

**COVID-19 Response: State and Federal Restrictions and Exemptions on Environmental Remediation and Engineering**

On March 19, 2020, the federal Cybersecurity & Infrastructure Security Agency within the Department of Homeland Security released Guidance on the Essential Critical Infrastructure Workforce as it related to the nation's COVID-19 response (the "CISA Guidance"). The Guidance lists critical infrastructure workers that it recommends be shielded from Stay-at-Home and similar orders. The list includes various categories that may exempt aspects of the work that environmental engineers and consultants perform, though it does not include a blanket exception for the profession. Specifically the list includes but is not limited to the following categories that may subsume all or a portion of an environmental engineer's professional practice:

- Public Safety: Hazardous material responders from government and the private sector
- Energy: Environmental remediation / monitoring technicians, Petroleum ... workers who support emergency response services
- Water and Wastewater: Workers repairing water and wastewater conveyances and performing required sampling or monitoring
- Public Works: Support to ensure the effective removal, storage, and disposal of residential and commercial solid waste and hazardous waste
- Hazardous Materials: Workers who support hazardous materials response and cleanup
- Chemical: support workers of various listed types

State	State Executive Action	Beg. Date	End Date	Impact on environmental services?	References
Alabama					
Alaska	COVID 19 Health Alert and Guidelines	March 24, 2020	None specified	Alaska strongly advises that all non-essential business and personal travel cease. Alaska refers to the CISA guidelines in exempting those critical infrastructure workers from this advisory.	<a href="http://dhss.alaska.gov/News/Documents/press/2020/SOA_032020_HealthAlert009_NonEssentialTravel.pdf">http://dhss.alaska.gov/News/Documents/press/2020/SOA_032020_HealthAlert009_NonEssentialTravel.pdf</a>
Arizona					
Arkansas					
California	Executive Order N-33-20 closing non-critical infrastructure work	March 19, 2020	Until further Notice	California orders all residents and workers to stay home except as needed to maintain continuity of critical infrastructure, as described in the CISA guidance. The CISA guidance includes those engaged in "Hazardous Materials" management as essential businesses necessary for critical infrastructure.	<a href="https://covid19.ca.gov/stay-home-except-for-essential-needs/">https://covid19.ca.gov/stay-home-except-for-essential-needs/</a>
Colorado					
Connecticut	Executive Order No. 7, A through J	March 23, 2020	April 22, 2020	Connecticut Executive Order 7H orders non-essential businesses and non-profits to reduce their in-person workforces by 100%. The list of essential workers exempt from this order mirrors the CISA guidance. The CISA guidance includes those engaged in "Hazardous Materials" management as essential businesses necessary for critical infrastructure.	<a href="https://portal.ct.gov/Office-of-the-Governor/News/Press-Releases/2020/03-2020/Governor-Lamont-Releases-Guidance-to-Businesses-on-Order-Asking-Connecticut-to-Stay-Safe-Stay-Home">https://portal.ct.gov/Office-of-the-Governor/News/Press-Releases/2020/03-2020/Governor-Lamont-Releases-Guidance-to-Businesses-on-Order-Asking-Connecticut-to-Stay-Safe-Stay-Home</a> <a href="https://portal.ct.gov/DECD/Content/Coronavirus-for-Businesses/Coronavirus-for-Businesses">https://portal.ct.gov/DECD/Content/Coronavirus-for-Businesses/Coronavirus-for-Businesses</a>
Delaware	State of Emergency Declaration with modifications 1 through 5	March 24, 2020	May 15, 2020	Delaware's state of emergency declaration orders all residents to shelter in place" except for "Essential Activities." "Essential" activities includes waste management and remediation services in a referenced chart. The chart of "essential" businesses is similar to the Pennsylvania chart.	<a href="https://coronavirus.delaware.gov/resources-for-businesses/">https://coronavirus.delaware.gov/resources-for-businesses/</a>
Florida					
Georgia					
Hawaii	Third Supplementary Proclamation from Governor	March 25, 2020	At least April 30, 2020	Hawaii orders all residents to stay at home, except as necessary to maintain critical infrastructure as defined by the CISA guidance. The CISA guidance includes those engaged in "Hazardous Materials" management as essential businesses necessary for critical infrastructure. The order contains an additional exception for professional services.	<a href="https://governor.hawaii.gov/newsroom/latest-news/office-of-the-governor-news-release-governor-ige-issues-statewide-order-to-stay-at-home-work-from-home-to-fight-covid-19/">https://governor.hawaii.gov/newsroom/latest-news/office-of-the-governor-news-release-governor-ige-issues-statewide-order-to-stay-at-home-work-from-home-to-fight-covid-19/</a>
