrogen		1333-74-0	1.00	10,000							X					
Hydrogen bromide (anhydrous)		10035-10-6			95.33	500									X	
Hydrogen chloride (anhydrous)		7647-01-0	1.00	5,000	ACG	500				X					X	
Hydrogen cyanide	[Hydrocyanic acid]	74-90-8			4.67	15									X	
Hydrogen fluoride (anhydrous)		7664-39-3	1.00	1,000	42.53	45			X						X	
Hydrogen iodide, anhydrous		10034-85-2			95.33	500									X	
Hydrogen peroxide (concentration of at least 35%)		7722-84-1			35.00	400										X
Hydrogen selenide		7783-07-5	1.00	10,000	0.07	15					X				X	
Hydrogen sulfide		7783-06-4	1.00	10,000	23.73	45				X					X	
Iodine pentafluoride		7783-66-6						ACG	APA							
Iron, pentacarbonyl-	[Iron carbonyl (Fe (CO)5), (TB5-11)-]	13463-40-6	1.00	10,000							X					
Isobutane	[Propane, 2-methyl]	75-28-5	1.00	10,000							X					
Isobutyronitrile	[Propanenitrile, 2-methyl-]	78-82-0	1.00	20,000						X						
Isopentane	[Butane, 2-methyl-]	78-78-4	1.00	10,000							X					
Isoprene	[1,3-Butadiene, 2-methyl-]	78-79-5	1.00	10,000							X					

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Chemicals of Interest (COI)	Synonym	Chemical Abstract Service (CAS) #	Release		Theft		Sabotage		Security Issue						
			Minimum Concentration (%)	Screening Threshold Quantities (in pounds)	Minimum Concentration (%)	Screening Threshold Quantities (in pounds unless otherwise noted)	Minimum Concentration (%)	Screening Threshold Quantities	Release – Toxic	Release – Flammables	Release – Explosives	Theft – CW/CWP	Theft – WME	Theft – EXP/IEDP	Sabotage/Contamination
Isopropyl chloride	[Propane, 2-chloro-]	75-29-6	1.00	10,000						X					
Isopropyl chloroformate	[Carbonochloridic acid, 1-methylethyl ester]	108-23-6	1.00	15,000					X						
Isopropylamine	[2-Propanamine]	75-31-0	1.00	10,000						X					
Isopropylphosphonothioic dichloride		1498-60-8			30.00	2.2						X			
Isopropylphosphonyl difluoride		677-42-9			CUM 100g							X			
Lead azide		13424-46-9	ACG	5,000	ACG	400					X			X	
Lead styphnate	[Lead trinitroresorcinate]	15245-44-0	ACG	5,000	ACG	400				X				X	
Lewisite 1	[2-Chlorovinyl]dichloroarsine]	541-25-3				CUM 100g						X			
Lewisite 2	[Bis(2-chlorovinyl)chloroarsine]	40334-69-8				CUM 100g						X			
Lewisite 3	[Tris(2-chlorovinyl)arsine]	40334-70-1				CUM 100g						X			
Lithium amide		7782-89-0					ACG	APA							X
Lithium nitride		26134-62-3					ACG	APA							X
Magnesium (powder)		7439-95-4			ACG	100								X	
Magnesium diamide		7803-54-5					ACG	APA							X
Magnesium phosphide		12057-74-8					ACG	APA							X
MDEA	[Methyldiethanolamine]	105-59-9			80.00	220						X			
Mercury fulminate		628-86-4	ACG	5,000	ACG	400					X			X	
Methacrylonitrile	[2-Propenenitrile, 2-methyl-]	126-98-7	1.00	10,000					X						
Methane		74-82-8	1.00	10,000						X					
2-Methyl-1-butene		563-46-2	1.00	10,000						X					
3-Methyl-1-butene		563-45-1	1.00	10,000						X					
Methyl chloride	[Methane, chloro-]	74-87-3	1.00	10,000						X					
Methyl chloroformate	[Carbonochloridic acid, methyl ester]	79-22-1	1.00	10,000						X					
Methyl ether	[Methane, oxybis-]	115-10-6	1.00	10,000						X					
Methyl formate	[Formic acid Methyl ester]	107-31-3	1.00	10,000						X					

