

# ***CWC INDUSTRY INSPECTION PREPARATION HANDBOOK***



## ***Chemical Weapons Convention Inspections of U.S. Industrial Facilities***

**DEPARTMENT OF COMMERCE**  
Bureau of Industry and Security  
Office of Nonproliferation  
Controls and Treaty Compliance

## PREFACE

This handbook is for use by United States industrial facilities subject to initial and/or routine verification activities under the Chemical Weapons Convention Regulations (CWCR). The information, guidance, and briefings are intended to assist Schedule 1, 2, 3 and unscheduled discrete organic chemical facilities in planning and preparing for Inspections of their declared facilities. This handbook, used in conjunction with the CWCR and Department of Commerce outreach materials and assistance, provides a reference for all phases of the planning, preparation, inspection, and post-inspection processes associated with inspection of declared chemical facilities.

Recommended changes to this handbook should be submitted to the address below.

**Department of Commerce  
Bureau of Industry and Security  
Treaty Compliance Division  
Attention: IMT  
1555 Wilson Blvd, Suite 700  
Arlington, VA 22209**

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## **FORWARD**

It is assumed that you have submitted declarations as required by 15 CFR 712-715 and that your facility is subject to inspection. This handbook is designed to assist you in preparing for inspections. The information contained herein is intended for guidance purposes only; there is no requirement to comply with the suggestions presented. The handbook will provide you helpful information in your efforts to comply with the Chemical Weapons Convention Regulations (CWC). For a complete description of your obligations, refer to the CWC in 15 CFR 710 or our web site <http://www.cwc.gov/>.

The most important steps you can take to prepare for an inspection are:

- Understand and verify your data declaration
- Develop a comprehensive Pre-Inspection Briefing
- Identify Confidential Business Information (CBI) and other critical information, (e.g., national security, technology controlled by the International Traffic in Arms Control Regulations (ITAR), and site security)
- Have available the records used to complete your data declaration

This handbook contains guidelines to assist you through all phases of inspection preparation and the inspection itself. This handbook assumes you have a working knowledge of the CWC.

The Department of Commerce's Bureau of Industry and Security (BIS) is the lead agency for CWC inspections conducted at U.S. facilities not owned by or leased to the Department of Defense or Energy. The objective of BIS is to minimize the disruption to facility operations and protect CBI and other critical (NSI, ITAR, Site Security, etc.) information to the maximum extent permitted by law while demonstrating compliance with the CWC.

Inspection preparation assistance is available from BIS. At your request, a Site Assistance Team of experts will visit your site prior to notification of an inspection to assist in your preparations. Upon notification of an inspection, an Advance Team (AT) will be deployed to your location. The AT will be available to help your facility prepare for the inspection. If you have any questions, call the Treaty Compliance Division at (703) 605-4400.

## **DEFINITIONS**

**Advance Team (AT)** – A U.S. Government team dispatched to a plant site, prior to a CWC inspection, to assist the facility prepare for the inspection.

**Chemical Weapons Convention (CWC)** – The Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and their Destruction.

**Chemical Weapons Convention Regulations (CWC)** – The Department of Commerce regulations contained in 15 CFR Parts 710 through 722.

**Export Administration Regulations, Section 15 the Code of Federal Regulations (EAR)** - This refers the CWC regulations section of the Export Administration Regulations.

**Facility** – Any plant site, plant or unit.

**Facility Agreement (FA)** – A written agreement or arrangement between a State Party to the CWC and the Organization for the Prohibition of Chemical Weapons (OPCW) relating to a specific facility subject to on-site verification pursuant to the Convention. This agreement or arrangement defines terms and procedures to be used during future inspections of a specific declared facility, subject to on-site verification. An FA is generally required to be negotiated during initial Schedule 1 and 2 inspections, but at Schedule 3 or Unscheduled Discrete Organic Chemicals (UDOC) plant sites, negotiation of an FA is optional or at the discretion of the facility representatives.

**Host Team (HT)** – The U.S. Government team accompanying the OPCW Inspection Team during a CWC inspection.

**Initial Inspection** – The first inspection of a Schedule 1 or Schedule 2 declared facility or plant site.

**Inspection Team (IT)** - The group of international inspectors from the OPCW sent to conduct an inspection.

**The International Traffic in Arms Control Regulations (ITAR)** - The Department of State regulations contained in 22CFR Parts 120 through 130.

