

DHS Chemical Facility Anti-Terrorism Standards Farm & Ranch Guide

In 2007 the Department of Homeland Security (DHS) released the final [Appendix A \(i.e., "chemicals of interest"\)](#) reference to complete implementation of the [Chemical Facility Anti-Terrorism Standards Interim Final Rule \(CFATS\)](#).

Tiered Regulation, Appendix A, and Top Screen

1. Appendix A provides chemical specific-information used to establish whether a facility is required to complete a detailed facility registration and risk assessment, which DHS would then use to determine whether the facility presents a risk that justifies further regulation.
2. Appendix A lists individual chemicals in screening threshold quantities (STQ) that trigger completion of the [Chemical Security Assessment Tool](#) - otherwise known as "CSAT" or the "Top Screen".
3. The CSAT/Top Screen registers a facility and allows for DHS to initially review - or "screen" - each facility to determine whether that facility poses a risk justifying the implementation of additional regulatory requirements.
4. In completing the Top Screen, facility operators provide detailed information about their facility and chemical use by completing a lengthy online form.
5. For facilities that DHS believes to be security risks, additional requirements are established under a tiered system of regulation. A facility's level of risk vulnerability determines which tier of additional regulatory action is required. The rule details the types of security requirements DHS expects of facilities at each risk tier.

Ag Use Chemicals and STQ's

1. Propane (including Butane) - Propane is regulated for all facilities at an STQ of 60,000 pounds (*14,285 gallons*). However, propane stored in *vessels of less than 10,000 pounds (2381 gallons)* does *not* need to be counted in a facility's STQ calculation.
 - In other words, in calculating whether a facility needs to complete the Top Screen for propane, an operator need only count the total on-site actual quantity of propane stored when a single vessel/tank holds more that 14,285 gallons of actual product (*not* the capacity of the vessel).
 - When there are multiple vessels/tanks in various sizes on the same facility, only tanks that contain 2381 gallons or more of actual product in a single vessel are counted toward the STQ calculation.
 - The presence of multiple vessels each containing less than 2381 gallons of actual product should not be factored into the STQ calculation, even if the vessels' total quantity exceeds the STQ.
2. Fertilizers
 - Anhydrous ammonia [concentrations of 1% pure product or greater] has an STQ of 10,000 pounds.
 - On the farm, 10,000 pounds is approximately four (4) "nurse tanks" of anhydrous ammonia fertilizer.
 - Ammonium nitrate, SOLID FORM [nitrogen concentration of 23% nitrogen or greater] has an STQ of 2000 pounds for theft risk for ammonium nitrate compound concentrations of 33% or greater.

- On the farm, this amounts to 100 fifty-pound bags of granular solid ammonium nitrate.
3. Pesticides
 - Some pesticide active ingredients have listed STQ's, but nearly all are listed as pure product or manufacturing concentrations that would not be found in commercially available pesticide product mixtures.
 - Some commercially available fumigants have listed STQ's (e.g., phosphine).
 4. Hydrogen Sulfide and Methane [1% concentration or greater] – Though both chemicals are produced by livestock, DHS does *not* consider digestive emissions *included* in the STQ calculations.
 - For facilities with methane digesters or other farm-to-fuel operations, the STQ for 1% concentrations of stored methane has an STQ of 10,000 pounds (actual amount stored, not capacity or on-going use).

Compliance

1. Facilities to which the rule *currently* applies are expected to have completed the Top Screen by January 22, 2008.
2. Facilities to which the rule will apply in the *future* are expected to complete the Top Screen within sixty (60) days of receiving the STQ chemical on-site for use/storage.
3. For facilities that may have difficulty completing the process, DHS indicates a willingness to assist operators with the Top Screen – especially small business and non-commercial operations such as farms and ranches.

“Application” End-User Indefinite Compliance Extension

1. DHS has issued an indefinite extension of compliance - the "Stay" – with the rule for end-users, including production agriculture, farmers and ranchers, using and storing STQ chemicals for the purposes of treatment and application.
2. Under *current* threat conditions, DHS does not believe that storage of agricultural use chemicals on production facilities poses a significant terrorist threat that justifies farm and ranch compliance with the regulation at this time.
 - This action is *not* a regulatory exemption; rather DHS is saying "don't worry about compliance for now".
 - If security threats increase in the future or there is reason to believe that a particular facility, category of facilities or area of facilities poses a significant threat, DHS will notify those operations about the need to register and potentially comply with other tiers of regulation.
3. *DHS states, “Until further notice, or unless otherwise specifically notified in writing by DHS, the Top-Screen registration (the first tier of regulation) will not be required for any facility that is required to register solely because it possesses any Chemical of Interest, at or above the applicable screening threshold quantity, for use--*
 - (a) *in preparation for the treatment of crops, feed, land, livestock (including poultry) or other areas of an agricultural production facility; or*
 - (b) *during application to or treatment of crops, feed, land, livestock (including poultry) or other areas of an agricultural production facility;*
 - *This extension applies to facilities such as farms (e.g., crop, fruit, nut, and vegetable); ranches and rangeland; poultry, dairy, and equine facilities; turf grass growers; golf courses; nurseries; floricultural operations; and public and private parks.*

- *This extension does not apply to chemical distribution facilities, or commercial chemical application service.*
- 4. The Stay *applies* to long-term/permanent, STQ chemicals stored on-farm for on-going and/or future application. Agricultural production operations do not need to complete the Top Screen for storage of pesticides, fumigants and fertilizers for application, preparation and treatment in any STQ amount for any period of time.
- 5. The Stay does *not* apply to farms’ storage of propane. On-farm “large vessel” STQ storage of propane requires completion of Top Screen.
- 6. The stay does *not* apply to ammonia used as a refrigerant. Agricultural production facilities with refrigeration ammonia use meeting the STQ threshold (e.g., large dairies and grow/pack orchards) are required to complete the Top Screen.