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Chemicals of Interest (COI)	Synonym	Chemical Abstract Service (CAS) #	Release		Theft		Sabotage		Security Issue						
			Minimum Concentration (%)	Screening Threshold Quantities (in pounds)	Minimum Concentration (%)	Screening Threshold Quantities (in pounds unless otherwise noted)	Minimum Concentration (%)	Screening Threshold Quantities	Release – Toxic	Release – Flammables	Release – Explosives	Theft – CW/CWP	Theft – WME	Theft – EXP/IEDP	Sabotage/Contamination
Methyl hydrazine	[Hydrazine, methyl-]	60-34-4	1.00	15,000					X						
Methyl isocyanate	[Methane, isocyanato-]	624-83-9	1.00	10,000					X						
Methyl mercaptan	[Methanethiol]	74-93-1	1.00	10,000	45.00	500				X				X	
Methyl thiocyanate	[Thiocyanic acid, methyl ester]	556-64-9	1.00	20,000					X						
Methylamine	[Methanamine]	74-89-5	1.00	10,000						X					
Methylchlorosilane		993-00-0			20.00	45								X	
Methyldichlorosilane		75-54-7						ACG	APA						X
Methylphenyldichlorosilane		149-74-6						ACG	APA						X
Methylphosphonothioic dichloride		676-98-2			30.00	2.2							X		
2-Methylpropene	[1-Propene, 2-methyl-]	115-11-7	1.00	10,000						X					
Methyltrichlorosilane	[Silane, trichloromethyl-]	75-79-6	1.00	10,000				ACG	APA		X				X
Sulfur mustard (Mustard gas (H))	[Bis(2-chloroethyl)sulfide]	505-60-2				CUM 100g							X		
O-Mustard (T)	[Bis(2-chloroethylthioethyl)ether]	63918-89-8				CUM 100g							X		
Nickel Carbonyl		13463-39-3	1.00	10,000							X				
Nitric acid		7697-37-2	80.00	15,000	68.00	400			X						X
Nitric oxide	[Nitrogen oxide (NO)]	10102-43-9	1.00	10,000	3.83	15			X					X	
Nitrobenzene		98-95-3			ACG	100									X
5-Nitrobenzotriazol		2338-12-7	ACG	5,000	ACG	400					X				X
Nitrocellulose		9004-70-0	ACG	5,000	ACG	400					X				X
Nitrogen mustard hydrochloride	[Bis(2-chloroethyl)methylamine hydrochloride]	55-86-7			30.00	2.2							X		
Nitrogen trioxide		10544-73-7			3.83	15								X	
Nitroglycerine		55-63-0	ACG	5,000	ACG	400					X				X
Nitromannite	[Mannitol hexanitrate, wetted]	15825-70-4	ACG	5,000	ACG	400					X				X
Nitromethane		75-52-5			ACG	400									X
Nitrostarch		9056-38-6	ACG	5,000	ACG	400					X				X
Nitrosyl chloride		2696-92-6			1.17	15								X	