Idaho					
Illinois	Executive Order 2020-10	March 21, 2020	April 7, 2020	Illinois orders all residents to stay at home, except for Essential Activities or to operate Essential Businesses and Operations. Illinois's definitions of Essential Activities, Businesses, and Operations broadly includes categories for manufacturing, construction, professional services, transportation, critical trades, and essential infrastructure but does not refer to the CISA guidance or list environmental remediation specifically.	<a href="https://www2.illinois.gov/sites/coronavirus/Resources/Pages/ExecutiveOrder2020-10.aspx">https://www2.illinois.gov/sites/coronavirus/Resources/Pages/ExecutiveOrder2020-10.aspx</a> <a href="https://www2.illinois.gov/sites/coronavirus/FAQ/Pages/Stay-At-Home-FAQS.aspx">https://www2.illinois.gov/sites/coronavirus/FAQ/Pages/Stay-At-Home-FAQS.aspx</a> <a href="https://www2.illinois.gov/sites/coronavirus/FAQ/Pages/Business-FAQ.aspx">https://www2.illinois.gov/sites/coronavirus/FAQ/Pages/Business-FAQ.aspx</a>
Indiana	Executive Order 20-08	March 23, 2020	April 6, 2020	Indiana orders all residents to stay at home except for Essential Businesses and Operations, which includes all businesses on the CISA guidance. The CISA guidance includes those engaged in "Hazardous Materials" management as essential businesses necessary for critical infrastructure. There is an additional exception for professional services.	<a href="https://www.in.gov/gov/files/Executive_Order_20-08_Stay_at_Home.pdf">https://www.in.gov/gov/files/Executive_Order_20-08_Stay_at_Home.pdf</a> <a href="https://www.in.gov/gov/3232.htm">https://www.in.gov/gov/3232.htm</a> <a href="https://www.in.gov/coronavirus/2496.htm">https://www.in.gov/coronavirus/2496.htm</a>
Iowa					
Kansas					
Kentucky					

State	State Executive Action	Beg. Date	End Date	Impact on environmental services?	References
Louisiana	Proclamation Number 33 JBE 2020	March 23, 2020	April 13, 2020	Louisiana orders all individuals to stay at home unless performing an essential activity. It further orders that any business not listed as "essential" by the CISA guidance shall reduce operations "to continue with minimum contact with members of the public and essential employees, while requiring proper social distancing." The CISA guidance includes those engaged in "Hazardous Materials" management as essential businesses necessary for critical infrastructure.	<a href="https://gov.louisiana.gov/home/">https://gov.louisiana.gov/home/</a>
Maine					
Maryland	Governor's Order No. 20-03-23-01	March 23, 2020	None specified	Maryland orders the closure of the in-person locations of all non-essential businesses. Businesses listed in the CISA guidance are exempted. The CISA guidance includes those engaged in "Hazardous Materials" management as essential businesses necessary for critical infrastructure. Maryland's further guidance exempts engineering firms from the closure requirement.	<a href="https://governor.maryland.gov/2020/03/23/governor-hogan-announces-closure-of-all-non-essential-businesses-175-million-relief-package-for-workers-and-small-businesses-affected-by-covid-19/">https://governor.maryland.gov/2020/03/23/governor-hogan-announces-closure-of-all-non-essential-businesses-175-million-relief-package-for-workers-and-small-businesses-affected-by-covid-19/</a> <a href="https://governor.maryland.gov/wp-content/uploads/2020/03/OLC-Interpretive-Guidance-COVID19-04.pdf">https://governor.maryland.gov/wp-content/uploads/2020/03/OLC-Interpretive-Guidance-COVID19-04.pdf</a>
Massachusetts	COVID-19 Order No. 13, with Exhibit A	March 24, 2020	April 7, 2020	Massachusetts orders the closure of all businesses and other organizations that do not provide COVID-19 Essential Services. EHS and environmental remediation personnel are included in various industry-specific exceptions to this order found in its Exhibit A.	<a href="https://www.mass.gov/doc/march-23-2020-essential-services-and-revised-gatherings-order/download">https://www.mass.gov/doc/march-23-2020-essential-services-and-revised-gatherings-order/download</a> <a href="https://www.mass.gov/doc/covid-19-essential-services/download">https://www.mass.gov/doc/covid-19-essential-services/download</a>
