



Energy

ESF 12



Emergency Support Function Approval and Implementation

Wisconsin Emergency Management has coordinated an update of this emergency support function (ESF). This ESF will be reviewed periodically in accordance with the timeline outlined in the state’s Integrated Preparedness Plan.

DocuSigned by:

Greg Engle

C25970AA863F435...

Greg Engle, Administrator
Wisconsin Emergency Management

Date: 7/31/2024 | 3:00 PM CDT

This emergency support function is hereby adopted as written and supersedes all previous versions.

Signed by:

Brig Gen David May

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DAVID W. MAY, Brigadier General
Interim Adjutant General of Wisconsin

Date: 8/6/2024 | 3:03 PM CDT



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Table 1-1: Coordinating and Support Agencies

Lead Coordinating Agency	Department of Military Affairs/Wisconsin Emergency Management (DMA/WEM)
Lead Advisory Agency	Public Service Commission of Wisconsin (PSC)/Office of Energy Innovation (OEI)
Wisconsin Governmental Support Agencies	Department of Agriculture, Trade and Consumer Protection (DATCP) Department of Health Services (WI DHS) Department of Natural Resources (DNR) Department of Safety & Professional Services (DSPS) Department of Transportation (WisDOT) Department of Transportation/Wisconsin State Patrol (WisDOT/WSP) Department of Military Affairs/Wisconsin National Guard (DMA/WING)
Regional Energy Organizations	Midcontinent Independent System Operator, Inc. (MISO) North American Electric Reliability Corporation (NERC)
Federal ESF Coordinating Agencies	Department of Agriculture (USDA) U.S. Army Corps of Engineers (USACE) Department of Energy (DOE) Department of Homeland Security (DHS) Federal Emergency Management Agency (FEMA) Department of the Interior (DOI) Department of Transportation (US DOT) Federal Energy Regulatory Commission (FERC) Environmental Protection Agency (EPA)

1. Introduction

1.1 Purpose

The purpose of this ESF is:

- 1.1.1 To provide state support to federal, state, local, and tribal governments responding to natural or manmade disruptions of energy supplies and distribution.
- 1.1.2 To support energy providers responding to energy outages, particularly in cases where life, safety, property, or the environment may be damaged or destroyed.
- 1.1.3 To provide for the effective use of available electric power, natural gas, coal, and petroleum products in ways that meet essential needs and facilitate restoration of energy systems affected by an emergency incident.
- 1.1.4 To enable state agencies and other emergency management partners to determine the extent of an energy emergency along with the appropriate response measures.



1.2 Plan Structure

- 1.2.1 The body of this plan provides a general overview of how the state responds to energy disruptions regardless of type.
- 1.2.2 Specific measures for responding to gasoline, diesel, propane, and heating oil shortages, along with procedures for provision of temporary emergency power, are contained in Attachment 1 - Petroleum Shortage Contingency Plan.

Nuclear energy incident response, along with information related to nuclear energy, is not a part of this ESF but is included in the Radiological/Nuclear Incident Plan Annex of the Wisconsin Emergency Response Plan.

1.3 Scope

- 1.3.1 ESF 12 describes roles and responsibilities among state agencies during incidents involving energy.
- 1.3.2 ESF 12 is applicable to all state departments and agencies with statutory responsibilities and assets to support state, local, and tribal response to actual or potential energy emergencies. It provides a framework for how the state provides support to local, county, and tribal governments during energy disruptions or shortages.

1.4 Policies

- 1.4.1 For the purposes of this ESF, the term “energy” in energy emergency applies to all forms of energy, including electrical power, natural gas, petroleum, coal, and nuclear energy.
- 1.4.2 Section 196.029 of the Wisconsin Statutes authorizes the Governor to declare an energy alert, which is publicly identified as an energy emergency.
 - 1.4.2.1 Once an energy emergency is declared, the OEI may compel energy producers, importers, or sellers to furnish information on existing and future fuel supplies along with anticipated fuel demands.
 - 1.4.2.2 Electricity, natural gas, and wood fuels are excluded from this authority.
- 1.4.3 Under § 196.025(7)(a)3. of the Wisconsin Statutes, the OEI is to “prepare and maintain contingency plans for responding to critical energy shortages so that when the shortages occur they can be dealt with quickly and effectively.”
- 1.4.4 The *Wisconsin Energy Security Plan (ESP)* prepared and maintained by the OEI provides detailed information regarding energy shortages, disruptions, and emergency plans as required by the Federal Energy Policy and Conservation Act (EPCA), 42 U.S.C.s 6326. This ESF is a supplement to the ESP and is used when activating an energy emergency



response. WEM will coordinate emergency-related activities with other state agencies during an energy emergency, including managing the consequences of the energy emergency.

- 1.4.5 State agencies with additional authority may be notified to implement their energy emergency plans.
- 1.4.6 During an energy emergency, the Governor may ask the public to institute voluntary measures that conserve energy and ensure supply to critical facilities and functions.
 - 1.4.6.1 Mandatory energy reduction measures are only implemented as necessary.
- 1.4.7 If allocation of energy resources is required, ESF 12 agencies will collaborate with public and private partners to ensure priority is given to life safety, incident stabilization, and protection of Wisconsin's economic and environmental interests.

2. Planning Assumptions

- 2.1.1 A significant energy outage may cause a consequential disruption to the critical infrastructure of a municipality, tribal nation, county, the State, or United States as a whole.
- 2.1.2 The resources required as a result of a significant energy outage may immediately exceed the resources available within local jurisdictions, tribal, county, or state governments, and may require federal assistance. In particular, the following items may need to be addressed during an energy emergency:
 - 2.1.2.1 Mass care – ability to manage and provide food and shelter to a large, displaced, and possibly contaminated, evacuee population.
 - 2.1.2.2 Debris management – the damage and amount of debris left from the incident is so extensive that local and regional capabilities are exceeded. The type of debris may require technical assistance to deal with environmental and contamination issues.
 - 2.1.2.3 Public information – the need for providing on-going, consistent, and clear public information may overwhelm local resources requiring additional resources. Accurate and continuous information is needed to assuage mass confusion and panic. The scope of the incident will determine the need to provide information on a local, state-wide or national scale.
 - 2.1.2.4 Fuel distribution and resupply – the ability of local public and private sector entities to obtain fuel for backup generators may be impaired during a widespread, long-term power outage. It may be necessary to facilitate deliveries of fuel from outside the impacted area.



- 2.1.2.5 If natural gas is curtailed, some power generation units may switch to alternate fuel sources, including diesel and propane. In this case, a significant spike in demand will occur which must be accounted for.
- 2.1.3 Out-of-state incidents:
 - 2.1.3.1 Could necessitate requests for Wisconsin-based resources and materials, made through the Emergency Management Assistance Compact, Northern Emergency Management Assistance Compact, and other agreements by the affected state(s) or province(s) during the emergency.
 - 2.1.3.2 Could result in a large number of people being evacuated through or to Wisconsin.
- 2.1.4 A significant energy outage incident may occur with little or no warning, such as in the case of a cyber-attack or technological failure.

3. Concept of Operations

3.1 General

In the event of a disruption of energy supply in Wisconsin, ESF 12 agencies will do the following:

- 3.1.1 Coordinate with energy providers to identify the cause, extent, duration, and severity of the energy disruption.
 - 3.1.1.1 Work with all affected stakeholders to compile estimates of the extent of damage to energy delivery systems such as pipelines, transmission lines, fuel terminals, rail lines, etc.
 - 3.1.1.2 Request and analyze current information regarding energy supply and demand.
- 3.1.2 Share information regarding the cause, extent, duration, and severity of the energy disruption with local, county, tribal, state, and federal government partners as appropriate to enable incident stabilization and recovery.
- 3.1.3 Support restoration of energy systems by coordinating response efforts with energy providers and providing resource support as appropriate.
 - 3.1.3.1 Coordinate with energy producers, providers, and distribution entities to identify critical restoration requirements.
 - 3.1.3.2 Coordinate with federal, state, tribal, and local jurisdictions, and the Governor's office to assist with the energy emergency and establish damage repair priorities.
- 3.1.4 Identify and respond to resource requests for temporary energy supplies during an energy disruption.



- 3.1.4.1 Identify demand and supply needs for critical infrastructure facilities and high risk customers and producers.
- 3.1.4.2 When requested, assist local jurisdictions with coordination of supply and distribution of temporary or alternate energy sources.
- 3.1.5 Work with industry stakeholders to implement appropriate conservation measures to reduce demand when needed.