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			Minimum Concentration (%)	Screening Threshold Quantities (in pounds)	Minimum Concentration (%)	Screening Threshold Quantities (in pounds unless otherwise noted)	Minimum Concentration (%)	Screening Threshold Quantities	Release – Toxic	Release – Flammables	Release – Explosives	Theft – CW/CWP	Theft – WME	Theft – EXP/IEDP	Sabotage/Contamination
Nitrotriazolone		932-64-9	ACG	5,000	ACG	400					X			X	
Nonyltrichlorosilane		5283-67-0					ACG	APA							X
Octadecyltrichlorosilane		112-04-9					ACG	APA							X
Octolite		57607-37-1	ACG	5,000	ACG	400				X				X	
Octonal		78413-87-3	ACG	5,000	ACG	400				X				X	
Octyltrichlorosilane		5283-66-9					ACG	APA							X
Oleum (Fuming Sulfuric acid)	[Sulfuric acid, mixture with sulfur trioxide]	8014-95-7	1.00	10,000					X						
Oxygen difluoride		7783-41-7			0.09	15							X		
1,3-Pentadiene		504-60-9	1.00	10,000						X					
Pentane		109-66-0	1.00	10,000						X					
1- Pentene		109-67-1	1.00	10,000						X					
2-Pentene, (E)-		646-04-8	1.00	10,000						X					
2-Pentene, (Z)-		627-20-3	1.00	10,000						X					
Pentolite		8066-33-9	ACG	5,000	ACG	400					X			X	
Peracetic acid	[Ethaneperoxic acid]	79-21-0	1.00	10,000						X					
Perchloromethylmercaptan	[Methanesulfonyl chloride, trichloro-]	594-42-3	1.00	10,000					X						
Perchloryl fluoride		7616-94-6			25.67	45							X		
PETN	[Pentaerythritol tetranitrate]	78-11-5	ACG	5,000	ACG	400					X			X	
Phenyltrichlorosilane		98-13-5					ACG	APA							X
Phosgene	[Carbonic dichloride] or [carbonyl dichloride]	75-44-5	1.00	500	0.17	15			X				X		
Phosphine		7803-51-2	1.00	10,000	0.67	15				X			X		
Phosphorus		7723-14-0			ACG	400								X	
Phosphorus oxychloride	[Phosphoryl chloride]	10025-87-3	1.00	5,000	80.00	220	ACG	APA	X			X			X
Phosphorus pentabromide		7789-69-7					ACG	APA							X
Phosphorus pentachloride		10026-13-8					ACG	APA							X
Phosphorus pentasulfide		1314-80-3					ACG	APA							X

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			Minimum Concentration (%)	Screening Threshold Quantities (in pounds)	Minimum Concentration (%)	Screening Threshold Quantities (in pounds unless otherwise noted)	Minimum Concentration (%)	Screening Threshold Quantities	Release – Toxic	Release – Flammables	Release – Explosives	Theft – CW/CWP	Theft – WME	Theft – EXP/IEDP	Sabotage/Contamination
Phosphorus trichloride		7719-12-2	1.00	15,000	3.48	45	ACG	APA	X					X	X
Picrite	[Nitroguanidine]	556-88-7	ACG	5,000	ACG	400					X			X	
Piperidine		110-89-4	1.00	10,000						X					
Potassium chlorate		3811-04-9			ACG	400								X	
Potassium cyanide		151-50-8					ACG	APA							X
Potassium nitrate		7757-79-1			ACG	400								X	
Potassium perchlorate		7778-74-7			ACG	400								X	
Potassium permanganate		7722-64-7			ACG	400								X	
Potassium phosphide		20770-41-6					ACG	APA							X
Propadiene	[1,2-Propadiene]	463-49-0	1.00	10,000						X					
Propane		74-98-6	1.00	60,000						X					
Propionitrile	[Propanenitrile]	107-12-0	1.00	10,000					X						
Propyl chloroformate	[Carbonchloridic acid, propylester]	109-61-5	1.00	10,000						X					
Propylene	[1-Propene]	115-07-1	1.00	10,000						X					
Propylene oxide	[Oxirane, methyl-]	75-56-9	1.00	10,000						X					
Propyleneimine	[Aziridine, 2-methyl-]	75-55-8	1.00	10,000					X						
Propylphosphonothioic dichloride		2524-01-8			30.00	2.2							X		
Propylphosphonyl difluoride		690-14-2			CUM 100g								X		
Propyltrichlorosilane		141-57-1					ACG	APA							X
Propyne	[1-Propyne]	74-99-7	1.00	10,000						X					
QL	[o-Ethyl-o-2-diisopropylaminoethyl methylphosphonite]	57856-11-8			CUM 100g								X		
RDX	[Cyclotrimethylenetrinitramine]	121-82-4	ACG	5,000	ACG	400					X			X	
RDX and HMX mixtures		121-82-4	ACG	5,000	ACG	400					X			X	
Sarin	[o-Isopropyl methylphosphonofluoridate]	107-44-8			CUM 100g							X			
Selenium hexafluoride		7783-79-1			1.67	15								X	

