TEXAS OIL & GAS ASSOCIATION | SINCE 1919

5-26-20

COVID-19

The below information is compiled to assist you in planning and preparation during this unprecedented time. The status of the COVID-19 pandemic is extremely dynamic with information changing by the minute. Please utilize links for most up-to-date information and contact TXOGA if you have any questions relating to the information provided.

***** PLEASE NOTE NEXT COVID-19 UPDATES WILL BE SENT *****
Friday, May 29, 2020

Statistics:
NEW Texas Case Count (DSHS): 56,560 cases, 1,536 Deaths
NEW National Case Count (CDC):
Total cases: 1,662,414
Total deaths: 98,261

Recent updates

Executive/Legislative Updates

- **NEW 5.26.20** Governor Greg Abbott announced and issued a proclamation expanding additional services and activities that can open under Phase II.
  - **Beginning Friday, May 29th**, water parks can open but must limit their occupancy to 25% of normal operating limits. Components of these water parks that have video arcades must remain closed.
  - **Starting Sunday, May 31st**, recreational sports programs for adults can resume, but games and similar competitions may not begin until June 15th. Driver education programs can resume operations immediately.
  - **For immediate opening**, food-court dining areas within shopping malls, but malls are encouraged to designate one or more individuals who are responsible for ensuring health and safety practices are followed, including: limiting tables to six individuals; maintaining a six-feet distance between individuals sitting at different tables; cleaning and disinfecting tables between uses; and ensuring no condiments or other items are left on tables between customer uses.
- **NEW 5.22.20** Governor Greg Abbott announced extensions to payment deadline for certain employers.
  - The Texas Workforce Commission (TWC) has extended payment deadlines for designated reimbursing employers that are required to pay a share of unemployment benefits.
  - Designated reimbursing employers include non-profits, local governments, school districts and other qualifying employers who reimburse TWC for the

full amount of unemployment benefits to be paid to eligible former employees.

- **NEW 5.22.20** Governor Abbott issues executive order (GA-25) suspending in-person visitations in county and municipal jails.
    - This restriction does not apply to visitation by an attorney meeting with a client or a religious leader or member of the clergy. The Governor previously directed state prisons, jails, and juvenile justice facilities to restrict visitation upon issuing his COVID-19 disaster declaration. This executive order adds another layer of defense to contain COVID-19 hot spots, prevent community spread, and protect staff and inmates.

Regulatory Updates

- **NEW 5.21.20** *RRC Energy Minute* was distributed to members and staff of the Texas Legislature and the Texas Congressional Delegation summarizing the latest round of relief items that RRC took at the last Commission meeting.

Restrictions on Travel or Movement

- **UPDATED** TEXAS ORDINANCE DOCUMENT. TXOGA has developed a spreadsheet to assist in tracking various state, county and city ordinances. This is a dynamic document and can change daily.
- **UPDATED** Shelter in Place Map for Texas' Counties
- Texas' border states and their current statewide orders

COVID-19 Testing

- **UPDATED** TDEM's statewide COVID-19 test collection online map to help Texans locate test collection sites within their community.

Links and Resources

General

Latest Health Authorities Updates

- Center for Disease Control (CDC) Guidance
    - **Recommendation Regarding the Use of Cloth Face Coverings**

- Texas Department of State Health Services (DSHS)
    - Communications toolkits

Federal

- White House
    - President's 30 days to slow the Spread of Corona virus (COVID-19)
    - Guidelines: Opening Up America Again containing three recommended phases to return to business as usual
- Cyber and Infrastructure Security Agency
    - Version 3.0 of CISA Guidance on Essential Critical Infrastructure Workers

- Critical Infrastructure Guidance: Version 2.0 of the Essential Critical Infrastructure Worker Guidance
- Interim Guidance for implementing safety practices for critical infrastructure workers who may have had exposure to a person with suspected or confirmed COVID-19
- Do's and Don'ts for employers and employees related to COVID-19 exposures

State

- The Governor's Strike Force to Open Texas has listed the new and updated statuses of businesses, services and activities around Texas.
- Texans Helping Texans: The Governor's Report to Open Texas.
- Texas Comptroller of Public Accounts Guidance and News Updates
- Texas Commission on Environmental Quality (TCEQ) COVID-19 Guidance
- Texas Railroad Commission (RRC) COVID-19 page outlining agency action
- Texas Supreme Court COVID-19 court operation guidance

Workplace guidance for employers

- OSHA guidance and resources
- CDC guidance for workplace

References

TXOGA Information, Outreach and Responses

- TXOGA President Todd Staples was appointed to lead Governor Abbotts's Strike Force to Open Energy Workgroup.
- DPS Screening at Louisiana Border and DPS Response to TXOGA
  - Regional Office Maps This map outlines the boundaries of the various Highway Patrol offices. Upon identifying the specific region you are looking for, search for the office and a contact name and phone number will update.
- TAM's (with TXOGA and other allied trades) letter to Mexico's health administration regarding adoption of CISA guidelines for critical infrastructure industries.
- Texas' border states and their current statewide orders.
- TXOGA information on PPE donations and/or selling of supplies.
  - **For specific communities you service, please contact TXOGA's Executive Director of STEER, Stephanie Moreno at smoreno@steer.com.**
- TXOGA GUIDANCE 3.24.20 on CISA guidelines for critical infrastructure workers

Executive/Legislative Updates

- GA-24 relating to the **termination of air travel restrictions** & GA-20
- (HHSC) expansion of testing to all state hospitals and state supported living centers.
- Additional drive-thru testing sites in Texas at CVS Health stores.
- Letter to all state agencies and institutions of higher education directing them to reduce budgets by five percent.
- GGA statement to local governments against increasing property taxes for Texas.
- GA-23 was issued for the expanded opening of Texas.