**Organization for the Prohibition of Chemical Weapons (OPCW)** – The international organization, located in The Hague, Netherlands, that administers the CWC.

**Plant** – A relatively self-contained area, structure or building containing one or more units with auxiliary and associated infrastructure, such as:

1. Small administrative area;
2. Storage/handling areas for feedstock and products;
3. Effluent/waste handling/treatment area;
4. Control/analytical laboratory;
5. First aid service/related medical section; and
6. Records associated with the movement into, around, and from the site, of declared chemicals and their feedstock or product chemicals formed from them, as appropriate.

**Plant site** – The local integration of one or more plants, with any intermediate administrative levels, which are under one operational control, and includes common infrastructure, such as:

1. Administration and other offices;
2. Repair and maintenance shops;
3. Medical center;
4. Utilities;
5. Central analytical laboratory;
6. Research and development laboratories;
7. Central effluent and waste treatment area; and
8. Warehouse storage.

**Unit** – Means the combination of those items of equipment, including vessels and vessel setup, necessary for the production, processing or consumption of a chemical.

**Routine Inspection** – At Schedule 1 and Schedule 2 facilities this term refers to all inspections conducted after the initial inspection. For declared Schedule 3 and UDOC) plant sites, this term refers to all inspections conducted.

## **CHEMICAL WEAPONS CONVENTION** **OVERVIEW**

### **The Convention**

The Chemical Weapons Convention (CWC) is a multilateral treaty that prohibits the development, production, acquisition, stockpiling, transfer, and use of chemical weapons, and requires the destruction of existing chemical weapons facilities and production plants, as well as stocks of weapons, toxins, and ancillary equipment. Each signatory to the Convention, or “State Party” has the right, subject to the provisions of the Convention, to develop, produce, otherwise acquire, retain, transfer and use toxic chemicals and their precursors for purposes not prohibited under the Convention (e.g., industrial, agricultural, research, medical, pharmaceutical, etc.).

The Organization for the Prohibition of Chemical Weapons (OPCW) is the implementing body of the CWC. The Convention sets forth a verification regime that subjects government and industrial sites to on-site inspections to verify compliance. The Convention was ratified by the U.S. Senate on April 25, 1997 and entered into force on April 29, 1997.

### **Schedules of Chemicals**

Certain toxic chemicals and their precursors are monitored under the CWC. They have been divided into three schedules roughly based on the degree of commercial use.

**Schedule 1 chemicals** pose the highest risk to the object and purpose of the Convention. They have been developed, produced, stockpiled, or used as chemical weapons. Your declared facility is subject to inspection if it produced in the previous calendar Year the next calendar year, in excess of 100 grams aggregate of Schedule 1 chemicals (15 CFR Part 716.1(b)(1)).

**Schedule 2 chemicals** pose a significant risk to the object and purpose of the Convention. These chemicals include toxic chemicals and precursors capable of being used as immediate precursors to chemical weapons agents, and have little commercial use. Your declared plant site is subject to inspection if one or more plants on your plant site produced, processed or consumed in any of the three previous calendar years, or anticipate producing, processing, or consuming in the next calendar year, in excess of: (i) 10 kilograms (kg) of BZ; (ii) 1 metric ton of chemical PFIB or Amiton (and corresponding alkylated or protonated salts) or; (iii) 10 metric tons of any chemical listed in Part B of Schedule 2 (15 CFR Part 716.1(b)(2)).

**Schedule 3 chemicals** pose a risk to the object and purpose of the Convention. These chemicals are former chemical weapons and their precursors used in large quantities for non prohibited commercial purposes. Your declared plant site is subject to inspection if one or more plants on your plant site produced during the previous Calendar Year, or anticipates producing in the next calendar year, in excess of 200 metric tons aggregate of any Schedule 3 chemical (15 CFR Part 716.1(b)(3)).

Facilities that produce **Unscheduled Discrete Organic Chemicals (UDOCs)** are subject to inspection based on their capability to produce toxic chemicals and precursors. UDOCs and their exceptions are described in 15 CFR Parts 710.1 and 715.1 respectively. Your declared plant site is subject to inspection if it produced by synthesis during the

previous calendar year more than 200 metric tons aggregate of UDOCs (15 CFR Part 716.1(b)(4)).