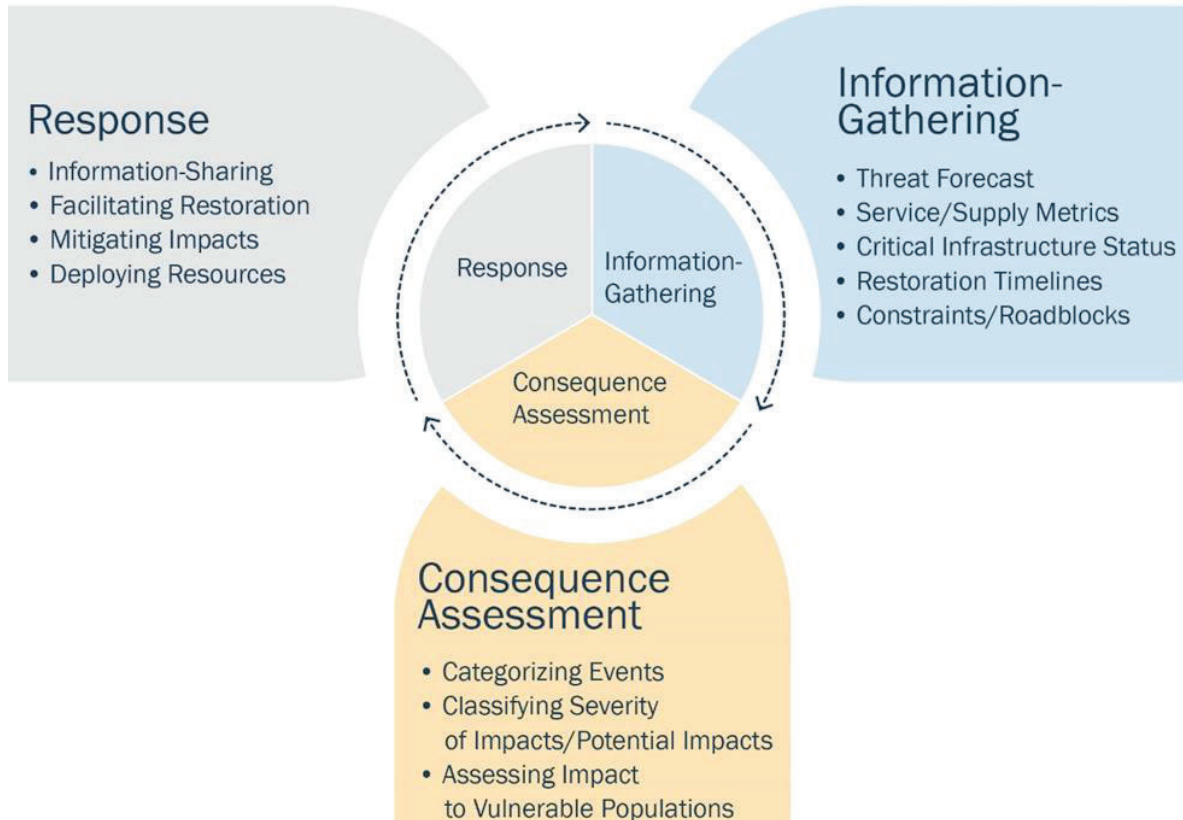


Figure 1: Elements of Energy Emergency Response

3.2 Mobilization Triggers

- 3.2.1 Energy supply and infrastructure status is monitored by OEI, the PSC, and WEM.
- 3.2.2 ESF 12 is activated whenever:
 - 3.2.2.1 County, tribal, or municipal jurisdictions request state level support because locally available resources are exhausted or are likely to be exhausted.
 - 3.2.2.2 The energy outage/shortage affects multiple counties, a wide region of the state, extended time, or adverse weather conditions pose serious economic well-being, health, or welfare concerns.



- 3.2.2.3 The energy outage/shortage requires significant aid from utility companies or other energy providers from other states.
- 3.2.2.4 An energy shortage or outage in another state is likely to significantly impact Wisconsin's energy supply or there is a need to coordinate significant support from Wisconsin to another state to enable recovery.

3.3 Energy Shortage Levels

- 3.3.1 ESF 12 lead and supporting agencies adjust response activities based on the circumstances and severity of each incident. The Wisconsin ESP and Wisconsin Petroleum Shortage Contingency Plan detail four categories and response activities of an energy shortage which are used to identify an incident's severity: Monitor and Alert, Mild Shortage, Moderate Shortage, and Severe Shortage.

3.4 Organization

- 3.4.1 General:

- 3.4.1.1 Wisconsin's energy distribution systems are operated by a variety of public and private sector organizations. For detailed information about how energy is distributed to and within the state, see the Wisconsin State Energy Profile included in the Wisconsin ESP or the State Energy Profile developed by the Energy Information Administration.

(1) EIA Energy Profile – Wisconsin:

<https://www.eia.gov/beta/states/states/wi/overview>.

- 3.4.1.2 Energy providers are generally responsible for the operation and restoration of their systems.

- 3.4.2 Disruption Response:

- 3.4.2.1 WEM serves as the lead coordinating agency for ESF 12. OEI is the lead advisory agency for WEM during energy disruptions. OEI and WEM monitor the status of energy infrastructure in the state using a variety of means. When disruptions are detected, they coordinate with appropriate state and federal agencies and private sector energy providers to assess their severity and identify/evaluate potential response measures.

- 3.4.2.2 The PSC regulates and oversees investor-owned and municipal electric and natural gas distribution utilities but does not handle their day-to-day or emergency operations. The state's electric cooperatives are primarily self-regulated by their member-elected boards. Of most pertinence to energy emergency management, PSC's Division of Energy Regulation and Analysis staff oversee service adequacy, reliability, and safety issues for its regulated energy utilities. Within the PSC, the Office of Energy Innovation (OEI) includes the State



Energy Office, which has statewide responsibilities for energy security planning pursuant to Wis. Stat. § 196.025(7)(a)3, and energy emergency response of the state's unregulated petroleum industry pursuant to Wis. Stat. § 196.029.

- 3.4.2.3 Coordination Groups: WEM and OEI have established several energy coordination groups which include energy providers, state agencies, state fusion centers as appropriate, and other affected stakeholders to gather situational awareness about an energy disruption, discuss unmet needs, and provide ongoing coordination between the state and these providers during energy disruptions.
- 3.4.2.4 State Emergency Operations Center: when activated, State response to energy disruptions is coordinated within the SEOC. As appropriate and requested by WEM, the lead coordinating agency and support agencies of ESF 12 will assign personnel to the SEOC,. The SEOC will:
 - (1) Establish a common operating procedure
 - (2) Provide state leadership regular situational updates
 - (3) Process resource requests and assign appropriate resources to the response
 - (4) Coordinate state agency response activities as needed
 - (5) Coordinate with FEMA, DOE, and other federal entities to obtain required resources as needed.
- 3.4.2.5 Policy Group: When needed, a policy group consisting of representatives from the Governor's Office, WEM, OEI, PSC, DOT, DATCP, DNR and/or other state agencies may convene to determine state response objectives and provide policy guidance, including advising the Governor on the need to declare an Energy Emergency.

3.5 Procedures

- 3.5.1 WEM, PSC, and the OEI maintain contacts within each sector of Wisconsin's energy profile in order to facilitate information sharing and enable early detection and efficient response to potential energy emergencies.
- 3.5.2 ESF 12 stakeholders aware of potential disruptions of energy supply contact WEM via the Wisconsin Emergency Hotline and report the situation. The Joint Operations Center contacts the appropriate personnel within WEM to initiate coordination with OEI or other appropriate ESF 12 stakeholders. If the SEOC is activated in response to an incident, ESF 12 stakeholders may contact the SEOC.
- 3.5.3 WEM will work with the PSC, OEI, appropriate ESF 12 support agencies, utilities, and energy providers to obtain impact and damage assessment reports, current and projected supply levels, and other information relevant to the incident. WEM may utilize



conference calls or other communication methods to coordinate response efforts with state agency and industry partners.

- 3.5.4 To the extent possible, energy providers will continue to provide services through their normal means during a disaster.
- 3.5.5 If businesses and local governments are unable to obtain fuel through their existing vendors, they should work to acquire supply from additional vendors.
- 3.5.6 If additional vendors are unable to deliver fuel, businesses and local governments may request assistance through their county emergency managers. Requests should be prioritized so the most critical needs are met first.
- 3.5.7 If county, tribal, and local governments are unable to obtain necessary resources, the SEOC, with the assistance of the OEI, will work with local petroleum providers and major oil companies to identify and facilitate the delivery of available petroleum fuel supplies.
 - 3.5.7.1 Priority will be given to requests which have life safety impacts.
 - 3.5.7.2 Recipients of fuel are responsible for payment and must work with the fuel provider to identify payment terms.
 - 3.5.7.3 For additional details see the Wisconsin Petroleum Shortage Contingency Plan
- 3.5.8 During significant energy emergencies which require out-of-state resources, the SEOC will coordinate with FEMA and other entities to obtain the required support.

3.6 ESF Activities

The WERP Basic Plan defines standardized tasks that constitute the response and short-term recovery responsibilities of any agency or energy partner that serves a role in emergency management. This section defines those activities that are unique to ESF 12 and is intended to be used in conjunction with the common tasks outlined in the WERP Basic Plan and with specific duties assigned in the other ESFs.



