



MEMORANDUM

TO: NLA Members

FROM: Bill Herz
Bradford Frisby

SUBJECT: CISA Guidance 2.0

DATE: March 29, 2020

The Cybersecurity and Infrastructure Security Agency (CISA) issued a new “2.0” [version](#) of their “Guidance on Essential Critical Infrastructure Workers” last night. The new version contains additional language that may be helpful in avoiding State and local “shelter in place” orders to help keep lime plants and their other operations up and running.

On the first page of the revised Guidance it now says that it: “**includes workers who support crucial supply chains and enable functions for crucial infrastructure.**” CISA has also added significant new language throughout the revised Guidance that should be more helpful to NLA members. Some key examples are outlined below. Also included are some notes contained in [brackets] that are not part of the guidance, but are observations from NLA on why we think the language may be helpful to lime companies.

- (1) **Water and Wastewater (page 9)**: Chemical and equipment suppliers to water and wastewater systems and personnel protection.
- (2) **Transportation and Logistics (page 9)**: Workers supporting the distribution of...chemicals needed for water or water treatment.
- (3) **Critical Manufacturing (page 13)**:
 - a. Workers necessary for the manufacture of metals (including steel and aluminum) industrial minerals...materials and products needed for medical supply chains, and for supply chains associated with...energy...food and agriculture, chemical manufacturing...water and wastewater treatment...
 - b. Workers necessary for the manufacturing of materials and products needed to manufacture medical equipment and personal protective equipment (PPE)[*lime is used in the manufacturing process of latex used for PPE*].

(4) **Energy (page 7):**

- a. Workers supporting the energy sector, regardless of energy source...or infrastructure the worker is involved in, or who are needed to monitor, operate, engineer, and maintain the reliability, safety, **environmental health**, and physical and cyber security of the energy system. [*this arguably includes producing lime used in flue gas treatment*].
- b. Providing services related to energy sector fuels...including...coal, supporting the mining...waste disposal and storage...[*this arguably covers lime used to treat acid mine drainage*].

(5) **Food and Agriculture (page 6):**

- a. Food manufacturer employees and their supplier employees to include those employed in food ingredient production...
- b. Employees of companies engaged in the production, storage, transport, and distribution of chemicals...minerals, enrichments, and other agricultural production aids.
- c. Workers who support sawmills and the manufacture and distribution of fiber and forest products, including...paper and wood fiber products.

(6) **Considerations for Government and Business (page 3):**

- a. Everyone should follow guidance from the CDC, as well as State and local government officials, regarding strategies to limit disease spread [*this may be helpful in persuading inspectors and others to honor “social distancing” recommendations from the CDC*].
- b. When government and businesses engage in discussions about essential critical infrastructure workers, they need to consider the implications of business operations beyond the jurisdiction where the asset or facility is located. Businesses can have sizable economic and society impacts as well as supply chain dependencies that are geographically distributed. [*this may help persuade a State or local jurisdiction that the lime plant produces material sold outside of their jurisdiction that is critical and necessary to maintain*].

NLA is continually working to ensure that your lime plant and other critical infrastructure workers are permitted to continue manufacturing the vital products that our country needs to make it through this COVID-19 crisis. If you have any questions or information for NLA, please feel to contact Bill at wcherz@lime.org or Bradford at bfriby@lime.org.