## **INSPECTION OVERVIEW**

Inspection activities will consist of an inspection notification, advance team activities, Pre- Inspection Briefing (PIB), the actual inspection, and a post-inspection period. There is no pass or fail grade from the OPCW Inspection Team.

- The Inspection Team's objective is to verify:
  - ❖ The consistency of the data declaration,
  - ❖ The absence of undeclared Schedule 1 chemicals (Schedule 1 and 2 plant site's only)
  - ❖ That scheduled chemicals are not being diverted,
- Determine the risk that the declared facility poses to the object and purpose of the CWC (Schedule 1 and 2 plant site's only)
- To negotiate a DFA (if required [Schedule 1 and 2] or requested [Schedule 3 and UDOCs]).

## **ADVANCE PLANNING**

To help facilitate and minimize the impact of a CWC inspection BIS encourages all declared facilities to prepare in advance. Your planning should focus on identifying company CBI and other critical information, preparing a PIB, reviewing and/or developing a DFA for the declared plant site(s) (if required or requested), and reviewing and verifying the accuracy of your declaration(s).

### **CBI and other Critical Information**

The U.S. Government will protect CBI not relevant to an inspection from inadvertent disclosure to the IT to the maximum extent permitted by law; however the burden of identifying CBI rests with the facility. Information not identified by the facility to the Host Team as CBI will not be handled as such. (See 15 CFR Part 718 and BIS' CWC publication Lessons Learned from Industrial inspections.) Additionally, the USG will protect National Security Information and ITAR controlled technology, from release to OPCW inspectors. BIS will also work to ensure that site security information, identified by the facility, is not disclosed to the inspectors.

Practices that protect CBI and other critical Information during an inspection include:

- Redacting information not related to the inspection from records;

- Removing sensitive papers from areas that the inspection team may have access to;
- Shrouding equipment that may be sensitive to the process;
- "Hide in place" or develop routes and presentations to not bring attention to the equipment or area of concern;
- Logging-off computers to ensure information is not inadvertently disclosed;
- Limiting the number of inspectors granted access to certain areas;
- Defining inspection routes so as to avoid sensitive areas; and
- Allowing random and selective access (such as access to sampling data).

BIS will work with the facility to determine the most advantageous CBI protective measures to use.

### **"Plant" and "Plant Site" Delineation**

How a company delineates a facility or plant site affects the potential scope of on-site verification activities conducted by OPCW inspection teams. Schedule 1 facilities tend to be relatively small, self-contained areas that are easy to delineate. Schedule 2, Schedule 3, and UDOC plant sites are sometimes more difficult to delineate given their size and the complexity of their activities and organizational structure. While there are common conceptions of what the terms "plant site" and "plant" mean to U.S. industry, the CWC contains precise definitions (see §710.1) that should be followed and assist in establishing the scope and conduct of on-site verification activities.

Operational control is the key criterion for delineating a plant site and does not necessarily equate to ownership. Chemical complexes that have multiple operators under one owner – e.g., at the business unit or division level – should delineate a plant site that is not equivalent to the fence line. Although there is no treaty-based criterion for determining operational control, the operator is likely responsible for budget, profits, production planning, and decision making for declared and undeclared "plants" under its control within a chemical complex. A company with multiple tiers of on-site operators should use this criterion as the baseline for determining the appropriate plant site delineation.

All declared and undeclared plants plus "common infrastructure," whether or not controlled by this operator, constitute the "declared plant site." "Auxiliary and associated infrastructure" usually are dedicated to the declared plant's operations (i.e., not shared among declared or undeclared plants) and under the plant site operator's control.

If the “declared plant site” is not the company’s fence-line, it is useful if the plant site name on the declaration is unique to the declared area (i.e., not the name of the chemical complex). This notifies inspection teams prior to arrival on-site that the “declared plant site” will not be equivalent to the fence line and facilitates discussions of plant site delineation. Companies are responsible for explaining the delineation of declared plant sites to the BIS Host or Advance Team prior to inspection team arrival (e.g., via organizational charts).