Table 3-1: Response Activities

Action Item	Agency
<ul style="list-style-type: none"> • Serve as the lead coordinating agency in the event of an energy emergency or designate the appropriate state support agency as the lead. • Work with OEI, PSC, and energy providers to identify potential shortages and their cause. • Support local response efforts through the SEOC and Duty Officer System. • Initiate and conduct energy sector Coordination Group conference calls as appropriate. • Provide liaisons to county and local emergency operations centers, as needed. • Coordinate with public and private partners to ensure first responders and other critical response assets have the fuel necessary to respond to potential hazards during an energy emergency. • Minimize impact of an energy emergency by gathering information from the lead advisory agencies and private partners about energy availability and distribution issues. • Coordinate industry and other state agencies to identify waivers, variances, conservation measures, and other response measures which will help reduce the duration and severity of the energy emergency. • Coordinate with the PSC and OEI to notify the Governor when conditions exist or are anticipated that might warrant the declaration of a statewide or localized energy supply alert or emergency. • Recommend, in accordance with the Governor’s emergency powers under § 323.12(4) of the Wisconsin Statutes, priorities among users if adequate energy resources are not available to meet all essential needs. • Administer energy allocation and curtailment programs in accordance with federal programs and with the Governor’s statutory emergency powers. • Coordinate with the Governor’s office, PSC, OEI, and other state agencies on public information per ESF-15. • Coordinate with the PSC in the development of an inventory of available state energy and utility resources. 	<p>DMA/WEM</p>



Action Item	Agency
<p>All Energy Types</p> <ul style="list-style-type: none"> • Maintain contact with petroleum, energy, and transportation stakeholders throughout the state and the Midwest region. • Host coordination calls with petroleum sector partners to identify supply status, operational issues, and other needs. Participate in electric and natural gas utility coordination group calls as appropriate. • Identify energy, utility, and petroleum resources that are in short supply and are necessary for the health and safety of the population. • Provide liaison officers to the SEOC and/or participate in the Policy Group to assist with coordination of energy emergency response during significant shortages and outages, as necessary. • Maintain liaison with federal government entities and neighboring states to monitor energy resources and supplies. • Coordinate with appropriate state PIOs to ensure accurate public information is distributed regarding the energy emergency. • Implement contingency plans for responding to critical energy shortages. • Assist WEM with coordinating supply and distribution of temporary or alternative energy sources. • Administer energy allocation and curtailment programs in accordance with federal programs and with the Governor’s statutory emergency powers. <p>Petroleum-Specific</p> <ul style="list-style-type: none"> • Compile initial damage and operational capability information from the petroleum industry to assess the need for state or federal assistance. • Brief SEOC and state leadership on status of petroleum industry, as necessary. • Coordinate with petroleum sector associations and organizations to share operational information. • Lead coordination with state agencies to implement mandatory petroleum conservation measures approved by the Governor. 	<p>OEI</p>



Action Item	Agency
<ul style="list-style-type: none"> • Maintain contact with electric and natural gas utility contacts throughout the state and Midwest region. • Maintain contact with regional reliability organizations and independent system operator. Collect the location, extent, and restoration status of energy supply outages or disruptions. • Compile damage assessment estimates from electric and natural gas utilities under state statutes and administrative rules. • Coordinate with WEM regarding any relevant information collected on the status of energy infrastructure damage, supply adequacy, and market situation during emergencies. • If requested by the Governor’s Office, participate in the Policy Group to provide recommendations regarding regulatory measures in order to respond to or recover from energy disruptions. • If requested by WEM, provide staff to the SEOC and/or participate in the Policy Group to assist with coordination of energy emergency response. This may include: <ul style="list-style-type: none"> ○ Review of electric or natural gas outage and restoration status ○ Coordination of resource requests or unmet needs from ESF 12 stakeholders ○ Assist with ensuring accurate public information is distributed regarding the energy emergency ○ Coordination with federal ESF 12 partners ○ Providing technical advice to SEOC leadership when needed. 	<p>PSC</p>
<ul style="list-style-type: none"> • Monitor highways that may provide key truck transportation routes for the delivery of energy (i.e. oversize/overweight coordination and approvals, exempting fuel oil and coal shipments for the duration of the incident) that may require granting exemptions in emergencies. • Coordinate with OEI and WEM to determine if weight limits and/or hours of service should be waived per state and federal laws. • Distribute information about approved variances and waivers to appropriate offices, including the Wisconsin State Patrol. • Provide liaison to the SEOC and incident command post, if necessary. • Provide highway operations information through the Traffic Management Center (TMC). • Coordinate the movement of coal by the railroads to the coal-powered electric generation plants or propene tank cars to terminals. • Work closely with federal, state, tribal, and local governments acting as a conduit for information related to airport, harbor, and port security. • Monitor railroads that provide key transportation services for the delivery of coal to coal-fired utilities around the state, assisting in securing routes should emergency shipments be needed. 	<p>WisDOT</p>
<ul style="list-style-type: none"> • Initiate and conduct coordination calls as appropriate, in coordination with WEM. • Coordinate with local government on response in affected area • Provide outage or supply information to WEM, PSC, and OEI, as required or appropriate • Provide liaison officers to county and State Emergency Operations Centers during significant shortages and outages, as necessary. 	<p>Energy Industry</p>



Action Item	Agency
<ul style="list-style-type: none"> • Accept waivers and variances, and enforce mandatory conservation measures, as required. • Provide and assist others in providing law enforcement support in an energy emergency for security of critical facilities, equipment, and other related issues. • Provide and assist with traffic control (e.g. detours, road closures, etc.), as required. • Monitor highways that may provide key truck transportation routes for the delivery of energy (i.e. oversize/overweight coordination and approvals, exempting fuel oil and coal shipments for the duration of the incident) that may require granting exemptions in emergencies. 	WisDOT/WSP
<ul style="list-style-type: none"> • Upon activation by the Governor, provide support to law enforcement, transportation, medical, engineer, and command and control of WING forces. • Respond to secondary impacts of the energy emergency as authorized by the Adjutant General and the Governor. • When requested, assist local law enforcement and/or private sector security forces with security at critical energy infrastructure. • Assist WEM with coordination with energy providers in the electric and natural gas sectors as needed. 	WING
<ul style="list-style-type: none"> • Coordinate public information concerning the energy emergency including any suggested or mandatory conservation measures 	All Agencies
<ul style="list-style-type: none"> • Coordinate with local, state, tribal, and federal entities to minimize damage/impact to natural resources and the environment. • Monitor state waters suspected of contamination due to an energy emergency or disaster situation. • Provide input about the need for air quality or other relevant waivers/variances. Coordinate implementation of these waivers/variances when implemented. • Provide staff support to the SEOC during an energy emergency, if necessary. 	DNR
<ul style="list-style-type: none"> • Provide staff to the SEOC, as necessary. • Provide information on aboveground and underground storage tanks. • Activate ESF 11 for an energy emergency that leads to a response to animal health and crop safety relating to a chemical, biological, radiological, nuclear, and explosive (CBRNE) incident. • Activate ESF 11 for response to a food product that may be adulterated during an energy emergency. • Provide support to other agencies and the public during an energy emergency to ensure that consumers are protected from unfair practices (e.g., price gouging) and certify fuel pumps are accurately delivering fuel to consumers. • Provide fuel-related technical assistance for maintaining and listing biofuel production facilities and determine their compliance with state regulations. • Provide and direct a cadre of retail petroleum inspectors and aboveground and underground storage tank inspectors. 	DATCP
<ul style="list-style-type: none"> • Report to the SEOC, if necessary. • Participate in the planning process for response to energy emergencies. • Provide information on business and community resources, as appropriate. 	DPS



Action Item	Agency
<ul style="list-style-type: none"> • Provide staff to the SEOC, as necessary. • Activate ESF 6 in order to coordinate state, county, local, tribal, and volunteer activities to aid victims of an energy emergency or disaster and assist local providers in the provision and securing of mass care, housing, economic assistance, and human services, including crisis counseling and support for citizens with access and functional needs, as necessary. • Activate ESF 8 in order to assist local agencies in responding to any impacts or threats involving health and medical services to citizens at the local and tribal level, as necessary. • Coordinate with FoodShare members and electric utilities to assist with food spoilage replacement benefit eligibility in areas affected by sustained power outage • Coordinate emPOWER Emergency Response Outreach Datasets to assist jurisdictions reaching at-risk individuals in power outage locations. 	DHS
<ul style="list-style-type: none"> • Coordinate energy emergency response within their jurisdictions. • Provide updates to the SEOC, as required, regarding the status of energy supply and distribution in their jurisdiction. • Provide mutual aid to other jurisdictions, as required. 	Local Governments