- Partnership with local fire departments to expand testing in nursing homes.
- Extension of federally supported community-based testing sites in Texas.
- Extension of COVID-19 disaster declaration for all Texas counties.
- Letter to Congressional Leaders asking them to support liability protections for Texas employers.
- Proclamation concerning early voting for special elections to occur on July 14, 2020. Early voting by personal appearance shall begin on Monday, June 29, 2020.
- Letter sent to city and county leaders regarding the $5.06 billing available funds
- Texas Education Agency launch operation to deliver internet connectivity for children across state
- Application for FEMA assistance funds to support Texas food banks.
- GA-22 relating to confinement during the COVID- 19 disaster.
- Texas COVID Relief Fund with Texas OneStar Foundation
- The Texans Back to Work Task Force presented its final report to Lt. Gov. Patrick.
- GA-21 relating to the expanded reopening of services (hair salons, barbershops, etc.) and an update on the reopening of Texas.
- Governor Abbott announces phase one to Open Texas and establishes statewide minimum health protocols and issued the following new executive orders GA 18, GA 19, GA 20 (REPEALED), and the Governor's Report to Open Texas which outline the ability for Texas to begin opening for business on May 1st.
- TDEM's statewide COVID-19 test collection online map to help Texans locate test collection sites within their community.
- TDHCA will provide HOME Tenant Based Rental Assistance (TBRA) to Texans experiencing housing challenges due to COVID-19.
- Texas A&M AgriLife Extension Service will provide a series of free online trainings to help local officials understand, acquire, and administer federal assistance available to the state of Texas
- Temporarily waiver for certain testing requirements for advanced practice registered nurses
- Update on job openings in Texas and resources for Texans seeking employment
- Texas National Guard will be organizing and constructing mobile testing sites around the state.
- GA-17 relating to the establishment of the Governor's Strike Force to Open Texas.
- GA-16 relates to the safe, strategic reopening of select services and activities in Texas. This order establishes a temporary "Retail-To-Go" model that will allow retail outlets in Texas to reopen beginning Friday, April 24.
- GA-15 relates to hospital capacity and personal protective equipment (PPE) needed for the COVID-19 response. The order loosens restrictions on surgeries put in place by Governor Abbott in March.
- Office of Economic Development and Tourism (EDT) launches small business webinar series.
- $38 million in federal COVID-19 emergency funding for local governments
- Governor Abbott, Goldman Sachs, LiftFund announce $50 million in loans for small businesses

- Extension of disaster declaration.
- Online Frontline Child Care Website to help **essential workers** in Texas locate child care and support child care centers who are caring for these children during the outbreak.
- **Update on incoming shipments of PPE and distribution in Texas**
- Update on State's Robust Hospital Capacity.
- **TDEM Guidance to Sectors under CISA on GA-12 , GA-11** and **GA-14**
- GA-14 relating to statewide continuity of essential services and activities through April 30, 2020.
- GA-12 mandates a 14-day quarantine for road travelers arriving from any location in Louisiana. REPEALED
- GA-11 mandating 14-day quarantine for air travelers. REPEALED
- Deployment of three National Guard Joint Task Force Brigades.
- Waiver for certain licensing renewal regulations and fees for nurses.
- GA-10 relating to swift submission of daily testing information
- Major Disaster Declaration
- Department of Public Health's Declaration of a Public Health Disaster
- GA-08 relating to COVID- 19 preparedness and mitigation.

Regulatory Updates

Texas Attorney General's Office

- AG's Guidance Letter About Reopening Non-Essential Businesses Regarding GA-18.
    - Attorney General Paxton opines that "*the Governor's order is neither vague nor unenforceable, and local governments are prohibited from allowing businesses to reopen unless they are recognized as essential or reopened services under the Governor's order.*"
- Application of the temporary exemption for qualified property damaged by a disaster does not apply to COVID-19 losses
- Letter on local governments restricting state employees/contractors from conducting services

Texas Comptroller of Public Accounts

- Comptroller issues April release on tax collections and was down significantly
- **Comptroller Hegar's response** to **TXOGA's letters on** 4.11.20 and 3.30.20 asking the **Comptroller's Office** use the described price scenario in performing the school district value study and, that under the authority of the Comptroller under the Tax Code, the proposed pricing be used by the state's Central Appraisal Districts for the current tax year. The Comptroller has determined the agency does not have flexibility regarding the January 1 valuation date. Keep in mind, operators continue to have the ability to take their valuation protests to the ARBs and if appropriate, to court.
- Due date extending for 2020 Texas franchise tax reports

Texas General Land Office

- Royalty and lease relief on state lands

Public Utility Commission

- Public Utility Commission (PUC) will consider its COVID-19 Emergency Relief Program again.