### **Pre-Inspection Briefing**

Prior to the start of inspection activities, a facility representative is required to provide a pre-inspection briefing (PIB) to the IT in accordance with the CWCR (15 CFR Part 716.4(c)). The PIB sets the tone and mood for the inspection. The PIB also provides the facility the opportunity to inform and orient the inspection team to the facility and layout a methodology for verifying the declaration and other inspection aims in accordance with the CWC and CWCR. A suggested format for this briefing can be found in Annex 2 of this handbook. BIS has also developed a web-based interactive PIB to assist UDOC plant sites prepare for inspections. Note that some topics are mandatory while others are optional. By addressing those elements required and suggested by the CWCR, a facility can proactively demonstrate compliance with the CWC, and potentially reduce the length of the inspection.

The AT will recommend developing a proposed inspection plan to provide the IT at the end of the PIB. Although preparation of a proposed inspection plan is optional the IT may use this plan and the information from the PIB to refine its own inspection plan.

### **Declarations**

The IT will arrive with a copy of your declaration for use during on-site inspection activities. A main focus of inspections is to verify the accuracy of your declaration, which will include a visual inspection of your plant site’s activities and possibly a review of the data and records used to complete your declaration. It is recommended that you verify your declaration data, in advance, and make the data and records used to create it available to the Advance and Host Teams. This will help to minimize the impact on the facility by assisting the HT develop strategies for allowing the IT to verify the accuracy of your declaration.

### **Preliminary Draft Facility Agreement**

For Schedule 1 and 2 inspections, Advance Teams will work with the facilities to develop a Preliminary Draft Facility Agreement (PDFA) to initiate

negotiations of a Draft Facility Agreement (DFA) between the HT and IT on-site. The final Facility Agreement will be negotiated in The Hague. This agreement will establish the conduct of future routine inspections.

It would be helpful if the facility prepares supporting information as part of the preparation for inspections. Site-specific information is needed to complete the agreement. Model Facility Agreements for Schedule 1 and Schedule 2 facilities are provided in the CWCR (15 CFR Part 716 Supplements 2 and 3) and should serve as a starting point for preparation of a PDFA. If your site is a Schedule 3 and UDOC plant site, a DFA will only be completed at your request, but is not required. If you anticipate requesting a DFA, review the Model Facility Agreement (MFA) for Schedule 2 facilities (15 CFR Part 716 supplement 3).

The table in Annex 1 identifies MFA attachments that may be completed prior to the arrival of the IT, attachments that should be thought out to form a position prior to arrival of the IT, and attachments that cannot be completed until the inspection has begun.

### **Site Assistance Visits**

To help your facility prepare for a future inspection you may want to request a Site Assistance Visit (SAV) from BIS (**see HOW TO GET HELP**). There is no cost to the facility for hosting a SAV. Specific topics of a SAV can be found in Annex 3 of this handbook.

## **ADVANCE TEAM (AT) ASSISTANCE**

Once notified of an inspection in the United States, BIS will dispatch an AT to the vicinity of the inspection site prior to the arrival of the IT for administrative and logistical purposes. The AT will be available to assist the site in preparing for the inspection. The preparation will include providing advice and assistance for the PIB, preparation of the facility for the visual inspection activities, preparation of records for records review, and review and/or preparation of the inspection plan and the PDFA (if required or requested). AT activities are very similar to a SAV, although the timeframe is much shorter. A list of AT activities can be found at Annex 3 of this handbook.

## **INSPECTION NOTIFICATION**

The U.S. National Authority (Department of State) will provide written notification to the facility of an initial or routine inspection within 6 hours, or as soon as possible, after it receives notification from the OPCW. BIS will provide Host Team notification to the facility

as soon as possible requesting whether the facility consents to the inspection and seeks Advance Team assistance. A copy of the Host Team Notification letter is provided in Annex 4.

Timeframes for OPCW notifications to the U.S. Government are as follows:

#### Schedule 1:

- Initial Inspection: not less than 72 hrs. prior to it's arrival at POE
- Routine Inspection: not less than 24 hrs. prior to it's arrival at POE

#### Schedule 2:

- Initial Inspection: not less than 48 hrs. prior the IT's arrival at the plant site.
- Routine Inspection: not less than 48 hrs. prior to it's arrival at the plant site.

#### Schedule 3:

- not less than 120 hrs. prior to arrival at the plant site.