Table 3-2: Short-Term Recovery Activities

Action Item	Agency
<ul style="list-style-type: none"> • Compile additional damage and operational capability information from energy providers. Update this information throughout the recovery process, as needed. 	Local DMA/WEM PSC OEI
<ul style="list-style-type: none"> • Work with tribal, county, local governments, and energy providers to identify resource needs for recovery • Coordinate resource support for energy infrastructure restoration and repair to meet essential needs. 	OEI Local PSC DMA/WEM WisDOT
<ul style="list-style-type: none"> • Recommend targeted energy conservation and efficiency programs to enhance recovery activities to the appropriate state agencies. 	OEI Local PSC Partners
<ul style="list-style-type: none"> • Work with the federal entities to implement national emergency recovery plans at the state level. 	All State Agencies
<ul style="list-style-type: none"> • Conduct an after-action review of the overall response and recovery efforts and capture lessons learned • Develop improvement plan for all lessons learned identified in after-action reviews. 	OEI Local PSC DMA/WEM Partners

3.7 Regional Energy Organization Responsibilities



Table 3-3: Regional Energy Organizations

Agency	Functions
Midcontinent Independent System Operator, Inc. (MISO)	<ul style="list-style-type: none"> • Perform bulk-electric grid Reliability Coordinator functions per federal regulations. • Determine and communicate when a capacity or energy emergency is forecasted, occurring, or has ended. • Take actions to increase or decrease capacity in state during energy shortages.
American Petroleum Institute/Wisconsin Petroleum Council	<ul style="list-style-type: none"> • Participate with state agencies on homeland security and energy assurance issues • Provide recommendations for response options, when applicable.
Wisconsin Fuel and Retail Association	<ul style="list-style-type: none"> • Assist state in working with petroleum product outlets by communicating and aggregating information and special requests. • Provide a communications network to its membership. • Provide training on related matters to members.
Wisconsin Propane Gas Association	<ul style="list-style-type: none"> • Provide communications and training to members. • Represent the industry to appointed and elected officials. • Provide OEI and WEM with updates about the status of propane throughout Wisconsin and provide response options. recommendations.
Municipal Electric Utilities Association	<ul style="list-style-type: none"> • Represent the industry to appointed and elected officials. • Assist with distribution of emergency response and recovery information to member utilities.
Wisconsin Electric Cooperative Association	<ul style="list-style-type: none"> • Represent the industry to appointed and elected officials. • Assist with distribution of emergency response and recovery information to member utilities.

3.8 Federal ESF Coordinating Agency Responsibilities

Table 3-4: Federal Coordinating Agencies

Agency	Functions
U.S. Army Corps of Engineers, 249th Engineer Battalion	<ul style="list-style-type: none"> • Assist with preparedness activities. • Provide technical expertise and perform assessments to determine generation needs at critical facilities. • Support emergency power needs at critical public facilities in support of FEMA.
Department of Energy	<ul style="list-style-type: none"> • Coordinate the federal ESF 12 response. • Assist in obtaining emergency delivery of various fuel products.
Federal Energy Regulatory Commission	<ul style="list-style-type: none"> • Develop rules related to the construction and operation of interstate gas pipelines along with business practices. • Regulate natural gas transportation and rates. • Oversee the development of mandatory electric reliability and security standards along with ensuring compliance by users, owners, and operators of the bulk power system. • Regulate oil rates and transportation. • Maintain an enforcement hotline for the public to report abuse of market power (http://www.ferc.gov/enforcement/staff-guid/enforce-hot.asp). • Order the requested prioritization of pipeline shipments, as requested
Federal Emergency Management Agency	<ul style="list-style-type: none"> • Provide support to states as authorized and requested.



4. Supporting Documents

4.1 Attachments:

4.1.1 Attachment 1 - Wisconsin Petroleum Shortage Contingency Plan, November 2023.

4.2 State and Agency-Specific Plans and Procedures

4.2.1 Wisconsin Energy Security Plan, Wisconsin Office of Energy Innovation, September 2022.

4.2.2 State of Wisconsin Hazard Mitigation Plan, December 2021.

4.3 References

4.3.1 Department of Energy Emergency Response Playbook for States and Territories, May 2022.

4.3.2 FEMA Region V Power Outage Annex, October 2022.



Table 4-1: Record of Changes

#	Date	Agency/Individual	Change
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Wisconsin Petroleum Shortage Contingency Plan



Wisconsin Emergency Response Plan
Petroleum Shortage Contingency Plan

ESF 12
Attachment 1

Lead Coordinating Agency	Department of Military Affairs/Wisconsin Emergency Management (DMA/WEM)
Lead Advisory Agencies	Public Service Commission of Wisconsin (PSC)/ Office of Energy Innovation (OEI)
Wisconsin Governmental Support Agencies	Department of Administration Department of Agriculture, Trade and Consumer Protection (DATCP) Department of Health Services (WI DHS) Department of Natural Resources (DNR) Department of Transportation (WisDOT) Department of Transportation/Wisconsin State Patrol (WisDOT/WSP)
Regional Energy Organizations	North American Electric Reliability Corporation (NERC)
Federal Coordinating Agencies	Department of Agriculture (USDA) U.S. Army Corps of Engineers (USACE) Department of Energy (DOE) Federal Emergency Management Agency (FEMA) Department of Transportation (US DOT) Environmental Protection Agency (EPA)
Non-Governmental Support Organizations	Wisconsin Petroleum Marketers & Convenience Store Association Wisconsin Propane Gas Association National Association of State Energy Officials (NASEO)

Table 1: Lead and Coordinating Agencies

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1. Introduction and Background

The Petroleum Shortage Contingency Plan provides detailed guidelines for managing petroleum emergencies, including specific conservation measures and possible emergency orders. This plan is an appendix to ESF-12 *Energy* of the Wisconsin Emergency Response Plan. This plan is intended to facilitate the continuance of existing market structures during emergencies and is not intended to disrupt or alter standing industry practices and procedures unless absolutely necessary to protect the life safety of Wisconsin’s citizens.

2. Planning Assumptions

- 2.1.1 This plan is not intended to alter or disrupt existing petroleum related contract structures in the public or private sector.
- 2.1.2 There are no state or federal controls on petroleum pricing or allocation, thus any future supply disruptions could have a significant and rapid impact on consumers. Therefore, State and local government entities should be prepared to respond promptly to the needs of citizens and business by recommending expanding/establishing rideshare programs, providing information about voluntary conservation measures which motorists can take to maintain mobility with maximum fuel economy.
- 2.1.3 During unexpected petroleum shortages, it may take several days for Federal fuel and temporary emergency power generator aid to arrive after it is requested.
- 2.1.4 Nothing in this plan exempts owners/operators subject to federal or state regulations relating to temporary emergency power.
- 2.1.5 Significant Power Outages: For the purposes of this plan, a significant outage is defined as an outage impacting multiple counties that is expected to last longer than 72 hours. This plan assumes the following:
 - 2.1.5.1 Significant power outages may cause immediate and severe fuel shortages due to lack of access to available supplies (example: a gas station may have plenty of fuel in underground tanks but lack electric power to pump the fuel into vehicles).
 - 2.1.5.2 Normal business and government activities will be significantly disrupted. To keep critical services operational, response entities will need to ensure two primary needs are met:
 - A) Temporary emergency power generators to power critical infrastructure.
 - B) Fueling for temporary emergency generators.
 - 2.1.5.3 Communications systems may function at reduced capacity which will impact warning and response times.

