



Resources for Law Enforcement and First Responders

Enhancing security and resilience across the chemical sector requires a collaborative effort by the private industry, public sector, and law enforcement. The Environmental Protection Agency (EPA) and the Department of Homeland Security (DHS) 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 information on hazardous chemicals stored in their area, how they are transported, and the consequences in case of a potential release 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 that facility's State Emergency Response Commission (SERC), Local Emergency Planning Committee (LEPC), and local fire department to help them 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 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.



Regulating Security at Nation's Highest Risk Chemical Facilities

The Cybersecurity and Infrastructure Security Agency's (CISA) Chemical Facility Anti-Terrorism Standards (CFATS) regulation was established in 2007 to identify and regulate facilities determined to be high-risk to ensure they have security measures in place to reduce the risk of more than 300

chemicals of interest (COI) from being weaponized. These COI give rise to three main security issues: release of toxic, flammable, or explosive chemicals; theft or diversion of chemicals; and sabotage of chemicals. Facilities that possess COI at the specific quantities and concentrations listed in Appendix A of the CFATS regulation must report their holdings via a Top-Screen survey. CISA uses this information to determine facilities that are high-risk and assign those facilities to a tier. Tiered facilities are required to implement security measures that reduce the risks of the COI from being weaponized.



Sharing CFATS Data for Preparedness and Response

The Infrastructure Protection (IP) Gateway is a centrally-managed repository of data CISA uses to share critical infrastructure information, including assessments, analytical products, and reports with first responders and law enforcement to help with planning, incident preparedness, and response efforts.

CISA shares certain CFATS data elements with authorized federal and state, local, tribal, and territorial (SLTT) agencies on a geospatial map to help these stakeholders identify and prioritize potential risks and develop a contingency plan to address those risks. IP 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.

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: www.epa.gov/epcra
- RMP program: www.epa.gov/rmp
- Tier II Reporting Requirements: www2.epa.gov/epcra/state-tier-ii-reporting-requirements-and-procedures
- Contact the RMP Reporting Center by emailing RMPPRC@epacdx.net
- Contacting your SERC or LEPC: www2.epa.gov/epcra/state-emergency-response-commissions-contacts or www2.epa.gov/epcra/local-emergency-planning-committees



CISA Resources

- CFATS program: www.dhs.gov/cfats
- CFATS CVI Training: www.dhs.gov/cvi-authorized-user-training
- IP Gateway: www.dhs.gov/ipgateway or ipgateway.dhs.gov/eo13650
- CFATS Knowledge Center: csat-help.dhs.gov/
- Request a CFATS presentation: www.dhs.gov/request-cfats-presentation
- Report a possible CFATS violation to the CFATS Tip Line:
Call 877-394-4347 (877-FYI 4 DHS) or email CFATSTips@hq.dhs.gov