#### UDOCs:

- not less than 120 hrs. prior to arrival at the plant site to be inspected.

## **INSPECTION ACTIVITIES**

The following provides an overview of inspection duration and intensity, and inspection aims for CWC initial/routine verification activities. Immediately following the conclusion of a PIB inspection activities commence. An outline of inspection activities can be found at Annex 5 of this handbook.

### **Schedule 1 Inspections**

No maximum duration for an initial inspection is specified. The duration and frequency of routine inspections will be identified in the Facility Agreement.

During initial and routine inspections, inspectors will verify:

- The facility is not used to produce Schedule 1 chemicals other than what is declared.
- The quantities of Schedule 1 chemicals produced, processed or consumed are correctly declared and consistent with needs for the declared and consistent with needs for the declared purpose.
- The Schedule 1 chemical is not diverted or used for other purposes.

- A risk assessment based on the facility's risk to the object and purpose of the Convention.

During initial inspections, the Host Team and the Inspection Team will develop a Draft Facility Agreement for the conduct of subsequent (routine) inspections.

### **Schedule 2 Inspections**

The maximum duration of initial and routine inspections will be 96 hours unless extended by the Host Team in consultation with the plant site. The frequency of inspections will be no more than two per calendar year per plant site.

During initial and routine inspections, inspectors will verify:

- The absence of any Schedule 1 chemicals, especially
- Consistency with declared levels of production, processing or consumption of Schedule 2 chemicals.
- Non-diversion of Schedule 2 chemicals for activities prohibited under the Convention.

During initial inspections the Inspection Team will conduct a risk assessment. Also, the Host Team and the Inspection Team will develop a Draft Facility Agreement outlining the procedures and conduct to be used on subsequent (routine) inspections.

### **Schedule 3 Inspections**

The maximum duration of routine inspections will be 24 hours unless extended by the Host Team in consultation with the site. The frequency of routine inspections will be no more than two per calendar year per plant site. The maximum number of Schedule 3 and UDOC inspections, combined, in the United States may not exceed 20 per year.

During the inspection, the OPCW inspectors will verify:

- Activities are consistent with the information provided in the declarations for the plant site.
- The absence of any Schedule 1 chemical, especially its production.

### **Unscheduled Discrete Organic Chemicals (UDOCs)**

The maximum duration of routine inspections will be 24 hours unless extended by the Host Team in consultation with the site. The frequency of inspections will be no more than two per calendar year per plant site. The maximum number of Schedule 3 and UDOC inspections, combined, in the United States may not exceed 20 per year.



During the inspection, the OPCW inspectors will verify:

- Activities are consistent with the information provided in the declaration for the plant site.
- The absence of any Schedule 1 chemical, especially its production.

## **POST INSPECTION ACTIVITIES**

### **Preliminary Findings (PF)**

Within 24 hours after completion of inspection activities the IT will present to the HT a draft of their PF report. The HT, in consultation with facility representatives, will review the draft report for accuracy. If inaccuracies are found, the HT will discuss them with the IT Leader (ITL), suggesting modifications to the report as appropriate. The IT will then complete the report and the HT and IT leaders will sign two copies, one for the HT (a copy will be provided to the facility representative) and one for the IT. At this point the report is still a draft. The ITL will debrief their finds to their supervisors in The Hague, Netherlands, at which time the ITL may modify the report to reflect these discussions. The ITL will then finalize the Preliminary Findings report and forward it to the U.S. National Authority and BIS for comments. BIS will provide a copy of the report to the facility for comment.

### **Facility Agreements**

As necessary, the U.S. National Authority and Department of Commerce will negotiate a final Facility Agreement with the OPCW. These discussions will take place in The Hague, Netherlands. The facility has the right to participate in the negotiations to the maximum extent practicable. The facility will be notified of any substantial changes from the DFA and BIS will consider its comments prior to approving a final FA. A copy of the final Facility Agreement will be transmitted to the facility upon its completion.

### **Site Inspection Cost Report**

The facility is required to submit total costs related to the inspection to BIS within 90 days of the completion of the inspection (see Part 716.5 of the CWCR). These costs should include time spent by personnel to participate in the inspection, administrative and legal costs, impacts on production (if any), and any other costs directly related to the inspection.