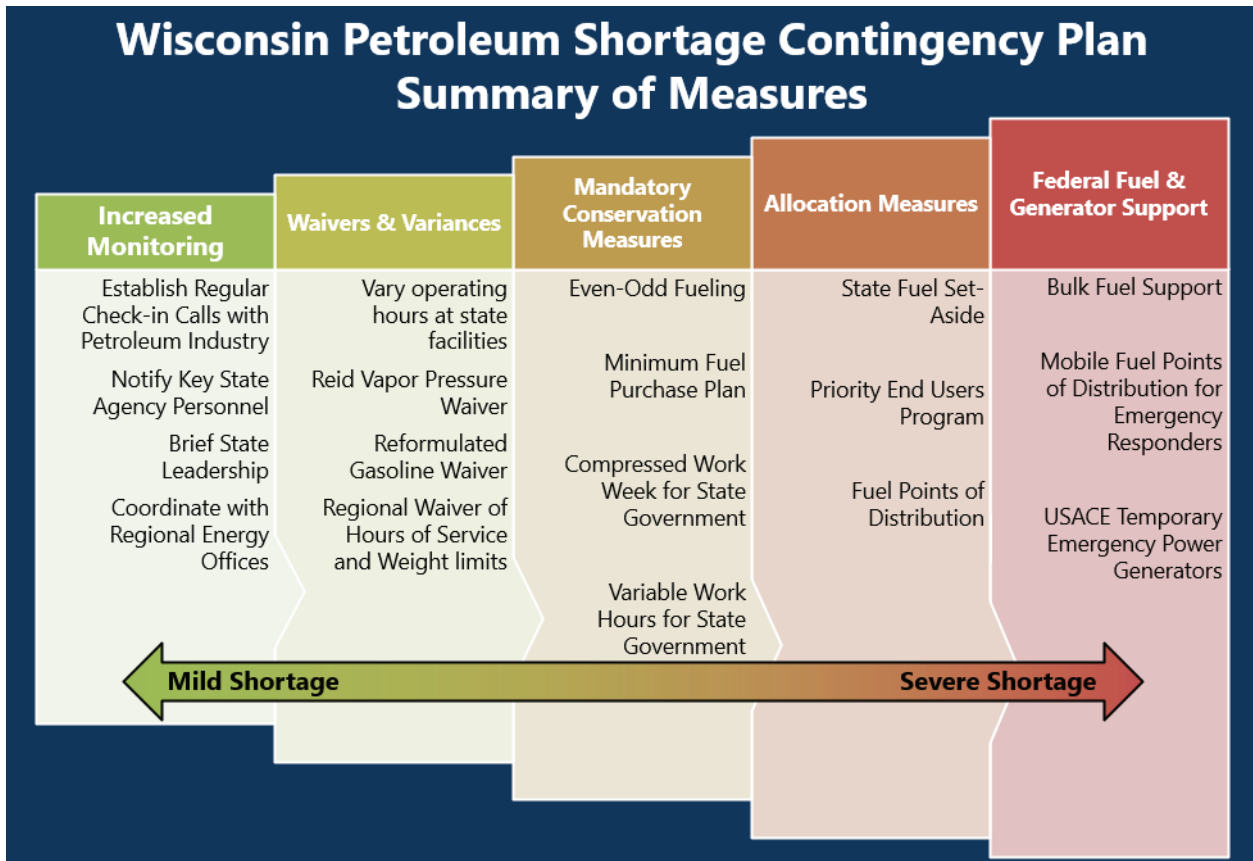


- 2.1.5.4 Demand for temporary emergency power generators and fuel may exceed available supply.
- 2.1.6 Tribal, county, and local governments have plans for responding to petroleum shortages and power outages in their jurisdictions.
- 2.1.7 Severe shortages of petroleum may require activation of multiple emergency support functions (ESFs) of the Wisconsin Emergency Response Plan for consequence management.

3. Concept of Operations

3.1 General

- 3.1.1 The basic elements of an energy emergency response apply to a petroleum shortage. A four-phased planning, monitoring, communication, and action-oriented response will be implemented.
 - 3.1.1.1 Planning – state, tribal, county, and local governments coordinate with public and private sector organizations to develop petroleum shortage and energy emergency response plans for their jurisdictions
 - 3.1.1.2 Monitoring – Industry associations and state agencies collaborate to gauge petroleum supply levels in Wisconsin and identify any potential hazards which may cause disruptions or demand spikes.
 - 3.1.1.3 Communication – if shortage conditions arise, appropriate government and private sector personnel communicate to determine response measures needed to mitigate the shortage.
 - 3.1.1.4 Response – All levels of government and the private sector implement appropriate response measures to mitigate the shortage and respond to the consequences of the shortage.
- 3.1.2 This plan is designed to present a variety of response options for dealing with petroleum shortages in Wisconsin. Figure 1 provides an overview of the categories of response options included in this plan based on the severity of the shortage.



3.1.3 Measures depicted in Figure 1 are described in further detail in sections 4 and 5 of this plan.

Figure 1: Summary of Response Measures

3.2 Petroleum Shortage Response Organization – State Level

3.2.1 The state-level response structure for a petroleum shortage response is the same structure utilized for natural disasters or other emergencies. The following paragraphs outline the roles and responsibilities of several key personnel and organizations during a petroleum shortage. Figure 2 also depicts the state’s organizational structure for energy incidents.

3.2.2 *The Adjutant General (TAG):* TAG is the Governor’s senior state official for emergency response and coordinates response efforts with FEMA and other federal agencies when required. TAG also serves as the Chair of the Wisconsin Homeland Security Council.

3.2.3 *Policy Group:*

3.2.3.1 The Policy Group consists of senior leaders from several state agencies. The composition of the group varies based upon the circumstances of the incident. The Governor’s Office and TAG typically collaborate to determine the appropriate membership. For energy



emergencies DMA, DATCP, DNR, PSC, DOT, and DOJ may all be included. Subject matter experts from impacted sectors may also be included.

3.2.3.2 The policy group’s role is to:

- A) Provide policy guidance during incident response
- B) Support resource prioritization and allocation

Energy Incident Structure

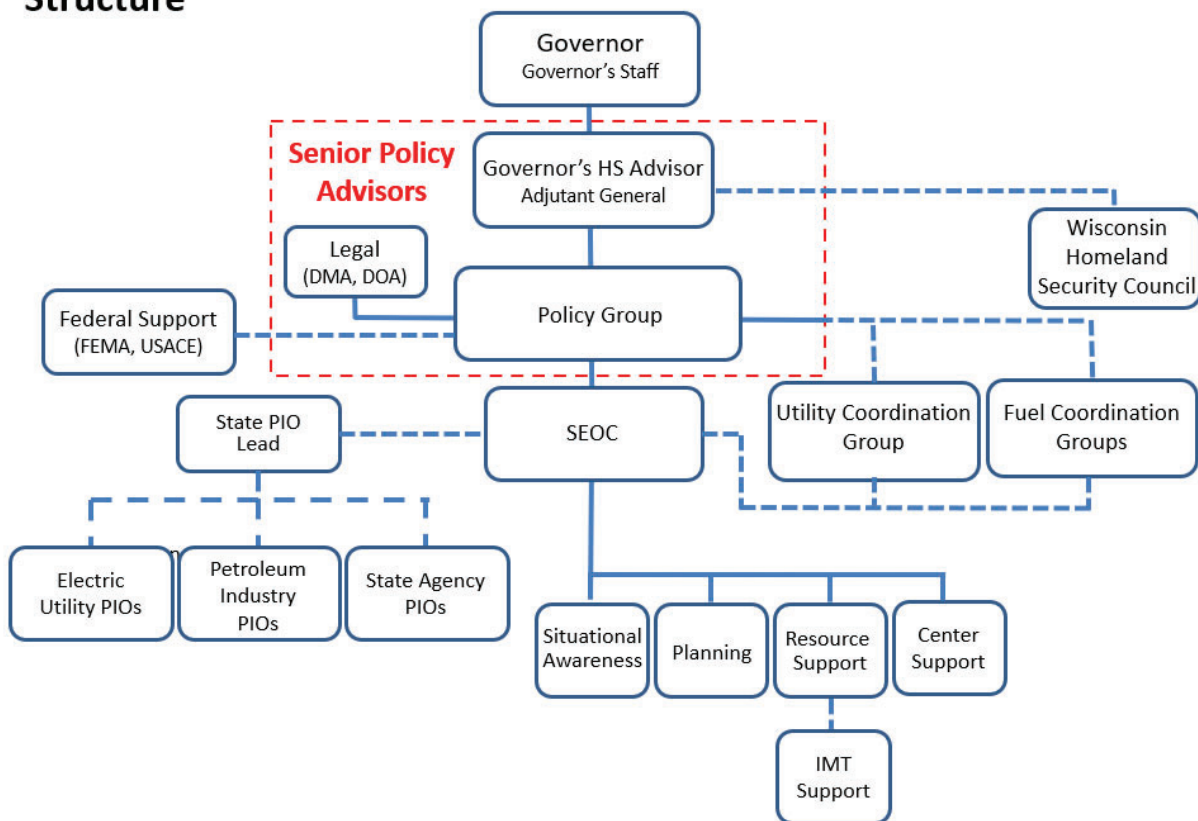


Figure 2: Energy Incident Structure

C) Enable decision-making among elected and appointed officials and senior executives

3.2.4 *Wisconsin Fuel Coordination Group:* The Wisconsin Fuel Coordination Group is comprised of personnel from state-level public sector agencies and key private sector partners who play a significant role in day-to-day petroleum operations throughout the state. During an emergency, this group serves in an advisory role to the State Emergency Operations Center (SEOC). Key members of this group may be asked to join briefings and/or provide information to the Policy Group or Wisconsin Homeland Security Council.

3.2.5 *Wisconsin Utility Coordination Group:* The Wisconsin Utility Coordination Group is comprised of personnel from state-level public sector agencies and key private sector utility partners who develop, maintain, and operate most of Wisconsin’s electric infrastructure. During an emergency, members of this group partner with the SEOC, Policy Group, and other key stakeholders to



coordinate an effective response to electricity outages and resulting impacts on Wisconsin’s citizens.

- 3.2.6 *Incident Management Team(s) (IMTs):* The State Emergency Operations Center may request assistance IMTs throughout the state to support logistics and operations functions of the SEOC.
- 3.2.7 *State Agency Liaisons:* During emergencies, the state agencies coordinate response efforts through liaisons at the SEOC. For general roles and responsibilities related to energy emergency response by Wisconsin’s state agencies, see ESF 12 *Energy* of the Wisconsin Emergency Response Plan (WERP).
- 3.2.8 *The Wisconsin Office of Energy Innovation:* Housed in the Public Service Commission, this office serves as the State Energy Office monitors prices and maintains contact with the petroleum industry on an as needed basis. OEI will also report to the SEOC as needed to respond to petroleum shortages.

