Overview

Enhancing security and resilience across the Chemical Sector requires a collaborative effort by private industry, public sector, and law enforcement. The Environmental Protection Agency (EPA) and the Cybersecurity and Infrastructure Security Agency (CISA) provide law enforcement and first responders with a need to know access to information about chemical facilities and resources to help them plan, prepare, and respond to chemical emergencies in their areas of responsibility.

Protecting Public Health and the Environment in Communities

The EPA's Emergency Planning and Community Right-to-Know Act (EPCRA) was established in 1986 to help communities plan for emergencies involving hazardous substances. EPCRA ensures that local communities and first responders have the necessary

The Community Right-to-Know provisions help increase the public's knowledge and access to information on chemicals at individual facilities, their uses, and releases into the environment.

information on hazardous chemicals stored locally, how those chemicals are transported, and the consequences in case of a potential release of those chemicals into the environment. This information is used to develop emergency response plans that community officials can use for chemical emergencies that may occur.

Facilities handling or storing any hazardous chemicals that require a Safety Data Sheet (SDS) under the Occupational Safety and Health Administration's (OSHA) Hazard Communication Standard must submit an Emergency and Hazardous Chemical Inventory Form, called a "Tier II Report." This report must be submitted annually to the facility's State Emergency Response Commission (SERC), Local Emergency Planning Committee (LEPC), and the local fire department to help plan for and respond to chemical emergencies.

Mitigating Chemical Accidents in Communities

The EPA's Risk Management Program (RMP) was established in 1996 as a means of preventing and mitigating the consequences of chemical accidents. Owners and operators of facilities that manufacture, use, store, or

RMP plans help first responders prepare for and respond to chemical emergencies in their community.

handle any of the RMP's list of flammable and toxic substances above the threshold quantity are required to submit information to EPA that includes the facility's hazard assessment, accident prevention mechanisms, and emergency response measures. Facilities must update the plan every five years (or sooner if major changes occur). This plan provides local fire, police, and emergency response personnel with valuable information to prepare for and respond to chemical emergencies in their community.

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Regulating Security at the Nation's Highest Risk Chemical Facilities

In 2006, Congress authorized the Department of Homeland Security (DHS) to establish the Chemical Facility Anti-Terrorism Standards (CFATS) program. Managed by CISA, the CFATS program identifies and regulates high-risk chemical facilities to ensure security measures are in place to reduce the risk of certain hazardous chemicals being weaponized. Appendix A of the CFATS regulation (6 CFR Part 27) lists the respective screening threshold quantities (STQ) and concentrations for more than 300 chemicals of interest (COI) that are categorized into three main security issues: release, theft or diversion, and sabotage. Facilities that possess COI at or above STQ must complete a Top-Screen survey to report those chemicals. CISA reviews this information to determine which facilities are high-risk and assigns them a tier. Tiered facilities are required to implement security measures that reduce the risks associated with the COI.

Sharing CFATS Data for Preparedness and Response

The CISA Gateway is a centrally managed repository of data and capabilities that allows federal departments; state, local, tribal, and territorial (SLTT) governments; and private sector partners to easily access, search, retrieve, visualize, analyze, and export infrastructure data from multiple sources to help with planning, incident preparedness, and response efforts.

CISA shares certain CFATS data elements with authorized federal and SLTT agencies on a geospatial map to help communities identify and prioritize potential risks and develop a contingency plan to address those risks. The CISA Gateway uses three layers of information protection to ensure the data stakeholders share are not exposed. This permission-based system allows CISA to share CFATS information while appropriately balancing safety and security risks. Level of authorized access is assessed on a case-by-case basis.

> Via the CISA Gateway, information on chemical facilities is available to federal and SLTT officials with an established need to know.

CFATS data is available in a For Official Use Only (FOUO) layer and a Chemical-terrorism Vulnerability Information (CVI) layer with an established need to know. FOUO access allows users to view information on any chemical facility that has filed a Top-Screen (such as name and geospatial information) within their respective jurisdictions, whereas CVI access includes additional information, such as a facility's risk-based tier.

EPA Resources

- EPCRA program: epa.gov/epcra
- RMP program: epa.gov/rmp
- Contact the RMP Reporting Center by emailing RMPRC@epacdx.net
- Tier II Reporting Requirements: epa.gov/epcra/state-tier-ii-reporting-requirements-and-procedures
- Contact your SERC or LEPC: epa.gov/epcra/state-emergency-response-commissions-contacts or epa.gov/epcra/local-emergency-planning-committees

CISA Resources

- CFATS Program: cisa.gov/cfats
- CISA Gateway: cisa.gov/cisa-gateway
- CFATS information on the CISA Gateway: cisa.gov/cfats-eo13650 or ipgateway.dhs.gov/eo13650
- Request a CFATS Presentation: cisa.gov/request-cfats-presentation