## **ADDITIONAL INSPECTION REFERENCE DOCUMENTS**

The additional reference documents can be found on the CWC web site under "Inspection". The following are related links and documents:

- [Supplement No. 2 to Part 716 – Schedule 1 Model Facility Agreement](#)
- [Supplement No. 3 to Part 716 – Schedule 2 Model Facility Agreement](#)
- [Lessons Learned from Industry Inspections](#)
- [Interactive Pre-Inspection Briefing \(PIB\)](#)
- ["Plant" & "Plant Site" Delineation](#)

## **HOW TO GET HELP**

### **U.S. Government Points of Contact**

**Department of Commerce Bureau of Industry and Security Treaty Compliance Division**  
**1555 Wilson Blvd., Suite 700**  
**Arlington, VA 22209**

Questions concerning Site Assistance Visits, Advance Team Visits, Inspection Notification and Inspections should be directed to:

**Inspection Management Team**  
**Phone: (703) 605-4400**  
**Fax: (703) 605-4424**  
**Email: [inspections@cw.gov](mailto:inspections@cw.gov)**

Questions concerning Declarations, Reports, and Chemical Determinations should be directed to:

**Information Technology Team**  
**Phone: (703) 235-1335**  
**Fax: (703) 235-1481**  
**Email: [cwcqa@cw.gov](mailto:cwcqa@cw.gov)**

Information is also available on the World Wide Web at [www.cwc.gov](http://www.cwc.gov).

## ANNEX 1

### SCHEDULE 1 AND 2 PRELIMINARY DRAFT FACILITY AGREEMENT MATRIX

ATTACHMENT NUMBERS		ATTACHMENT (Refer to 15 CFR Part 716 Supplement No.'s 2 and 3)	MAY BE COMPLETED PRIOR TO INSPECTION	SHOULD DEVELOP A POSITION PRIOR TO INSPECTION	CAN BE COMPLETED AFTER START OF INSPECTION
SCHEDULE 1	SCHEDULE 2				
1	1	General Factors for the Conduct of Inspection	X		
2	2	Health and Safety Requirements And Procedures	X (critical)		
3	3	Specific Arrangements in Relation To the Protection of Confidential Information at the Facility or Plant Site			X
4	4	Arrangements for the Inspection Team's Contacts with the Media Or the Public	X	X	
5	5	Inspection Equipment		X	
6	6	Information on the Facility or Plant Site Provided in Accordance with Section 6 of the Model Facility Agreement	X		
7	7	Arrangements for Site Tour	X		
	8	Access to the Plant Site in Accordance with Section 7.2 of the Model Facility Agreement	X (critical)		
8	9	Records Routinely Made Available To the Inspection Team at the Facility or Plant Site		X	
9	10	Sampling and Analysis for Verification Purposes		X	
10	11	Administrative Arrangements		X	
11	12	Agreed Procedures for Conducting Interviews		X	
12	13	Agreed Procedures for Photography		X	