3.3 Monitoring Wisconsin’s Energy Supply

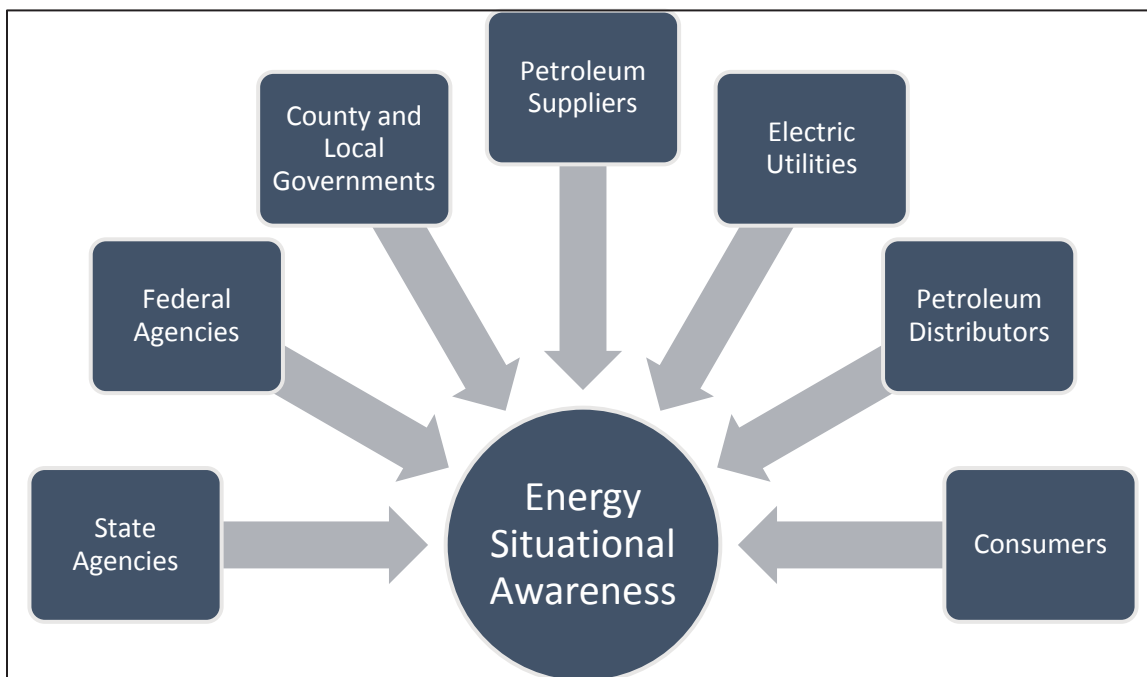


Figure 3: Energy Supply Monitoring

- 3.3.1 Establishing and maintaining situational awareness of Wisconsin’s energy supply is critical to identifying when petroleum shortage conditions exist or are likely to develop. Understanding these conditions helps responders make informed response decisions. There are several tools the state utilizes to monitor Wisconsin’s energy supply:

3.3.1.1 EAGLE-I:



- A) EAGLE-I is an interactive geographic information system (GIS) that allows users to view and map the nation's energy infrastructure and obtain near real-time informational updates concerning the electric, petroleum and natural gas sectors within one visualization platform.
 - B) EAGLE-I access is provided to certain members of state agencies with a valid "need to know" by the U.S. Department of Energy.
- 3.3.1.2 *Electric Utility Customer Outage Websites:*
- A) Most electric utilities in the state provide real time updates to outage information via public facing websites.
 - B) Electric utility outage websites typically show the number of outages, where the outages are occurring, and whether crews have been assigned to repair the outage. In some cases, utilities also provide restoration timeline estimates.
- 3.3.1.3 *U.S. DOE State Heating Oil and Propane Pricing Survey (SHOPP):* OEI participates in the U.S. DOE State Heating Oil and Propane Pricing survey program wherein prices for Number Two Heating Oil and propane are collected from retail outlets across the state weekly between October 1st and March 31st. Between April 1st and September 30th, OEI collects a monthly price to maintain the dataset. Data can be found here: https://www.eia.gov/dnav/pet/pet_pri_wfr_dcus_SWI_w.htm
- 3.3.1.4 *Utility Coordination Group:* If there is an imminent threat of a significant power outage impacting a wide area for a long duration, or if a similar outage is already underway, the state will activate the Utility Coordination Group. The Utility Coordination Group meets virtually to share information and coordinate response to the incident. This group provides information about power outage areas and restoration timelines to the SEOC and Policy Group as needed.
- 3.3.1.5 *Fuel Coordination Group:* During a significant shortage, this group will convene to share information about supply levels and other constraints that may be limiting movement of fuel throughout the state.
- 3.3.1.6 *Fuel Tank and Price Database:* DATCP, WEM, and OEI contribute to a database of known fuel points within the state of Wisconsin, which is maintained by OEI. This database contains fuel storage tanks in use within the state. While actual fuel levels in each tank may not be known, this database gives response agencies an idea of what type of capacity may exist within an area of the state.



4. Shortage Levels and General Response Actions

Level 1 – Monitor and Alert

Definition: Signals that a level 1 shortage exists include price fluctuations in the state, caused by increased demand or reduced supply in foreign and/or domestic markets. A level 1 situation may be reached because of logistical issues that affect the propane or petroleum supply chain as well (including weather and unplanned outages at terminals). Industry communicates these early supply constraints with OEI. OEI recommends actions if necessary.

Resulting Effects:

- Minor changes to normal activity occurred or are occurring, state jobbers may experience increased waiting time at terminal supply racks.
- Some gasoline stations may report increased purchasing by motorists attempting to secure the lowest price gasoline.
- Gasoline, heating oil, natural gas, and other petroleum product prices may increase.

Communication Procedures: OEI notifies WEM of shortage information. If WEM receives shortage reports from tribal, county or local officials, WEM will notify the OEI of the report. OEI collaborates with private sector industry to determine if mitigation procedures are necessary.

Phase	Action Item	Agency
Shortage Level 1	<ul style="list-style-type: none"> • Monitor petroleum industry price fluctuation • Notify other state agencies included in this plan if price fluctuation occurs. • Notify the Governor’s Office if price spikes warrant attention or supply is constrained (notify DOT, DOA, and State Patrol). • Coordinate with industry to determine if mitigation procedures such as hours of service waiver or weight limits waiver are deemed necessary to mitigate the situation. • Determine probability of escalation and coordinate with WEM. 	Office of Energy Innovation
	<ul style="list-style-type: none"> • Participate in coordination calls as needed 	Department of Administration
	<ul style="list-style-type: none"> • Monitor reports of shortages received from state, local, and tribal officials. • Monitor weather conditions that may cause a shortage and affect the severity. • If shortage is expected to increase in severity or persist 	Wisconsin Emergency Management



	<p>for an extended period, WEM may initiate consult with OEI to determine the need for a Fuel Coordination Group call to discuss the situation.</p> <ul style="list-style-type: none"> • Coordinate with private sector partners to monitor critical fueling facilities 	
	<ul style="list-style-type: none"> • Respond to the inquiries of WEM, other state agencies, and the Governor’s Office. 	Public Service Commission
	<ul style="list-style-type: none"> • May convene to discuss shortage conditions and potential response options. • If requested, provide response recommendations to government officials. 	Fuel Coordination Group
	<ul style="list-style-type: none"> • Monitor the impact of the shortage on Wisconsin’s food supply and agriculture industry. • Maintain liaison with biofuel production/retail fueling sites. • Establish variances as needed and authorized during an ongoing shortage. 	Department of Agriculture, Trade, and Consumer Protection
	<ul style="list-style-type: none"> • Coordinate with railroad partners to facilitate movement of vital energy materials (generators, etc.) and fuel. • Work with OEI to determine the need for waivers to mitigate the shortage. 	Wisconsin Department of Transportation
	<ul style="list-style-type: none"> • Monitor the impact of fuel related incidents or shortages on Wisconsin’s environment. 	Wisconsin Department of Natural Resources
	<ul style="list-style-type: none"> • Participate in Fuel Coordination Group calls as necessary. • Provide input to PSC and OEI as required. • Monitor fuel supplies and coordinate with appropriate emergency management and regulatory agencies. • Work with other state agencies to establish appropriate waivers to manage the shortage (when applicable) 	Private Sector Fuel Suppliers, Distributors, and Electric Utilities
	<ul style="list-style-type: none"> • Monitor and report shortages in accordance with established guidelines • Review local shortage mitigation and response plans 	Local Governments

Level 2 – Mild Shortage

Definition: A Mild shortage typically exists when there is a 5 to 10% reduction in petroleum throughout the state that is expected to last for one week or longer. Note: It is important to examine local supply levels as a 5% shortage in total supply may represent a very significant



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localized shortage in part of the state. It is possible that level 3 or level 4 response actions will need to be initiated locally. It is also possible that due to the timing of the shortage, no response will be necessary (consider a shortage in early spring when demand is likely to drop over the next several weeks). Note: the measures included below are to be taken in addition to those included in Level 1.

