



Whether used as fertilizers that give plants much needed nutrients or as pesticides that protect crops from pests, chemicals are part of everyday business in America's agricultural facilities. When used properly, chemicals allow plants to thrive at nurseries and other agricultural facilities and help farmers produce an abundant supply of food and biofuel for the nation and the world. However, in the wrong hands, some of the same chemicals—such as ammonium nitrate—can be used to do great harm.

To protect the nation from the exploitation of hazardous chemicals, Congress authorized the Department of Homeland Security (DHS) to create the Chemical Facility Anti-Terrorism Standards (CFATS) program (6 CFR Part 27) in order to identify and regulate high-risk chemical facilities to ensure they have security measures in place to reduce the risk of a terrorist attack associated with certain chemicals.

The CFATS regulation lists more than 300 chemical of interest (COI), which if held in specified quantities or concentrations known as standard threshold quantities (STQ), trigger reporting requirements to DHS via an online questionnaire called a Top-Screen. Facilities are required to report their chemical holdings within 60 days of coming into possession of a COI. However, DHS has given certain agricultural facilities a time extension for that reporting requirement.

Agricultural Production Facilities Extension

On January 9, 2008, the Department published a letter granting a time extension for certain farmers and other agricultural users who are required to report their COI holdings and submit a Top-Screen survey under CFATS (see 73 Fed. Reg. 1640). Unless otherwise notified by DHS, the letter states that agricultural facilities do not have to report their COI to the Department via the Top-Screen survey if they use them solely:

- In preparation for the treatment of crops, feed, land, livestock, or other areas of an agricultural production facility.
- During application to, or treatment of, crops, feed, land, livestock, or other areas of an agricultural production facility.

This extension may apply 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
- Public and private parks



The Department of Homeland Security's Chemical Facility Anti-Terrorism Standards Program may offer a time extension to your agricultural production facility. (Source: BestPhotos, US)

When the Extension Does Not Apply

The extension does not apply to agricultural production facilities that use a COI at or above the applicable STQ for purposes other than those listed above. For example:

- If a facility uses a COI for fuel, storage, or distribution purposes.
- If a commercial application service is using COI for distribution.
- If the facility is a fishery and/or hatchery, as fish are not considered livestock.
- If an agricultural facility stores and/or distributes a COI.
- If a park uses chlorine for an onsite pool.
- If an agricultural facility uses propane for heating.
- If a facility uses chlorine, hydrogen peroxide, or sulfur dioxide for the cleaning and treatment of equipment and products, such as at wineries, breweries, or food manufacturers.
- If a facility utilizes phosphine or other COI for fumigation purposes.

These facilities must submit a Top-Screen within 60 days of coming into possession of a COI.

Contact Information

It is everyone's responsibility to ensure that hazardous chemicals do not fall into the wrong hands. DHS is working with agricultural facilities across the country to ensure the safety and security of our communities. When in doubt, contact DHS to see whether or not you qualify for an agricultural extension or if you have any other questions.

- **The CSAT Help Desk** provides timely support to facility owners and operators. Call 1-866-323-2957 or email csat@dhs.gov.
- **The CFATS Knowledge Center** is an online repository of frequently asked questions, articles, and documents relating to CFATS and Ammonium Nitrate Programs. It can be found by visiting csat-help.dhs.gov/.
- To learn more about the CFATS program, visit www.dhs.gov/chemical-facility-anti-terrorism-standards.
- To view all of the COI covered in the program, visit www.dhs.gov/publication/cfats-coi-list.
- To submit a confidential report to the Department regarding a potential CFATS violation, contact the **CFATS Chemical Facility Security Tip Line**, 877-394-4347 (877-FYI 4 DHS), or email CFATSTips@hq.dhs.gov.