Michigan	Governor's Order 2020-21, limiting business to those necessary to "sustain or protect life"	March 24, 2020	April 13, 2020	Michigan orders the closure of all businesses not necessary to "sustain or protect life." The order has an exception for "critical infrastructure" workers, and refers to the CISA guidance for that definition. The CISA guidance includes those engaged in "Hazardous Materials" management as essential businesses necessary for critical infrastructure.	<a href="https://www.michigan.gov/whitmer/0,9309,7-387-90499_90705-522626--,00.html">https://www.michigan.gov/whitmer/0,9309,7-387-90499_90705-522626--,00.html</a>
Minnesota					
Mississippi					
Missouri					
Montana					
Nebraska					
Nevada	Declaration of Emergency, Declaration No. 003	March 20, 2020	April 16, 2020	Nevada's order prohibits in-person operation of non-essential businesses. Essential businesses include those defined by the Homeland Security CISA guidance as well as the "construction, mining, manufacturing, and infrastructure sector labor force." The CISA guidance includes those engaged in "Hazardous Materials" management as essential businesses necessary for critical infrastructure.	<a href="https://nvhealthresponse.nv.gov/wp-content/uploads/2020/03/2020-03-20.Declaration-of-Emergency-Directive-003.pdf">https://nvhealthresponse.nv.gov/wp-content/uploads/2020/03/2020-03-20.Declaration-of-Emergency-Directive-003.pdf</a>
New Hampshire					
New Jersey	Executive Orders Nos. 107, 108, 109	March 21, 2020	None specified	New Jersey orders the closure of the physical location of all non-essential retail businesses as long as the Order remains in effect. Non-retail businesses are subject to a "best efforts" requirement to reduce staff to the minimal number necessary "to ensure that essential operations can continue." There's no definition of essential operations in the order. The Director of Emergency Management is authorized to supplement the order to further define "essential." Professional service firms like law firms and engineering firms may continue to operate remotely. There remains some ambiguity with regard to the application of this Order to environmental services personnel. The LSRPA has asked for clarification.	<a href="https://nj.gov/infobank/eo/056murphy/pdf/EO-107.pdf">https://nj.gov/infobank/eo/056murphy/pdf/EO-107.pdf</a> <a href="https://faq.business.nj.gov/en/collections/2198378-information-for-nj-businesses-on-the-coronavirus-outbreak">https://faq.business.nj.gov/en/collections/2198378-information-for-nj-businesses-on-the-coronavirus-outbreak</a> <a href="https://faq.business.nj.gov/en/articles/3820777-i-m-not-sure-if-my-business-needs-to-close-or-not-due-to-the-state-s-covid-19-directives-what-additional-information-or-guidance-is-there">https://faq.business.nj.gov/en/articles/3820777-i-m-not-sure-if-my-business-needs-to-close-or-not-due-to-the-state-s-covid-19-directives-what-additional-information-or-guidance-is-there</a>
New Mexico	Public Health Order of March 23, 2020	March 24, 2020	None specified	New Mexico orders the closure of all businesses, except those deemed essential to public health, safety and well-being. The list of exemptions includes "commercial and residential construction and maintenance," "professional services" (in a limited capacity), "services necessary to maintain the safety and sanitation of residences or essential businesses," and "solid waste collection and removal." Environmental remediation is not separately mentioned.	<a href="https://cv.nmhealth.org/wp-content/uploads/2020/03/COVID-19-DOH-Order-fv.pdf">https://cv.nmhealth.org/wp-content/uploads/2020/03/COVID-19-DOH-Order-fv.pdf</a> <a href="https://cv.nmhealth.org/stay-at-home-essential-businesses/">https://cv.nmhealth.org/stay-at-home-essential-businesses/</a>

State	State Executive Action	Beg. Date	End Date	Impact on environmental services?	References
New York	Executive Order Nos. 202.1-202.10	March 23, 2020	April 22, 2020	New York's executive order prohibits the in-person operation of non-essential businesses; it provides a very general list of "essential" businesses, including "other related construction firms and professionals for essential infrastructure or for emergency repair and safety purposes" but leaves ambiguity with regard to application to environmental remediation services.	<a href="https://www.governor.ny.gov/executiveorders">https://www.governor.ny.gov/executiveorders</a> <a href="https://www.governor.ny.gov/news/governor-cuomo-issues-guidance-essential-services-under-new-york-state-pause-executive-order">https://www.governor.ny.gov/news/governor-cuomo-issues-guidance-essential-services-under-new-york-state-pause-executive-order</a>
North Carolina					
North Dakota					
