

Agri-Business / Cropland. Update to New Department of Homeland Security Chemical Guidelines (Friday 01/25/2008 12:00PM)

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The Department of Homeland Security (DHS) has mandated that agri-businesses and farm operations who exceed threshold levels of critical chemicals of interest to register with DHS and complete the online assessment tool, known as a TOP Screen. These chemicals and their corresponding thresholds are listed in Appendix A of the Chemical Facility Anti-Terrorism Standards, DHS Chemicals of Interest Sheets ([CFATS HOW TO COMPLY](#)). The deadline for complying was initially January 22nd for agri-businesses and farm operations. However, a supplement to this initial order has changed the requirements of this mandate for some operations.

According to the DHS supplemental titled "Notice to Agricultural Facilities About Requirement To Complete Chemical Security Assessment Tool Top-Screen (docket #: [DHS-2006-0073](#)) DHS-2006-0073), the deadline for submitting the Top-Screen has been extended indefinitely for agricultural operations involved in the preparation of treatment or application to crops, feed, land, livestock, or other areas of an agricultural production facility. This applies to farms, ranches, poultry, dairy, and equine facilities, turf-grass growers, golf courses, nurseries, floricultural operations, and public and private parks. These facilities do not have to comply with a TOP-Screen assessment or apply with DHS.

Other Agri-businesses

Any agri-business not listed under the umbrella of docket # DHS-206-0073 is still subject to the January 22nd deadline. This applies mainly to chemical manufacturers, chemical distribution facilities, and commercial chemical application services. Failure to comply could result in civil penalties of up to \$25,000 per day or closure of the operation.

A list of common Montana agricultural chemicals and their respective DHS threshold levels are:

- Chlorine--2,500 pounds (bulk, not bagged or in some other transportation package)
- Chlorine--500 pounds (bagged, on a trailer, or in some other transportation package)
- Anhydrous ammonia--10,000 pounds (4 typical pull behind tanks, completely loaded)
- Ammonium nitrate--2,000 pounds (bagged, on a trailer, or in some other transportation package)
- Potassium nitrate--400 pounds (bagged, on a trailer, or in some other transportation package)
- Sodium nitrate--400 pounds (bagged, on a trailer, or in some other transportation package)

FOR FURTHER INFORMATION CONTACT: All individuals that may be affected by this are urged to review the [Homeland Security Chemical Security](#) website. Contact the U.S. Department of Homeland Security if you have any questions (Chemical Facility Anti-Terrorism Standards; 866/323-2957), or consult the "HOW TO COMPLY with the Chemical Facilities Anti-Terrorism Standards" report at ([CFATS HOW TO COMPLY](#)) for more information regarding this new law).