

Critical Infrastructure Lifeline Sector Responders COVID-19 Response

Background

Planning for a health emergency, such as the novel coronavirus (or COVID-19), is unique from other business continuity planning because businesses must consider operating with a significantly smaller workforce, a threatened supply chain, and limited support services for an unknown period of time. The business continuity and pandemic plans developed by lifeline critical infrastructure entities, such as electric and natural gas utilities, are designed to protect the people working for them and ensure that the operations and infrastructure necessary for society to function are supported properly throughout an emergency. To do so, lifeline sectors (energy, water/waste-water, transportation, and communications sectors) identify those functions critical to their continued operations and the people needed to fill those positions. During this time, the lifeline sectors must continue to engage and support society, including some individuals needing to be sequestered potentially for weeks at a time at facilities like control centers – requiring provisioning, protection and housing – who are there to help during this extended time of need to make sure essential services are reliably available.

Objective

Identify measures to support lifeline critical infrastructure entities, like electric, gas, and water utilities, to ensure essential services are maintained and front-line workers are protected. These measures will help to guarantee that lifeline infrastructure entities that provide for the underlying needs of society can continue to provide safe and reliable service throughout an emergency.

Measures Under Consideration

Medical Services & Equipment Prioritization: Lifeline sectors must continue to engage the public throughout an emergency, including entering communities, businesses, or homes that may have contagions in order to maintain or repair systems. Critical employees – employees with day-to-day responsibility to maintain the operation and reliability of critical infrastructure – should have prioritized access to (1) testing; (2) anti-viral and other treatments for sick individuals; (3) vaccines, when vaccines are tested and proven safe for the public. This prioritized access will help maintain safety and speed the recovery of these critical employees, as well as the safety of the general public with whom they must engage. Similarly, prioritization for access to personal protective equipment, such as N95 respirator masks, Tyvek suits, and nitrile gloves, ahead of the general public would help reduce the chance of significant impacts on our workforce’s ability to continue to support these critical infrastructure lifeline functions.

PPE needs lifeline sector entities are tracking:

- Nitrile gloves
- N95 masks
- Surgical gowns/Tyvek suits
- Face shields
- Dust/Surgical Masks

Lifeline sector entities also have a strong need for the following materials:

- Lysol wipes, hand sanitizer, hand soap, bleach
- Thermometer/thermometer plastic lids (covers)
- Disinfectant spray and/or wipes
- Toilet Paper

Safe Community Quarantine Reentry: To prepare for the possible eventuality of more quarantined communities, local planning processes need to consider priority reentry procedures for lifeline critical infrastructure entities in the event of an outage or emergency. In some cases, front-line workers responding to an emergency – like a downed power line, a suspected gas leak or re-deploying operators from uninfected area to keep generation stations running – will need to access quarantined communities, homes, businesses, and other areas where critical infrastructure exists.

Mutual Assistance: In a health emergency, lifeline sectors may need to share essential personnel, including line and field workers, control room operators, and anyone else deemed essential, to address workforce shortages. Advanced-approved travel and regulatory waivers will be essential to the timely movement and sharing of personnel, especially when crossing state or local county lines. Any federal, state, or local travel restriction declarations must accommodate the timely and secure movement of lifeline sector assets and essential personnel.

Liability Protections: During this national emergency, the government may request or order a lifeline sector entity to take, or refrain from taking, certain actions. To meet such requests, grid operators, for example, may need to reduce load or ensure certain areas have power. These actions may require electric and/or natural gas companies to deviate from their normal priority restoration protocols or other measures, which may adversely impact third parties or economic activity. Lifeline sector entities seek liability protections for agreeing to a request or order by federal agencies to assist in this national emergency.

Regulatory Relief: Throughout this unique national emergency, flexibility for essential service providers to be able to ensure safe and reliable service while working with a strained workforce will be necessary. Lifeline sector entities may need additional time or relief for some existing or new regulatory and/or North American Electric Reliability Corporation (NERC) Reliability Standards requirements. For example, these industries are required by NERC to regularly train and qualify/requalify individuals. Also, relief from drug and alcohol testing may be needed where testing facilities are also testing for COVID-19. Additionally, for new or revised NERC Reliability Standards with an Effective Date of March 1, 2020 or later, such Effective Date should be extended to 12 months after the President's COVID-19 National Emergency declaration ends. Accordingly, Congress should clarify authority of FERC and the ERO to exercise regulatory discretion during and after the National Emergency declaration.

Jones Act Waiver: During this national emergency and to ensure sufficient natural gas supply to residential and commercial customers, including natural gas fueled electric generators, the provisions and requirements of the Jones Act, as codified in 46 U.S.C. § 55102, be waived for liquified natural gas (LNG) transportation. If domestically produced natural gas, in the form of LNG, was permitted to be transferred between US ports, it could be used to heat homes and provide electricity to those citizens currently isolating themselves due to the ongoing health crisis.