



## Chemical Facility Anti-terrorism Standards (CFATS)

In June of 2007, the Department of Homeland Security (DHS) published a new rule establishing risk-based performance standards for the security of the nation's chemical facilities. Recently, DHS has finalized **Appendix A**, detailing a list of "Chemicals of Interest" under this rule. In this issue of *Peroxygen Talk*, the impact of this ruling on the purchase, storage and use of Environmental Chemicals and Products will be discussed. Please note that the following is provided for information purposes only. You should consult your own advisors regarding the compliance of your facility or site with Chemical Facility Anti-terrorism Standards (CFATS) rules and regulations.

Appendix A of CFATS identifies chemicals and their Screening Threshold Quantities (**STQs**). If a facility or site possesses, or later comes into possession, of a chemical of interest at or above the specified STQ, further assessment must be made to determine if the facility or site poses a significant risk to public safety. This first stage of this assessment requires the facility or site to complete an assessment tool, known as **Top-Screen**, which can be completed on-line at DHS ([http://www.dhs.gov/xlibrary/assets/chemsec\\_csattopscreenquestions.pdf](http://www.dhs.gov/xlibrary/assets/chemsec_csattopscreenquestions.pdf)). Note that many facilities that fill out the Top-Screen may not be subject to further regulation under CFATS. Appendix A and the Top-Screen will allow DHS to make a preliminary determination about whether the facility presents a high-level of security risk. If a facility has on-site a chemical of interest at or above the STQ, then the facility is required to file a Top-Screen on or before **January 22, 2008, or within 60 calendar days of coming into possession of a chemical of interest at or above its STQ**. If your site or facility is determined to be a "high risk facility", then you will be notified by DHS in writing, and may be required to submit further documentation, such as a Site Vulnerability Assessment (SVA) and a Site Security Plan (SSP).

### Impact on Purchasing, Storing and Using Environmental Products

The following Environmental Products **are not** currently listed in Appendix A of CFATS:

- Klozur® SP
- Klozur® CR
- PermeOx® Ultra engineered calcium peroxide
- Dissolvine® E-FE-13 [FeEDTA]

In addition, sodium hydroxide (for activation of Klozur Persulfate) is not currently listed in Appendix A. Please keep in mind that we does not recommend use of NaOH in concentrations greater than 25% to minimize health and safety impacts.

As a result, these environmental products can be purchased, stored and used without further regulation under CFATS or the filing of a Top-Screen. DHS reserves the right to modify Appendix A, and one or more of the products may come under regulation at some future time. We will post any future changes to the status of the chemicals under CFATS.



## Hydrogen Peroxide

Hydrogen peroxide in concentrations of 35% or greater is listed as a chemical of interest under Appendix A of CFATS. DHS listed hydrogen peroxide (35% or greater) not because the agency believes it poses an inherent risk to human health and safety by itself, but due to its potential for theft by someone who wishes to use it in preparation of an “improvised explosive device precursor” (IEDP).

Concentrations of hydrogen peroxide less than 35% **are not** listed in Appendix A of CFATS at this time. As a result, purchase, storage and use of our hydrogen peroxide in concentrations of 8% or 17.5% do not fall under this regulation. In addition, it is not recommended to inject hydrogen peroxide into the sub-surface in concentrations greater than 17.5% due to potential off-gassing and heat generation.

If you are purchasing hydrogen peroxide in concentrations of 35% or greater, the facility or site will need to count all of the hydrogen peroxide that is stored in DOT (Dept. of Transportation) transportation packaging that is no longer in transportation to determine if the STQs have been exceeded and a Top-Screen submitted. Please contact us for further details on the assessment of the quantity of hydrogen peroxide in concentrations of 35% or greater for regulation under CFATS. Note that a Public Water System, municipal wastewater plants or facilities regulated under the Maritime Transportation Act (MTSA) are exempt from the DHS’ CFATS, but are urged by DHS to register at the DHS site.

For further information on the DHS CFATS regulation, please visit [www.dhs.gov](http://www.dhs.gov) and type in CFATS under the search feature. Contact the Environmental Solutions Team for questions regarding our environmental products.

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