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## SPECIAL BULLETIN 2020 – 07

March 20, 2020

### INDUSTRIAL PACKAGING INDUSTRY INCLUDED IN FEDERAL GOVERNMENT LIST OF “ESSENTIAL INFRASTRUCTURE WORKFORCE”

On March 19, 2020, the Department of Homeland Security’s Cybersecurity and Infrastructure Security Agency (CISA) issued guidance to assist State and local jurisdictions and the private sector to identify and manage essential workforces in response to COVID-19. In this guidance, CISA identifies a list of industries and workers that are essential to continuity of operations and incident response as well as critical infrastructure viability. These industries include manufacturers that provide a range of industrial packagings to key industry sectors, including energy, petroleum, food and agriculture, water and wastewater, transportation and logistics, hazardous materials, chemical and other industries critical for the manufacturing of materials and products needed to support all these elements of the American infrastructure.

A copy of the “Guidance on the Essential Critical Infrastructure Workforce, Ensuring Community and National Resilience in COVID-19 Response” may be found [here](#), along with an introductory letter from CISA Director Chris Krebs.

RIPA played an advisory role in the development of these guidelines and it is our belief that the Guidelines apply to all reconditioners and manufacturers of industrial packagings that are engaged in supplying packagings to any industry or industry sector named by in the CISA Guidance.

It is important to note that CISA cautions this guidance is only advisory, and should not be considered as a federal directive or standard, explicitly recognizing that State, local, tribal, and territorial governments are ultimately responsible for implementing and executing response activities in their communities, while the U.S. Government is in a supporting role. For example, in this week the State of California imposed a statewide shutdown order for all businesses except those on the CISA Guidance list. In contrast, the Commonwealth of Pennsylvania has imposed an order shutting down all businesses except those on its list of “Life Sustaining Businesses.” The Pennsylvania exemption list is much narrower and less specific than the CISA Guidance, and therefore creates uncertainty as to whether businesses may remain operating during the shutdown order.

This means that while state and local guidance is authoritative it is also the case that the CISA list likely will be accepted by governmental agencies if the continued operation of any aspect of your business is questioned.

RIPA has developed a sample letter, which is included at the end of this bulletin, which can be used by members to explain how your company fits into the “critical infrastructure” guidance issued by CISA. RIPA urges members to give a copy of the sample letter to all your employees to ensure they are not unnecessarily delayed as they go about their work routines.

We also suggest that you print out this Special Bulletin and the CISA Guidance and maintain copies of them, along with the letter, in your office. Please make certain that all your employees are aware of this guidance and know how to access it in case they are engaged by state or local governmental officials while performing work-related functions.

*Note: I would like to personally thank Mike Chorpash who, days ago, called the association to alert us to a problem in California stemming from a seven-county “shelter in place” order that threatened to shut down several member reconditioners and manufacturers. This contact set off a chain of calls and emails to 46 different trade associations, several federal, state and local governmental agencies and more phone calls than I can count. The result, as we now see in the CISA Guidance, was clear recognition by government of the role the industrial packaging industry plays in our economy.*

**GO TO NEXT PAGE FOR RIPA SAMPLE LETTER**

**Sample Letter for RIPA Members Regarding the Operation of Industrial Packaging Companies in Support of the Nation’s Response to COVID-19.**

COMPANY LETTERHEAD

[DATE]

RE: [Insert Company Name] - Essential Business Functions

To Whom It May Concern:

The individual in possession of this document is a representative of [Insert Company Name] and is essential to the function of our business. This individual is authorized, on my behalf, to commute to and from his/her work location and conduct essential work activities to support our customers for the duration of the COVID-19 (Coronavirus) crisis. These activities include, among other activities, commuting to and from the workplace, driving a truck, loading and unloading industrial packagings (e.g. steel and plastic drums, intermediate bulk containers, etc.) or assisting in these activities.

[Company Name] is a reconditioner/manufacturer and distributor of industrial packagings that are used by a wide range of industries that have been named by the Department of Homeland Security’s Cybersecurity and Infrastructure Security Agency (CISA) part of the nation’s “Critical Infrastructure Workforce.” Industrial packagings include steel and plastic drums, intermediate bulk containers are similar packagings used for the transportation of commodities. In its guidance, CISA identifies a list of industries and workers that are essential to continuity of operations, including but not limited to manufacturers that provide industrial packagings to key industry sectors, including energy, petroleum, food and agriculture, water and wastewater, transportation and logistics, hazardous materials, chemical and waste management. A significant number of our customers are companies that fit within the CISA critical infrastructure list.

If you have any questions about the individual carrying this document, please feel free to contact me directly at [Insert Phone Number] or by email at [Insert Email].

Sincerely,

NOTE: In paragraph 2 above, the first sentence can be revised by Supplier members to read as follows:

[Company Name] is a supplier of essential products to industrial packaging producers. Industrial packagings are used by a wide range of industries that have been named by the Department of Homeland Security’s Cybersecurity and Infrastructure Security Agency (CISA) part of the nation’s “Critical Infrastructure Workforce.”