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Chemicals of Interest (COI)	Synonym	Chemical Abstract Service (CAS) #	Release		Theft		Sabotage		Security Issue						
			Minimum Concentration (%)	Screening Threshold Quantities (in pounds)	Minimum Concentration (%)	Screening Threshold Quantities (in pounds unless otherwise noted)	Minimum Concentration (%)	Screening Threshold Quantities	Release – Toxic	Release – Flammables	Release – Explosives	Theft – CW/CWP	Theft – WME	Theft – EXP/IEDP	Sabotage/Contamination
Sesquimustard	[1,2-Bis(2-chloroethylthio)ethane]	3563-36-8			CUM 100g								X		
Silane		7803-62-5	1.00	10,000						X					X
Silicon tetrachloride		10026-04-7					ACG	APA							
Silicon tetrafluoride		7783-61-1			15.00	45							X		
Sodium azide		26628-22-8			ACG	400								X	
Sodium chlorate		7775-09-9			ACG	400								X	
Sodium cyanide		143-33-9					ACG	APA							X
Sodium hydrosulfite	[Sodium dithionite]	7775-14-6					ACG	APA							X
Sodium nitrate		7631-99-4			ACG	400									X
Sodium phosphide		12058-85-4					ACG	APA							X
Soman	[o-Pinacolyl methylphosphonofluoridate]	96-64-0			CUM 100g							X			
Stibine		7803-52-3			0.67	15							X		
Strontium phosphide		12504-16-4					ACG	APA							X
Sulfur dioxide (anhydrous)		7446-09-5	1.00	5,000	84.00	500			X				X		
Sulfur tetrafluoride	[Sulfur fluoride (SF4), (T-4)-]	7783-60-0	1.00	2,500	1.33	15			X				X		
Sulfur trioxide		7446-11-9	1.00	10,000					X						
Sulfuryl chloride		7791-25-5					ACG	APA							X
Tabun	[o-Ethyl-N,N-dimethylphosphoramido-cyanidate]	77-81-6			CUM 100g							X			
Tellurium hexafluoride		7783-80-4			0.83	15							X		
Tetrafluoroethylene	[Ethene, tetrafluoro-]	116-14-3	1.00	10,000						X					
Tetramethyllead	[Plumbane, tetramethyl-]	75-74-1	1.00	10,000					X						
Tetramethylsilane	[Silane, tetramethyl-]	75-76-3	1.00	10,000						X					
Tetranitroaniline		53014-37-2	ACG	5,000	ACG	400					X			X	
Tetranitromethane	[Methane, tetranitro-]	509-14-8	1.00	10,000					X						
Tetrazene	[Guanyl nitrosaminoguanyltetrazene]	109-27-3	ACG	5,000	ACG	400					X			X	