Texas Commission on Environmental Quality

- Guidance on bulk crude oil storage
- Letter addressing COVID-19 response and requests to rescind the agency's enforcement discretion and administrative relief policies
- Air Permits New Sign Variance Form

Texas Railroad Commission (RRC)

- Chairman Wayne Christian participated in the Consumer Energy Alliance (CEA)'s Tele-Townhall to discuss the challenges and opportunities for the Texas Railroad Commission in 2020 and beyond.
- Comm. Christi Craddick participated in The Texas Tribune Series: Coronavirus in Texas discussing the coronavirus impact, Texas oil prices and the economy.
- Adopted revisions to form PS-48, new construction report.
- May 5 hearing commissioners discussed proration, the report produced by the Blue Ribbon Task Force for Oil Economic Recovery and common carrier pipeline and refinery storage capacity.
    - The Blue Ribbon Task Force for Oil Economic Recovery report and letter to the commission
    - In response, several statewide rule exceptions and fee waivers were introduced.
        - Temporary exceptions to statewide rules 8, 13, 14 and 107
        - Temporary exception to certain fees & surcharges required by statewide rule 78
        - Temporary exception to statewide rule 95
- Commission meeting on April 21 discussed motion to delay proration vote until May 5th and the formation of the Blue Ribbon Task Force for Oil Economic Recovery.
- Commissioner Craddick's letter to Comptroller requesting extension for monthly deadline on crude oil and natural gas production taxes.
- RRC CASES: an on-line portal that allows the public and practitioners to view and access documents for complaints and other matters going through RRC's hearings process.
- Pipeline operators and local distribution companies
    - State of Disaster in Texas Waiver Requests for gas pipeline operators on April 28
    - State of Disaster in Texas Waiver Requests.
- Oil and gas operating companies
    - File form H-15, *Test on an Inactive Well More than 25 Years Old*, online using the RRC Online System.
    - extension of certain expirations and filling requirements
    - waiver requests to the district director and assistant district director

Texas Workforce Commission (TWC)

- New TWC guidance for unemployment claimants.
- $40,000,000 approved for supplemental childcare for families/communities during COVID-19

Judicial Updates

- Updated and clarified many of its emergency orders addressing Texas courts' pandemic issues.
- Texas Supreme Court Coronavirus Update
- TCJL's outreach to members on a potential increase in lawsuits during COVID-19 outbreak.
- State Bar of Texas Updates and Resources

County/City Updates

- Harris County Judge Lina Hidalgo issued new order requiring mandatory mask order.
- State Representative Armando Walle to serve as the COVID-19 recovery czar for Harris County.
- Marvin Odum, former president of Shell Oil, named recovery czar for City of Houston.

Fuel Waivers

- TDLR temporarily waives ASTM requirements. Disaster declarations are anticipated to be renewed in May and June and likely beyond that date.
- Governor Greg Abbott, along with governors from Utah, Oklahoma and Wyoming, sent a letter to EPA Administrator Wheeler requesting a waiver for the renewable volume obligation (RVO) under the federal Renewable Fuel Standard (RFS). This was not a TXOGA initiated request.
- State Fuel waivers Tracker for April, May and June listed by date issued. *Courtesy of API*
- Texas TCEQ Low RPV Fuel Waiver
- EPA Fuel Waiver for gasoline transition from winter-grade, high volatility to summer-grade, low vapor pressure.
- TDLR RVP waiver language

Federal News/Updates

- *America Together: Returning to Work Town Hall with President Trump* on Sunday, President Trump believes there will be a coronavirus vaccine available by the end of the year and announced that 2.2 million small business loans worth $175 billion have been made in the second round of the Payroll Protection Program.
- New testing plan laying out the roles and responsibilities to enhance the partnership between the private sector and the public sector, bringing together state and local governments with the federal government to accomplish and achieve the core principles and objectives.

- President Trump signs $484 billion relief package
- FEMA has published the Coronavirus (COVID-19) Pandemic: addressing PPE needs in non-healthcare setting.
- Senate approves new $484B Relief Package.
- President Trump stated he is looking into solutions for American oil during current price concerns.
- Both Governor Abbott and President Trump anticipate releasing details on plans to get back to work later this week.
- CARES Act and Paycheck Protection Program to help small businesses keep workers employed amid the pandemic and economic turndown.
- The Energy Information Agency has released its monthly Short-Term Energy Outlook.
- Republican Congressional letter to White House on prioritizing oil and natural gas producers/workforce.
- Petition for emergency rulemaking in response to EPA guidance from coalition of environmental and public interest groups
- EPA's letter regarding EPA's Enforcement and Compliance Assurance Program during COVID-19.