



The Department of Homeland Security (DHS or the Department) continues to strengthen security at the Nation's high-risk chemical facilities through the Chemical Facility Anti-Terrorism Standards (CFATS) program, 6 C.F.R. Part 27. The CFATS program identifies and regulates high-risk chemical facilities to ensure they have security measures in place to reduce the risks associated with regulated chemicals. Under CFATS, facilities that have been finally determined by DHS to be high-risk are required to develop and implement security plans that meet applicable risk-based performance standards (RBPS).

Under CFATS, and as part of their regulatory life-cycle, covered facilities are required to receive a minimum of two types of inspections:

1. Authorization Inspection
2. Compliance Inspection

Compliance Inspections

Under CFATS, a Compliance Inspection (CI) is conducted at covered facilities to ensure the existing and planned security measures identified within the site specific approved security plan continue to be implemented fully; the equipment, processes, and procedures described in the security plan are appropriate and sufficient to meet the established performance standards; and the required corrective actions have been implemented and are sustainable. In addition, an inspection can be conducted to discuss issues raised by the Department after a review of the facility's case file.

Compliance Inspections vs Authorization Inspections

An Authorization Inspection (AI) is conducted after the facility receives authorization from the Department. The purpose of this inspection is to verify and validate that the content listed in the facility's security plan is accurate and complete. The AI will also verify that existing and planned equipment, processes, and procedures are appropriate and sufficient to meet the established RBPS requirements. This inspection occurs prior to the final approval of the facility's security plan. Once the facility's security plan is approved, the facility enters into a regulatory life-cycle, which includes compliance inspections.

Compliance Inspection Scheduling and Notification

Compliance Inspections will occur after DHS issues the initial Letter of Approval, as needed based on a risk-based frequency established and scheduled by DHS, or as appropriate following the occurrence of any incident at a covered facility. A CI will typically take about one to two days with one or two inspectors attending the inspection. Facilities will receive a Notice of Inspection and will also be contacted by an inspector to schedule and determine logistics, except in certain exigent circumstances. DHS is generally required to provide at least 24-hour notice to the facility.

Corporate Cases

Companies with multiple regulated sites interested in the corporate CI approach should send a request to the inspector or Compliance Case Manager. These contacts will help with scheduling and coordination of visits in order to efficiently and effectively schedule CIs.

Preparing for a Compliance Inspection

DHS generally encourages facilities to have the sorts of materials below readily available. Inspectors can provide facilities with more specific information about which materials are applicable to their unique circumstances.

- Current chemical inventory list
- A site/facility layout map

- Evidence of documents describing changes to existing or planned measures, chemicals of interest, or policies and procedures that may significantly impact security posture
- CFATS-related documents, such as those describing cyber policies, response plans, incident reporting and investigation procedures, background checks and background check results, policies, and contracts
- Records for RBPS 18
- Documents describing procedures and records pertaining to the storage and transportation of chemicals, security organization, and network diagrams
- Documentation demonstrating the progress or completion of planned measures:
 - Revised schematics
 - Requests for quotes/proposals
 - Statements of work
 - Budget approval documentation
 - Installation or maintenance records
 - Photographs and Work Orders
- Key personnel, such as:
 - Facility manager
 - Facility security representative
 - Operations manager
 - Submitter of the security plan

What to Expect During the Compliance Inspection

The inspector(s) will conduct an in-brief at the start of the CI that will cover confirmation of Chemical-terrorism Vulnerability Information (CVI) authorized user status for all personnel present, a broad overview of the purpose and intent of the inspection, what should be expected from DHS, what DHS expects from the facility, a tentative plan of the inspection activities, and any necessary safety instructions that may be required. Facilities should be prepared to present a basic overview of facility operations and a brief overview of the processes the chemicals of interest are used in facilities should also be prepared to provide a tour of the facility.

Teams will focus on verifying the stage of implementation and effectiveness of planned measures and verifying/reviewing any significant changes in the facility's security posture since the last inspection. This is accomplished using the same four methods of verification used during the AI:

1. **Observation**, includes touring the facility, viewing restricted areas, etc.
2. **Interviews** are typically conducted with individuals having security duties and others who have responsibility over a portion of the compliance with the approved security plan.
3. **Document Review** includes going over any records or documents that are referenced in the security plan, to include documents maintained pursuant to RBPS 18 - Recordkeeping.
4. **Testing** refers to the testing of systems, like an intrusion detection system or closed circuit TV, and is always completed in coordination of the facility.

After the Compliance Inspection

Even though the actions the inspector(s) will take during and after the CI are very similar to that of the AI, it's important to note, the CI process is different from the AI:

- The CI may lead to an enforcement action if the facility does not sufficiently implement the security measures as outlined in the approved security plan.
- Under normal circumstances, facilities will not need to edit their security plan following the CI. Edits are only necessary for significant changes in the security posture. Minor changes will be reflected in the inspection report or supplemental information provided by the facility.
- If a facility remains in compliance, DHS will issue the facility a "Post-Compliance Inspection Status" letter, notifying the facility of their continued compliance.

Questions

If you have any additional questions, please contact your local Chemical Security Inspector or email CFATS@hq.dhs.gov.