ILTA Weekly Terminal Industry-Peer Exchange Call

April 30, 2020
4:00 PM – 5:00 PM EST
Participants – 71

Updates and Announcements

- **Rear Admiral Richard V. Timme**
  - Coast Guard perspective – Main priority is that our workforce is protected
    - Headquarters is teleworking; field personnel is given guidance that their practices can be adjusted to fit the crisis
    - The key goal is minimizing risk in marine transport
      - Risk picture has changed due to the great effect of COVID-19 pandemic
  - Impacts from a mission perspective
    - Inspections are down; reportable marine casualties are down
    - Passenger’s vessels aren’t moving within the country
    - Current mission: Protecting a supply chain currently in crisis
    - Engagements with industry associations like this are the best way they can get feedback and develop their risk picture

- **Legislative Affairs – Andy Wright, Vice President of Legislative Affairs**
  - Washington Situation Update
    - Congress is still out of session
      - Senate is supposedly coming back on Monday; the House is still not back.
        - However, the Senate’s main priority is confirming judges
    - The next big priority is funding Phase 4 (or 5) of the bailouts.
      - These have mainly been bipartisan, but it might slowly start to divide in priorities
        - It will be over providing benefits for states and local governments who are suffering over lack of tax payments
          - McConnell isn’t too interested in doing this, and the President is tiptoeing between either side
  - New focuses
Getting PPE for frontline workers
Expanding special federal unemployment benefit from 4 months to 6 months
Another round of cash payment

Coronavirus update (PPP and Infrastructure)
- As other countries are lifting their social distancing, some are experiencing an increase in infection cases, so it doesn't seem to be good news. Said countries are looking at shutting down again.
- The US has spent $2.8 Trillion on the Coronavirus so far

WRDA Update
- Big issue – getting the Harbor Maintenance Trust Fund to utilize all money Congress grants it each year
- CARES act - We did finally pass a law saying Congress must expend all $1.8 billion in bailouts each year
  - Including interest
- WRDA Bill - Authorization bill that authorizes $17 billion (in the Senate version) for the inland waterways system and at least $1.8 billion for the ports

Protective Masks Update
- 1,000 masks have been ordered, will be delivered on May 18, will come in boxes of 50
  - Contact Jay or Peter if you have not received your masks.

Regulatory Affairs – Peter Lidiak, Vice President of Government Affairs & Jay Cruz
- Update on Tank Inspection Enforcement Waiver – Peter
  - Had a call with EPA's air office this morning regarding seal inspections of tanks, did not get a solid answer but will probably get a proper response early next week
- Letter to OSHA on COVID recording – Peter
  - Details how the industry will handle the exposures and reporting of COVID-19 to establish what the industry's interpretation of their guidance is
- ONG SCC Effort on Responsible Recovery – Peter
  - Putting together a response recovery document provided to the government for use on the states and federal agencies laying out the issues and challenges the sector faces after COVID-19
  - Only 2-4 pages
- Cell Phone Policies – Peter
  - Many have responded to this, just sent out the compendium of responses to this issue.
  - The compendium is up on IdeaScale
- IdeaScale Update – Jay
  - There's a new track exclusively for meeting minutes and questions
State RVPs/regulations update – Jay
- Only three updates: Wisconsin, New York, and New Hampshire
  - Align themselves with the EPA waiver from the end of March 2020

Participant Questions and Discussion

*Port of Houston Member: Is Railway Congestion a visible factor in the overall coast guard risk picture?*

- Admiral Timme: No, this is the first time I've heard of this issue, but I'll check on the information we have about it

*Kathryn: Peter, have any members raised concerns about Coast Guard regulations to you?*

- Peter: Sure, how can our members get answers from the coast guard regarding flexibility and compliance?
  - Admiral Timme: Most of these have to do with the local laws of the port area. It depends heavily on community relations and the current chain of command.

*Roy Nash: Last week, we had a question about annual hydro testing of dock piping. Has the Coast Guard thought of it as something that could be delayed or done a different way? COVID-19 has created a lot of issues regarding staffing and full storage.***

- Admiral Timme: That issue did make it to us in the last week, your concern makes sense, and we're in the process of determining what type of response is appropriate and determining its specifications.
- Roy Nash: Captains of the Ports say call us early if you need to talk through a regulatory alternative

*Kathryn: We're all seeing in the news that the amount of floating storage the greatest it's ever been. Is the presence of all those supertankers creating a challenge for the Coast Guard?***

- Admiral Timme: Coast Guard is tracking federal anchorages and where these tankers go, also state anchorages and others. I haven't gotten much concern from our local captain of ports regarding the volume; it's more so, "Where can I put it? Do I have the space? And, if not, can I work with the coast guard to find a place to put it?" It is definitely historically different in the overall year by year. Another big concern is the presence of cruise ships in the Gulf during hurricane season.

*Mike Dupuis: Are API and AFPM doing a similar letter about OSHA regarding their Covid-19 criteria?***
Peter: Unsure if they are doing a similar letter to OSHA, but I'll check in with them.

Mike Dupuis: The UAE App A for non-NIOSH Approved respirators has not been updated since April 24. This is delaying supply. Is there a backlog at FDA?

Peter: No, but we recently contacted the FDA regarding that and will update you on next week's meeting.

Adam (Global Partners): Interested in discussion re: best practices for person temperature testing. Methods and protective equipment for temperature testers. Qualifications and any HR or legal challenges.

Kathryn: We've discussed this on our previous calls and IdeaScale, but we'll keep this discussion going.

Bill Bollier: One large legal issue is how to deal with carriers that have no symptoms, they often bypass temperature checks. Any ideas on how to deal with this?
  o Member: Some of our sites are asking employees to check their own temps before reporting to work.
  o Temperature-taking and questionnaires are additional precautions, but neither is 100%.

Ron (Marathon): Another issue is that temperature testing comes into conflict with social distancing; it's problematic. The best thing we can do is have everyone be sincere in answering the questions the CDC suggests we ask.

Member: We have a trained EMT at the gate that is fully donned in PPE while administering the temp readings. Everyone is correct, nothing is going to be perfect.

Adam (Global Partners): The safe reopening mandates in states like Vermont and Nevada have required incorporated temperature testing. Doesn't this expose one of my employees to risk when taking the temperature of another person?
  o Shannon Caldwell (Zenith Energy): We are clearing common areas and are doing temperature self-checks. In our bigger facilities we have a series of questionnaires, decontaminations, and temperature checks. Andy: It looks like the White House has completely pushed down plausibility to the states, so it is going to be on a state by state basis.

Shannon Caldwell (Zenith): One of our employees has contracted the disease, and we have solid proof that they didn't contract it at work, we want them to have two negative tests to confirm it, but the department in the said area says they can only test once. Is there a way for us to get more testing kits?

Peter: It seems testing has been pushed down to state and local health agencies, FEMA and FDA are working on procuring kits but is depending on the states on how to dole out the kits
• Peter: I’ll check in with DOE and CISA regarding this

**Upcoming action items:**

- **Peter Lidiak**
  - Contact API and APFM to verify if they sent a similar letter to OSHA regarding its COVID-19 criteria
  - Contact the FDA and follow up with our contact at DOE regarding the lack of an update for The UAE App A for non-Niosh Approved respirators and the FDA backlog; report back to Mike and announce on next week’s call any updates from this communication.
  - Check-in with DOE and CISA regarding providing/allowing for more testing kits for the terminal industry

- **Jay Cruz**
  - Review information previously posted on the peer exchange site regarding best practices for temperature testing