Ohio	Department of Health Stay at Home Order	March 24, 2020	April 6, 2020	Ohio's Order prohibits in-person, non-essential business operations, but those exempt from the list includes businesses on the Homeland Security CISA list and an additional exemption for professional services. The CISA guidance includes those engaged in "Hazardous Materials" management as essential businesses necessary for critical infrastructure.	<a href="https://content.govdelivery.com/attachments/OHOOD/2020/03/22/file_attachments/1407840/Stay%20Home%20Order.pdf">https://content.govdelivery.com/attachments/OHOOD/2020/03/22/file_attachments/1407840/Stay%20Home%20Order.pdf</a>
Oklahoma					
Oregon	Executive Order 20-12	March 23, 2020	None specified	Oregon's order prohibits the operation of certain retail businesses and directs other businesses to use telework where available. Where telework is not available, work places must follow guidelines prescribed by the Order.	<a href="https://www.oregon.gov/gov/Documents/executive_orders/eo_20-12.pdf">https://www.oregon.gov/gov/Documents/executive_orders/eo_20-12.pdf</a> <a href="https://govstatus.egov.com/or-covid-19">https://govstatus.egov.com/or-covid-19</a> <a href="https://www.oregon.gov/newsroom/Pages/NewsDetail.aspx?newsid=36240">https://www.oregon.gov/newsroom/Pages/NewsDetail.aspx?newsid=36240</a>
Pennsylvania	Order closing all "non-life-sustaining" businesses	March 21, 2020	None specified	Pennsylvania orders the closure of all in-person "non-life-sustaining" businesses. Its definition of "life sustaining" is set forth in a detailed table attached to the order and includes waste management and remediation services. Delaware uses a similar model.	<a href="https://www.governor.pa.gov/wp-content/uploads/2020/03/20200319-TWW-COVID-19-business-closure-order.pdf">https://www.governor.pa.gov/wp-content/uploads/2020/03/20200319-TWW-COVID-19-business-closure-order.pdf</a> <a href="https://www.scribd.com/document/452553026/UPDATED-5-45pm-March-21-2020-Industry-Operation-Guidance">https://www.scribd.com/document/452553026/UPDATED-5-45pm-March-21-2020-Industry-Operation-Guidance</a>
Rhode Island					
South Carolina					
South Dakota					
Tennessee					
Texas					
Utah					
Vermont					
Virginia	Executive Order 53	March 24, 2020	April 23, 2020	Virginia's order places restrictions on schools, retail business, and public gatherings but it does <b>not</b> significantly limit the scope of work of professional services businesses like environmental consulting or remediation.	<a href="https://www.governor.virginia.gov/media/governorvirginia.gov/executive-actions/EO-53-Temporary-Restrictions-Due-To-Novel-Coronavirus-(COVID-19).pdf">https://www.governor.virginia.gov/media/governorvirginia.gov/executive-actions/EO-53-Temporary-Restrictions-Due-To-Novel-Coronavirus-(COVID-19).pdf</a>
Washington	Stay at Home, Stay Healthy Order, Proclamation 20-25	March 25, 2020	April 8, 2020	Washington orders all residents to stay home and prevents all non-essential businesses from conducting business at an in-person location. Essential business services includes "workers who support hazardous materials response and cleanup" as specified in the appendix to the Order.	<a href="https://www.governor.wa.gov/sites/default/files/proclamations/20-25%20Coronavirus%20Stay%20Safe-Stay%20Healthy%20%28tmp%29%20%28002%29.pdf">https://www.governor.wa.gov/sites/default/files/proclamations/20-25%20Coronavirus%20Stay%20Safe-Stay%20Healthy%20%28tmp%29%20%28002%29.pdf</a> <a href="https://www.governor.wa.gov/news-media/inslee-announces-stay-home-stay-healthy%2Aorder">https://www.governor.wa.gov/news-media/inslee-announces-stay-home-stay-healthy%2Aorder</a>
West Virginia	Executive Order 9-20	March 24, 2020	None specified	West Virginia directs all but "essential businesses" to close operations and refers to the Homeland Security CISA guidance definition of "essential business" but further supplements the list also to include professional services. The CISA guidance includes those engaged in "Hazardous Materials" management as essential businesses necessary for critical infrastructure.	<a href="https://coronavirus-wvgovstatus-cdn.azureedge.net/STAY_AT_HOME_ORDER.pdf">https://coronavirus-wvgovstatus-cdn.azureedge.net/STAY_AT_HOME_ORDER.pdf</a>
Wisconsin	Emergency Order No. 12, "Safer at Home"	March 25, 2020	April 24, 2020	Wisconsin orders all residents to stay at home except for Essential Activities or Essential Business and Operations. Essential Business and Operations includes reference to any business on the CISA list. The CISA guidance includes those engaged in "Hazardous Materials" management as essential businesses necessary for critical infrastructure.	<a href="https://www.wpr.org/sites/default/files/health_order_12_safer_at_home.pdf">https://www.wpr.org/sites/default/files/health_order_12_safer_at_home.pdf</a>
Wyoming					