CALL MINUTES

MINUTES FROM ILTA INDUSTRY CALL, MAY 7, 2020

4:00 PM – 5:00 PM EST

Participation: 56 members

Legislative Update

- Andy Wright
  - CDC predicting 3,000 deaths per day starting June 1 caused by opening the economy and discovered by better testing
    - Various states that are reopening are seeing increases in infection numbers
    - President’s valet has been diagnosed with COVID-19
  - Republican’s pushing for legislation that would protect businesses from being sued by workers who become infected after returning to the workplace
  - Senate back in session, House indicated it is looking to come back on Monday
  - Next relief bill will be in the $1-1.5 trillion range
    - Debt for the year up to $4-5 trillion, essentially 20% of annual GDP
    - Expects the next relief bill to be aimed at states/localities, potentially another relief check to the public
      - More fighting over this round but House likely to look at it next week
  - President’s approval rating remained stable, around 40-43% approval, 50-53% disapproval
    - Biden is ahead but too early to say anything definitive
    - Indicates Senate might be up for play
  - Senate passed WRDA bill, House likely to take it up in early June
    - $7 billion for inland waterways and $8 billion for ports
  - ILTA has received its order of masks in boxes of fifty, contact Andy to place order
    - Willing to place an order for more if necessary
Regulatory Update

- Peter Lidiak
  - On cloth masks, FEMA not providing tracking information on anything
    - Another round of masks was sent out last weekend, expect companies to receive masks by the end of week
  - Tank inspection discussions had a chance to speak to Air Office in EPA,
    - Looking to delay in-service inspections, EPA discussing internally
    - EPA asked for several tanks to determine the scope of the challenge, ILTA sent out a survey for feedback, received a large number of responses
    - ILTA will reach out again if we do not hear back by Monday
  - ONG SSC working on a compendium of best practices/challenges facing the sector
    - Gas distribution, refinery issues, etc.
    - ILTA will continue to contribute, looking to have a draft to share in the next week
  - Finalized letter to OSHA, sent on Wednesday, 5/6
    - Will be difficult to determine when infections happen if work-based or community-based source
  - From Mike, has FDA updated list of approved facemask makers
    - Came back as no, but Peter forwarded the name of the company Mike suggested to see if they were acceptable
  - Received response from CDC on Shannon Caldwell's question from last week on worker wanting to come back to work after self-quarantine but unable to find two tests
    - CDC currently recommends two strategies: Symptom and testing strategy.
      - Symptom-based strategy
        - After cessation of symptoms for three days AND at least ten days after symptoms first appeared, can return to work
          - Shannon Caldwell: What do we do when someone’s family member has it? How do we pay them? EEOC issues?
          - Kip Middendorf: following the same CDC symptom-based protocol if someone has COVID-19. Taking them out a week longer, even if someone in their family has it
Taking the hit on the chin in terms of payroll but worth it for the well-being of others

- Testing-based strategy
  - CDC recommends at least two negative tests from healthcare facilities
  - From Adam Diplova on the reliability of testing, ILTA has a copy of EEOC guidelines on temperature-taking
    - Terminal companies testing workers is allowable per guidelines

- Jay Cruz
  - Two updates for state RVP waivers this week, CT and PA
    - CT: Authorized sell through until depleted
    - PA: Same, but waiver only indicates that retailers are allowed to do so. ILTA working to reach out to PA Department of Agriculture for clarification for terminals/terminal facilities

- Roy Nash
  - New Marine Safety Bulletin released
    - On required equipment testing, can get 90-day delay if necessary
    - Can receive credit for virtual annual inspection if meeting certain criteria
    - Annual testing on hoses offers alternatives to hydro-static testing
      - Roy Nash offering to help those who need it but recommends talking to Captain of Port about alternative testing methods

- Dave Stealey, Transmontaigne: Had two virtual audits from Coast Guard in the last three weeks, one of which was a surprise
  - Roy Nash was surprised by lack of notice, should follow up with Coast Guard on methods used
  - Results sent to Dave Stealey and not the facility
  - Eric Thomas, MPC: Same situation at benchmark facility. Received email saying the test was completed, called Coast Guard to affirm and was told it was
  - Shannon Caldwell: Also had a virtual test but was not sure if they were going to show up, eventually decided on a virtual test
    - Working on structuring Worst-Case-Discharge protocol
    - Received survey text from Coast Guard mass-distribution list on operations, is legit text
Admiral Timme has taken input from last week and working to make necessary changes on his end
Next Wednesday, Cpt. David Nichols will be presenting on cyber-security and NAVEC
  - Reach out to Peter/Leakhena for information on session

**Participant Questions and Discussion**

- **Kathryn Clay:** What are you doing in the event of someone contracting COVID-19? How the company remediated the situation?
  - **Kip Middendorf:** Around March 20, an employee called off work sick for three days straight. HR reached out, determined it was COVID-19-related, wife worked in a hot spot.
    - A few days later, the employee volunteered to get tested, reached out to the company saying his wife was positive before he got results. The company began taking steps to address the issue
    - The company called the environmental response team to disinfect/fumigate the warehouse where that employee that would have worked. Used Proxitane, difficult to acquire, so should try to stockpile. Wiped down all hard surfaces, person’s equipment, bathrooms, loading docks, forklifts, pickup trucks, anything the person would have come into contact with.
    - Following Monday, began testing every employee’s temperature and no further cases detected
    - The event went smoothly but stressed the need to prepare an action plan that is clear/detailed
    - An acquired stockpile of masks and reimbursed employees for cloth masks bought locally

- **Bill Bollier follow-up to Kip:** Did you receive a certificate showing completion of cleaning?
  - Yes, received narrative/datasheet of what they did to protect company

- **Kathryn Clay follow-up to Kip:** Has it been difficult to get employees to share personal health information with a company?
  - It is necessary, making it clear to employees to share if the employee/their family is not feeling well
    - Not taken seriously in the beginning, it took three weeks for it to set in.
    - Now seeing all employees/contractors taking safety protocol very seriously

- **Glenn Gibish follow-up to Kip:** On Proxitane, his facility produces it in Joliet, IL. It is a parasitic acid, use 2 Oz. to 5 gallons of water to spray down facilities. Working on getting the order from Chicago Transit
Authority to use in cleanup efforts. Offers to sell the product directly to the membership.

- **Bill Bollier follow-up to Kip:** Had to lockout some contract drivers to get them to comply with safety issues

- **JPayne:** Relaxing Screening processes in Texas? Has there been a discussion of a wind-down?
  - **Shannon Caldwell:** Too early for us, still using an EMT at the gate to temperature-check. Not just a safety issue anymore, now a commercial issue
  - **Andy Wright:** Number of cases in many states trending upwards
  - **Mike Dupuis:** CDC has not changed its guidance on screening and will continue to follow it until it changes

- **Dave Candy, Buckeye:** Are we reaching out to regulatory agencies on getting waivers for vapor pressure tightness tests?
  - **Peter Lidiak:** Have not yet engaged as typically dealt with by state-level organizations
    - Also brought up by **Keith Ocheski**
  - **Kathryn Clay:** Could provide white paper to federal agencies, will continue to monitor

**Upcoming action items:**

- **Jay Cruz**
  - Continue to reach out to the PA Department of Agriculture for clarification over state RVP waiver

- **Peter Lidiak**
  - If no response by Monday, reach out to EPA Air Office for the answer on delaying in-service tank inspections
  - Reach out to EPA for clarification on PA Department of Agriculture and relation to EPA RVP waiver