## ANNEX 2

### GUIDANCE FOR PRE-INSPECTION BRIEFING

#### 15 CFR Part 710 of the FAR Interactive Pre-Inspection Briefing. CWC web site

#### Topics

- Introduction of key facility personnel (recommended)
  - ❖ Host Team members (USG)
  - ❖ OPCW Inspection Team members
  - ❖ Plant/Plant Site personnel
    - Decision maker for CBI and access issues
    - Technical point of contact/liaison
    - Documentation expert or point of contact, record review
    - Facility Escorts
    - Do not provide telephone numbers
    - Use only general position descriptions
- Management, Organization and History (recommended)
  - ❖ Parent company and inspected facility
- Business and Manufacturing Operations (required)
  - ❖ Identify the type of business the facility is involved in (use general terms).
  - ❖ Identify other scheduled chemicals present at the facility (declarable and undeclarable).
  - ❖ Identify activities and manufacturing operations (in general terms only) located on the plant site.
    - These may or may not be declared and may or may not include scheduled chemicals.
- Absence of Schedule 1 Chemicals (recommended)
  - ❖ Indicate the absence of Schedule 1 Chemicals on the plant site and plant
- Declaration updates/revisions (recommended)
  - ❖ Identify any changes or amendments that need to be made to the data declaration.
- Physical layout (required)
  - ❖ This is an overall view of the facility. The details will be discussed and finalized with the Advance Team.
    - Include administrative areas, locations of buildings, latitude/longitude measurement point, approved means of entry and exit, emergency escape routes, facility tour route, etc.
- Delimitation of declared areas ((required)
  - ❖ Identify the declared plant site (or facility in the case of Schedule 1) and the declared plant.
    - Refer to 15 CFR Part 710, plant vs. Plant Site doc., and definitions in this document for facility, plant, and plant site.
    - See documents "Plant & Plant Site Delineation" and "Lessons Learned from Industry Inspections" located on the CWC web site under "Inspections".
- Declared Activities Overview (required)
  - ❖ Identify the declared scheduled chemicals and Scheduled chemicals on the plant site under threshold levels (for Schedule 1, 2, and 3 inspections be specific, for UDOC inspections be generic).
  - ❖ Identify the associated chemistry (in general terms) of the production, processing or consumption of these chemicals.
  - ❖ Avoid the use or disclosure of CBI and specific chemistry information.
- Process flow (required)
  - ❖ Use a block flow diagram to orient the teams to the process for the visual portion of the inspection (the level of detail will depend on the type of inspection).
  - ❖ Avoid detailed diagrams of the process showing information such as flow rates, operating conditions, or yields.

- ❖ Avoid the use of CBI if possible.
- Units specific to declared operations (required)
  - ❖ Point out the operational units involved with the declared chemicals, again avoiding detailed diagrams and the use of CBI.
- Plant site safety procedures (required)
  - ❖ Facility, plant site, and plant.
- Administrative and logistic information (required)
  - ❖ Identify locations of bathrooms, meeting rooms, work hours, arrangements for meals, means of transportation in and around the facility, etc.
  - ❖ Identify badging requirements and procedures and any other security or accountability issues.
- ❖ Proposed inspection plan (recommended)
  - ❖ The following is a suggested format without the delineation of times for each event:
    - PIB
    - Site Familiarization Tour (windshield tour)
    - Declared Plant Visual Inspection
    - Site Departure
    - Lunch
    - Documentation Review (if required or agreed)
    - Preliminary Factual Findings Report
    - DFA negotiations
    - Etc.

## ANNEX 3

### SITE ASSISTANCE VISIT/ ADVANCE TEAM ACTIVITIES TOPICS

- Discuss inspection activities
  - ❖ BIS's role
  - ❖ Expectations from the site
  - ❖ Methodology
  - ❖ Team composition
  - ❖ Review the inspection mandate
  - ❖ Advance Team (AT)
  - ❖ Overview of inspection activities
  - ❖ Relationship between site and national escorts
  - ❖ Sub-group operations
  - ❖ Site escort briefing
  - ❖ Operational impact
  - ❖ CBI
  - ❖ Counter Intelligence Briefing
- Assessment of site preparation efforts
  - ❖ Receive site briefing
  - ❖ Determine site needs and assess preparation efforts
  - ❖ Ensure data declaration is current and ensure a copy of the OPCW data declaration is available
  - ❖ Discuss and Review delimitation of declared plant and plant site
  - ❖ Discuss and Review site diagrams
  - ❖ Discuss and Review block flow and process flow diagrams
  - ❖ Discuss definition of CBI, CBI concerns
- Review inspection notification activities (SAV only)
- Discuss various issues
  - ❖ Legal: consent for access to the site, PDFAs, etc.
  - ❖ Security: badging requirements, security procedures, protection of sensitive areas, etc.
- Review documentation
  - ❖ PDFAs
  - ❖ Documentation used to develop data declaration
  - ❖ PIB
  - ❖ Methods for addressing CBI
  - ❖ Discuss procedures for handling all documents reviewed by the Inspection Team
  - ❖ Discuss proposed Inspection Plan
- Safety
  - ❖ Personnel protective equipment requirements
  - ❖ Do not address physical safety measures (i.e., cameras, guards, etc)
  - ❖ Availability of facility's personnel protective equipment for the Host Team and the Inspection Team
- Reconnaissance of the plant site
  - ❖ Review delimitation of declared plant and plant site
  - ❖ Review site diagram(s)
  - ❖ Verify latitude/longitude measurements
  - ❖ Discuss potential inspection questions
  - ❖ Review tour route
- Administration and Logistics
  - ❖ Discuss communications capabilities both on- and off-site.
  - ❖ Determine whether secured work areas and equipment storage are available for use during the inspection. Note that the Inspection Team may want to place seals on their assigned work and storage areas that may damage finished surfaces or leave a residue.
  - ❖ Discuss team transportation (typically vans).
  - ❖ Discuss the facility's ability and willingness to provide the use of copy and facsimile machines.
  - ❖ Discuss logistics for the midday meal.