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Chemicals of Interest (COI)	Synonym	Chemical Abstract Service (CAS) #	Release		Theft		Sabotage		Security Issue							
			Minimum Concentration (%)	Screening Threshold Quantities (in pounds)	Minimum Concentration (%)	Screening Threshold Quantities (in pounds unless otherwise noted)	Minimum Concentration (%)	Screening Threshold Quantities	Release – Toxic	Release – Flammables	Release – Explosives	Theft – CW/CWP	Theft – WME	Theft – EXP/IEDP	Sabotage/Contamination	
1H-Tetrazole		288-94-8	ACG	5,000	ACG	400						X			X	
Thiodiglycol	[Bis(2-hydroxyethyl)sulfide]	111-48-8				30.00	2.2							X		
Thionyl chloride		7719-09-7						ACG	APA							X
Titanium tetrachloride	[Titanium chloride (TiCl4) (T-4)-]	7550-45-0	1.00	2,500	13.33	45	ACG	APA	X					X		X
TNT	[Trinitrotoluene]	118-96-7	ACG	5,000	ACG	400						X			X	
Torpex	[Hexotonal]	67713-16-0	ACG	5,000	ACG	400						X			X	
Trichlorosilane	[Silane, trichloro-]	10025-78-2	1.00	10,000				ACG	APA		X					X
Triethanolamine		102-71-6			80.00	220							X			
Triethanolamine hydrochloride		637-39-8			80.00	220							X			
Triethyl phosphite		122-52-1			80.00	220						X				
Trifluoroacetyl chloride		354-32-5			6.93	45								X		
Trifluorochloroethylene	[Ethene, chlorotrifluoro]	79-38-9	1.00	10,000	66.67	500				X				X		
Trimethylamine	[Methanamine, N,N-dimethyl-]	75-50-3	1.00	10,000						X						
Trimethylchlorosilane	[Silane, chlorotrimethyl-]	75-77-4	1.00	10,000				ACG	APA		X					X
Trimethyl phosphite		121-45-9			80.00	220							X			
Trinitroaniline		26952-42-1	ACG	5,000	ACG	400					X				X	
Trinitroanisole		606-35-9	ACG	5,000	ACG	400					X				X	
Trinitrobenzene		99-35-4	ACG	5,000	ACG	400					X				X	
Trinitrobenzenesulfonic acid		2508-19-2	ACG	5,000	ACG	400					X				X	
Trinitrobenzoic acid		129-66-8	ACG	5,000	ACG	400					X				X	
Trinitrochlorobenzene		88-88-0	ACG	5,000	ACG	400					X				X	
Trinitrofluorenone		129-79-3	ACG	5,000	ACG	400					X				X	
Trinitro-meta-cresol		602-99-3	ACG	5,000	ACG	400					X				X	
Trinitronaphthalene		55810-17-8	ACG	5,000	ACG	400					X				X	
Trinitrophenetole		4732-14-3	ACG	5,000	ACG	400					X				X	
Trinitrophenol		88-89-1	ACG	5,000	ACG	400					X				X	
Trinitroresorcinol		82-71-3	ACG	5,000	ACG	400					X				X	
Tritonal		54413-15-9	ACG	5,000	ACG	400					X				X	
Tungsten hexafluoride		7783-82-6			7.10	45								X		

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Chemicals of Interest (COI)	Synonym	Chemical Abstract Service (CAS) #	Release		Theft		Sabotage		Security Issue						
			Minimum Concentration (%)	Screening Threshold Quantities (in pounds)	Minimum Concentration (%)	Screening Threshold Quantities (in pounds unless otherwise noted)	Minimum Concentration (%)	Screening Threshold Quantities	Release – Toxic	Release – Flammables	Release – Explosives	Theft – CW/CWP	Theft – WME	Theft – EXP/IEDP	Sabotage/Contamination
Vinyl acetate monomer	[Acetic acid ethenyl ester]	108-05-4	1.00	10,000						X					
Vinyl acetylene	[1-Buten-3-yne]	689-97-4	1.00	10,000						X					
Vinyl chloride	[Ethene, chloro-]	75-01-4	1.00	10,000						X					
Vinyl ethyl ether	[Ethene, ethoxy-]	109-92-2	1.00	10,000						X					
Vinyl fluoride	[Ethene, fluoro-]	75-02-5	1.00	10,000						X					
Vinyl methyl ether	[Ethene, methoxy-]	107-25-5	1.00	10,000						X					
Vinylidene chloride	[Ethene, 1,1-dichloro-]	75-35-4	1.00	10,000						X					
Vinylidene fluoride	[Ethene, 1,1-difluoro-]	75-38-7	1.00	10,000						X					
Vinyltrichlorosilane		75-94-5					ACG	APA							X
VX	[o-Ethyl-S-2-diisopropylaminoethyl methyl phosphonothiolate]	50782-69-9			CUM 100g							X			
Zinc hydrosulfite	[Zinc dithionite]	7779-86-4					ACG	APA							X

¹ The acronyms used in this appendix have the following meaning: ACG = A Commercial Grade; APA = A Placarded Amount; CW/CWP = Chemical Weapons/Chemical Weapons Precursors; WME = Weapons of Mass Effect; EXP/IEDP = Explosives/Improvised Explosive Device Precursors

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