

“IN A NUTSHELL”: KEY PROVISIONS OF THE DHS REGULATIONS

Under the regulations, a “high-risk” facility is defined as one which, “in the discretion of [DHS], presents a high risk of significant adverse consequences for human life or health, national security and/or critical economic assets if subjected to terrorist attack, compromise, infiltration, or exploitation.”

- Facilities possessing threshold quantities of any **Chemical of Interest** are required to complete an initial questionnaire, known as a **Top-Screen**. This due on January 20, 2008 and covers all labs, Facilities Management, Visual Arts, etc.

The Top Screen questionnaire seeks information on potential for loss of life (or life-changing injuries) or loss of the ability to execute critical defense or governance missions. The information you have been asked to provide will permit EH&S to do the following:

- a) Determine how best to submit the required information - by building, quadrants, campus, etc.
- b) Determine if the University meets the threshold limit for specific chemicals
- c) Meet the compliance deadline established by DHS for completion of the Top Screen.

- The information in the Top Screen is intended to allow DHS to determine the potential for and consequences of a terrorist attack, and to assess the possible risks if dangerous chemicals are stolen. The DHS will use the Top-Screen, along with any other information it deems relevant, to determine whether a facility is “high-risk.”

- The DHS also may, at any time contact the University and request Top-Screen information independent of whether the facility possesses listed chemicals at threshold quantities.

- Any facility determined to be “high-risk” must complete Security Vulnerability Assessments (SVAs) and develop and implement Site Security Plans (SSPs), which must include measures that satisfy “risk-based performance standards” established by DHS.

- The risk-based performance standards address a range of issues, including perimeter security, access control, employee and contractor background checks, insider sabotage, cyber security and emergency response planning. The risk-based performance standards ultimately will require that a facility implement measures to “deter, detect and delay” a potential terrorist attack.

(Adapted from Industry specific instructions issued by The American Chemistry Council)