Resulting Effects:

- Minor changes to normal activity occurred or are occurring, state jobbers (distributors) may experience increased waiting time at terminal supply racks.
- Tight market conditions indicated by upward pressure on prices.
- Media may feature reports about higher prices.
- Gas distribution companies may curtail interruptible contract deliveries.
- National and regional oil companies may begin to hold customers to contract allocation vs. buy-as-needed.

Communication Procedures: OEI notifies WEM of shortage information. If WEM receives shortage reports from county or local officials, WEM will notify OEI of the report. OEI will brief the Fuel Coordination Group- state agencies, including DOA (Governor’s Office) on the anticipated severity and duration of the shortage. State agencies may be asked to participate in coordination calls depending upon the nature of the incident. OEI will determine the need for regional Energy Emergency Assurance Coordinators (EEAC) calls and notify colleagues as appropriate.

Phase	Action Item	Agency
Shortage Level 2	<ul style="list-style-type: none"> • Convene Industry/State agency Check in calls- if larger issue- include regional EEACs/NASEO/DOE. • Notify the governor’s office if price spikes warrant attention. • Coordinate mitigation requirements/recommendations with fuel suppliers and distributors. • Make recommendations to the Governor’s Office to declare an energy emergency, if necessary, which may include suspension of driver hour restrictions, roadway weigh limit modifications, and calls for statewide conservation efforts. • Work with other state agencies to develop a public messaging strategy specific to the shortage (if applicable) 	Office of Energy Innovation/ OEI
	<ul style="list-style-type: none"> • Monitor impact of fuel shortage on key government facilities. • Coordinate response actions with WEM, OEI, and other 	Department of Administration



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	state agencies as required.	
	<ul style="list-style-type: none"> • WEM consults with OEI and convenes a Fuel Coordination Group call to discuss Hours of Service Waivers and/or weight limit waivers. • Coordinate with OEI, other state agencies & private sector partners to determine appropriate response measures (if any). • WEM may activate the SEOC. 	Wisconsin Emergency Management
	<ul style="list-style-type: none"> • Provide input to WEM and OEI regarding regulatory matters related to energy sources, as requested. • Participate in Policy Group discussions as requested by the Governor’s Office 	Public Service Commission
	<ul style="list-style-type: none"> • Consider establishing a regular “battle rhythm” for updates among group members. • If requested, provide response recommendations to government officials. 	Fuel Coordination Group
	<ul style="list-style-type: none"> • Participate in Fuel Coordination Group Calls as applicable • Consult on fuel variance waivers if requested by industry. 	Department of Agriculture, Trade, and Consumer Protection
	<ul style="list-style-type: none"> • Coordinate with railroad partners to facilitate movement of vital energy materials (coal, generators, equipment, etc.) and fuel. 	Wisconsin Department of Transportation
	<ul style="list-style-type: none"> • Participate in fuel coordination calls as applicable • Coordinate with EPA and other appropriate agencies regarding the need for and processing of air quality waivers. 	Wisconsin Department of Natural Resources
	<ul style="list-style-type: none"> • Participate in Fuel Coordination Group calls as necessary. • Provide input to OEI as required. • Monitor fuel supplies and coordinate with appropriate emergency management and regulatory agencies. 	Private Sector Fuel Suppliers & Distributors
	<ul style="list-style-type: none"> • Implement local response plans as applicable. • Provide OEI with information about local shortage conditions as applicable. 	Local Governments



Level 3 – Moderate Shortage

Definition: A moderate shortage typically exists when there is a 10 to 15 percent reduction in petroleum products for three weeks or more. As with a level 2 shortage, it is important to consider that some locations throughout the state may be experiencing a more significant shortage than others. Note: Power outages may cause localized Level 3 or Level 4 shortages with little or no warning.

Resulting Effects:

- Prices for key fuels rise at a rate of 15% or more per week.
- Natural gas supplies fall and there is heavy draw upon storage. Interruptible customers may lose service. Curtailment may expand beyond interruptible customers to firm customers. Demand for propane may increase as it is a back-up fuel used by interruptible generation units, as is fuel oil.
- Driver hours increase dramatically as fuel is drawn from terminals at more distant locations
- National media begins reporting an “energy crisis” and accusations of price gouging
- Public starts losing patience with inconvenience.
- Economic impact is felt, particularly in retail commerce.
- Low-income advocates demand assistance and volunteer programs accelerate.
- Bulk customers report allocation at terminals across the state

Communication Procedures:

The Fuel Coordination Group including: DOA, DOT, WEM, OEI, PSC, DATCP, DHS, and key private sector partners, will convene and determine best course of action. It is likely an energy emergency will be declared during a Level 3 Shortage. OEI will contact DOE and discuss the situation and response options. Depending upon the nature of the incident, the SEOC may be elevated. State agencies should discuss how messaging will be handled. Consider establishing a Joint Information Center.

Phase	Action Item	Agency
Shortage Level 3	<ul style="list-style-type: none"> • Send liaison officer to SEOC if elevated. • Initiate a Fuel Coordination Group meeting to discuss shortage severity and possible mitigation and response activities. • Keep the Governor’s Office informed about shortage severity & ongoing efforts in the private sector to meet demand • Coordinate with private sector partners to monitor critical fueling facilities. Report out to Fuel Coordination Group • Make recommendations to the Governor’s Office on 	Office of Energy Innovation



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Shortage Level 3	any declarations, suspension of driver hour restrictions, weight limits, air quality waivers for fuel specification, or calls for statewide conservation efforts.	
	<ul style="list-style-type: none"> • Make recommendations to the governor’s office on any declarations, air quality waivers for fuel specification, or calls for statewide conservation efforts. 	Department of Agriculture, Trade, and Consumer Protection
	<ul style="list-style-type: none"> • Provide legal assistance/advice regarding response activities, when requested by WEM or OEI, • Coordinate response actions with WEM, OEI, and other state agencies as required • Work with state agencies to implement conservation policies/procedures (when appropriate). 	Department of Administration
	<ul style="list-style-type: none"> • Support local response efforts to help those impacted by the energy shortage. • When appropriate, coordinate response efforts with FEMA, DHS, and other federal partners. • Coordinate with OEI, DOA, & private sector partners to determine appropriate state response measures (if any). • Elevate the SEOC if necessary. • Coordinate with OEI regarding updates to the Governor’s Office about the situation. 	Wisconsin Emergency Management
	<ul style="list-style-type: none"> • Participate in Policy Group discussions as requested by the Governor’s Office. • If needed, provide liaisons to the SEOC to assist OEI with coordination of energy emergency response. 	Public Service Commission
	<ul style="list-style-type: none"> • Will convene to discuss shortage conditions and potential response options. • Provide response recommendations to government officials. 	Fuel Coordination Group
	<ul style="list-style-type: none"> • Monitor highways that may provide key truck transportation routes for the delivery of energy that may require granting exemptions in emergencies. • If necessary, facilitate roadway clearance or access to enable delivery of fuel to areas experiencing shortages. • Coordinate with railroad partners to facilitate movement of vital energy materials (coal, generators, equipment, etc.) and fuel. • 	Wisconsin Department of Transportation



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	<ul style="list-style-type: none">• Monitor the impact of fuel related incidents or shortages on Wisconsin’s environment.• Assist OEI and other state agencies with implementation of appropriate response measures	Wisconsin Department of Natural Resources
	<ul style="list-style-type: none">• Participate in Fuel Coordination Group calls as necessary.• Provide input to OEI as required.• Monitor fuel supplies and coordinate with appropriate emergency management and regulatory agencies.	Private Sector Fuel Suppliers & Distributors
	<ul style="list-style-type: none">• Monitor and report shortages in accordance with established guidelines• Review local shortage mitigation and response plans• Report disturbances to local law enforcement	Fuel Stations



Level 4 – Severe Shortage

Definition: A severe shortage exists when there is a greater than 20 percent reduction in petroleum products three or more weeks. As with a Level 3 shortage, it is important to consider that some locations throughout the state may be experiencing a more significant shortage than others. Note: Power outages may cause localized Level 3 or Level 4 shortages with little or no warning. It might also create localized shortages in areas that have power that are immediately adjacent those that are without power as individuals drive to locations with power to obtain fuel for vehicle and generators.

Resulting Effects:

- Local product storage is extremely low or exhausted.
- Retail motor fuel, heating oil and propane dealers receive an accelerating lower percentage of their normal fuel allocation or contract volumes and have difficulty maintaining contract delivery. Petroleum tanker trucks experience long wait times at petroleum/propane terminals or are driving longer distances to out of state terminal to obtain fuel supplies
- Firm natural gas supplies fall well below normal. All Interruptible gas customers have had their supply cut off. Curtailment may expand beyond interruptible customers to firm customers.
- Price gouging may occur.
- Public safety agencies may be called upon to protect energy suppliers such as motor gasoline outlets or in some case tanker escorts.
- Media covers the issue daily. The public may demand mandatory conservation measures at government and commercial facilities.
- If occurring during winter, shelters may be needed to provide heat for some residents
- Tourism and discretionary shopping is severely impacted.
- Danger to vulnerable citizens if normal heating/cooling is interrupted
- Gasoline lines may develop.

