One of the primary federal security programs for regulating chemical facilities is the Chemical Facility Anti-Terrorism Standards (CFATS). The program provides the Department of Homeland Security (DHS) the authority to regulate security at thousands of facilities across the country. CFATS requires companies to develop and submit security plans to DHS for approval that meet 18 performance standards, which cover a wide-range of elements from physical to cyber security. Once a plan is approved, DHS sends out inspectors to make sure a facility has taken appropriate steps to address potential security threats.

DHS has reviewed the security profile of more than 40,000 facilities and determined that more than 3,000 facilities meet the requirements to be regulated by CFATS. In addition to CFATS, there are other programs that regulate security for facilities that manufacture, use or store chemicals, including most notably the Maritime Transportation Security Act and the Risk Management Plan.

POLICY PRIORITIES

ACC supports long-term reauthorization for CFATS, which will provide regulatory certainty for the regulated community. ACC also supports a risk-based approach for determining the list of covered chemicals and threshold quantities under CFATS. Any changes to the list should be subject to a public review and comment rulemaking process in accordance with the Administrative Procedures Act.