ANNEX 4

HOST TEAM NOTIFICATION OF CHEMICAL WEAPONS CONVENTION (CWC)
INSPECTION & REQUEST FOR CONSENT

From: [Name]
Advance Team Leader
Treaty Compliance Division

Date & Time:
Phone: 703-605-4400
Fax: 703-605-4424

To: Inspection Point of Contact
Name of Facility
Address of Company
Phone/Fax Number

NOTIFICATION. The Department of Commerce hereby provides Host Team notification that the Organization for the Prohibition of Chemical Weapons (OPCW) has selected your facility, located at, to receive an inspection commencing on or about (date). A copy of the OPCW's notification of inspection is attached.

The Department of Commerce will act as host and escort for this inspection, which will be conducted in accordance with the CWC Regulations (CWCR) (64 Fed. Reg. 73744) administered by the Bureau of Industry and Security. This Host Team notification supplements the notice and authorization for the inspection provided separately to you by the United States National Authority (USNA) pursuant to the CWC Implementation Act of 1998 (the "Act") (22 U.S.C. 6701 et seq.). Please confirm your receipt of the USNA's notice directly with the Department of State.

CONSENT TO INSPECTION. As an authorized representative of the owner, operator, occupant or agent-in-charge of this facility, please indicate whether you consent to this inspection (see CWCR sec. 716.4(b)(2), which describes the scope of consent). If you do not consent or do not return this form by fax to 202-482-4744 within 4 hours of receipt, the U.S. Government will seek an administrative warrant (see sec. 305 of the Act).

I consent to this inspection: check & sign here
print name
and title

INSPECTION PREPARATION ASSISTANCE. The Department of Commerce will dispatch an Advance Team to your area immediately to assist in administrative and logistical preparations for the inspection team's arrival. Please indicate whether you request Advance Team assistance, at no cost to your facility, in preparing for the inspection.

I request Advance Team assistance with inspection preparations at my facility: check & sign here
print name

CONFIRMATION OF RECEIPT AND ADDITIONAL INFORMATION. The Department of Commerce requests that you acknowledge receipt and return this form via facsimile within 4 hours of receipt or as soon as possible. We will follow up with further information on the inspection team's estimated time of arrival at your facility and materials to help you prepare for the inspection, including a CWC Industry Inspection Preparation Handbook. Thank you for your cooperation.

I have received and read this notification. check & sign here
print name
date & time of receipt

Attachment - OPCW Notification of Inspection

## ANNEX 5

### INSPECTION ACTIVITIES

- Facility provides PIB to Inspection Team – maximum 3 hours (not included in inspection time)
- Inspection officially commences
- Host Team and Inspection Team exchange Inspection Plans
- Inspection Team and Host Team negotiate the Inspection Plan
- General tour of the facility (Windshield tour)
- Sub-team activities (typically two sub-teams as shown below)
  - ❖ Sub-team #1 – Focus on the Visual Inspection could include:
    - areas where feed chemicals are delivered or stored
    - areas where processes are performed
    - follow process lines
    - external aspects of reaction vessels and other process equipment in the declared plant
    - control equipment for the declared plant
    - areas for waste handling
    - areas for disposition of off-spec chemicals
  - ❖ Sub-team #2 – Focus on Documentation Verification (if agreed during Schedule 3 and UPOC inspections could include:
    - sampling data
    - mass balance
    - feedstock invoices
    - production logs (for Schedule 3 and UDOC facilities this would be production summaries if the HT and IT agree this information is required to show compliance with the CWC
- Draft Facility Agreement negotiations between the Inspection Team and the Host Team, in consultation with your facility representative (if required or requested)
- Inspection activities completed
- Preliminary Findings presented to the Host Team by the Inspection Team (meeting takes place within 24 hours of completion of inspection activities). Your facility representative will be asked to review the findings for accuracy and assist in clarifying any questions raised.