Communication Procedures:

The Fuel Coordination Group including state agencies and key private sector partners will convene and determine best course of action. An energy emergency will be declared during a level 4 shortage. The Governor can declare an energy emergency for up to 60 days per Wis. Stat. § 323.10 and would likely have already declared an emergency in response to the level 2 shortages. Depending upon the nature of the incident, the SEOC may request federal assistance and coordinate its response action with other states in the region that may have also been affected. It is strongly recommended that state agencies coordinate public messaging during a level 4 shortage. If applicable, stand up a Joint Information Center.



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Phase	Action Item	Agency
Shortage Level 4	<ul style="list-style-type: none"> • Monitor petroleum industry price fluctuation across the nation- hold fuel coordination group calls in state to brief leadership. • Hold Regional calls with EEACs from surrounding states, NASEO, and DOE. • Request regional waiver from FMCSA (with DOT/State Patrol) At level 4 HOS may have been waved and weight limits modified in-state via EO. • Regularly brief the Governor’s Office about the ongoing situation and recommend response actions • Establish “battle rhythm” for Fuel Coordination Group Activities throughout the duration of a level 4 shortage • If product shortage is localized in the state, OEI will work with transporters to alleviate shortage by bringing product into affected area. • Statewide voluntary conservation measures should be in place. OEI will consider recommending that the Governor implement even-odd fueling if this is not limited to one portion of the state along with priority end-user designation. 	Office of Energy Innovation (OEI)
	<ul style="list-style-type: none"> • Coordinate response actions with WEM, OEI, and other state agencies as required • Implement conservation measures at Government facilities where appropriate • Work with state agencies to initiate Continuity of Government (COG) plans when applicable 	Department of Administration
	<ul style="list-style-type: none"> • WEM will convene Fuel Coordination Group call to discuss potential response actions. • Coordinate with OEI, DOA, and private sector partners to determine appropriate response measures. • WEM elevate the SEOC to appropriate level. • WEM opens Joint Information Center to control messaging, diffuse panic buying of fuel, and distribute information about working from home, conservation etc. 	Wisconsin Emergency Management



	<ul style="list-style-type: none"> • Regular meetings are convened to discuss shortage conditions and potential response options. • Provide response recommendations to government officials. 	Fuel Coordination Group
	<ul style="list-style-type: none"> • Monitor the impact of the shortage on Wisconsin’s food supply and agriculture industry. • Maintain liaison with biofuel production and retail fueling sites. 	Department of Agriculture, Trade, and Consumer Protection
	<ul style="list-style-type: none"> • Monitor highways that may provide key truck transportation routes for the delivery of energy that may require granting exemptions in emergencies. • If necessary, facilitate roadway clearance or access to enable delivery of fuel to areas experiencing shortages. • Coordinate with railroad partners to facilitate movement of vital energy materials (coal, generators, equipment, etc.) and fuel. • Review and implement (if necessary) speed limit changes, and other contingency plans. 	Wisconsin Department of Transportation
	<ul style="list-style-type: none"> • Monitor the impact of fuel related incidents or shortages on Wisconsin’s environment. 	Wisconsin Department of Natural Resources
	<ul style="list-style-type: none"> • Participate in Fuel Coordination Group calls as necessary. • Provide input to OEI as required. • Monitor fuel supplies and coordinate with appropriate emergency management and regulatory agencies. 	Private Sector Fuel Suppliers & Distributors
	<ul style="list-style-type: none"> • Monitor and report shortages in accordance with established guidelines • Implement local response plans as appropriate • Coordinate messaging with State JIC 	Local Governments

5. Propane and Heating Oil Shortage Responses

5.1 Background

5.1.1 Propane and heating oil shortages, while infrequent, have the potential to cause significant problems for Wisconsin’s residents, particularly during winter months when it is used for heating. Over 250,000 Wisconsin households use propane as a primary heating source. During shortages, propane and heating oil prices can increase dramatically, causing significant problems for low-income families who rely on them for heat.



- 5.1.2 In 2014, for instance, Wisconsin experienced a significant propane shortage resulting from a particularly cold winter, dubbed a “polar vortex” as well as a pipeline reversal. The resulting shortage drove prices from \$1.64 per gallon at the beginning of heating season to almost four times that number by the end of the season. If a shortage were to become even more severe, heating shelters would need to be opened to ensure the safety of the residents in areas relying on propane.
- 5.1.3 Due to the potentially significant impacts heating oil and propane shortages may have on the residents of Wisconsin, it is critical that state and local officials monitor supply levels and work with industry to implement appropriate response measures when they occur.

5.2 Heating Oil and Propane Supply Monitoring

- 5.2.1 Communication with Industry Associations:
 - 5.2.1.1 OEI regularly communicates with propane and heating oil associations to understand what issues suppliers and distributors are encountering that may limit the ability to provide adequate supply to customers.
 - 5.2.1.2 If mild to moderate supply issues are suspected or confirmed, OEI will work with the Wisconsin Propane Gas Association (WPGA) to determine the root cause and identify potential solutions. OEI may establish monthly conference calls to gather information with key stakeholders. When appropriate, WEM, other state agencies, and U.S. Department of Energy personnel may be invited to these calls.
 - 5.2.1.3 If severe supply issues are suspected or confirmed, OEI may establish weekly conference calls with WPGA, WEM, U.S. DOE, and other state agencies as necessary (including the Governor’s Office when appropriate) to gather information and identify necessary actions to resolve supply issues.
 - 5.2.1.4 OEI also uses SHOPP Survey results to monitor prices throughout the state.
- 5.2.2 Consumer complaints:
 - 5.2.2.1 DATCP monitors customer reports and complaints. If complaints are related to propane supply, DATCP will notify OEI of the situation and work to resolve the complaint. OEI and DATCP work together to identify patterns in customer complaints to identify potential supply issues.
 - 5.2.2.2 The PSC also takes consumer complaints through their call center.
- 5.2.3 Wisconsin Home Energy Assistance Program customer reports
- 5.2.4 Reports through Tribal or County Emergency Managers
- 5.2.5 211 calls about home heating.

5.3 Propane Shortage Response Measures:

- 5.3.1 The response measures included below are presented as a “menu” of options. Some or all of these measures may not apply to a particular incident depending upon the cause, scope, and nature of the incident. Stakeholders should work together to identify the best actions based upon the situation at hand.



- 5.3.2 Waivers, Variances, and other Executive Orders:
- 5.3.2.1 *Weight Limits:* In the event of a propane shortage, increasing weight limits may allow distributors to haul additional product. OEI will consult with DOT, State Patrol, WPGA and other state agencies as necessary to determine whether a weight limit increase may assist with supply delivery. If it is deemed necessary, it is possible to increase weight limits for vehicles hauling propane. See section [6.3](#) of this plan for implementation procedures.
 - 5.3.2.2 *Waiver of the Safety Rules (including Driver Hours limits) of the Federal Motor Carrier Safety Administration:* The waiver of the safety rules in 49 CFR Parts 390-399 can be helpful, particularly when drivers are facing increased wait times at propane terminals because it allows drivers to drive past their normal time limits to deliver product. See section [6.2](#) of this plan for implementation procedures.
 - 5.3.2.3 *Announcement of Period of Abnormal Economic Disruption:* This executive order can be issued by the Governor to combat price gouging if it occurs. See section [6.1](#) for additional information & implementation procedures.
- 5.3.3 *State Acquisition & Delivery of Propane:* Wisconsin is home to a nationwide petroleum hauler involved in the Fuel Coordination group. This hauler relationship is important to the success of this plan because the group can bring drivers from out-of-state, has drivers who are authorized ("carded" i.e. have the appropriate safety training) to use various terminals, and can provide emergency hauling to the State of Wisconsin. As a component of North America's largest tank truck hauler, this company delivers over 20 billion gallons of refined petroleum products in the United States.
- 5.3.3.1 OEI will facilitate the delivery of propane if the situation is dire and vulnerable populations are at risk. During the propane crisis of 2013-14 (which coincided with a prolonged period of extremely low temperatures dubbed the "polar vortex") OEI contracted with this nationwide hauler to deliver propane to low-income customers in the North, when their propane company abruptly went out of business due to lack of product. Electric utilities had propane stockpiled for use during peak demand in the summer months. OEI (was then located within the Department of Administration) worked with agency lawyers to draft a contractual agreement with two investor-owned utilities to remove the propane (via an additional contract with the hauler) and replace the product in the spring.
- 5.3.4 *Federal Aid Request:* DOE's Office of Electricity Delivery and Energy Reliability issued a report in 2014 on heating fuel markets. This report said: "On February 7, 2014, in another effort to alleviate the propane shortages in the Midwest and Northeast, the Federal Energy Regulatory Commission (FERC) invoked its emergency authority under the Interstate Commerce Act to direct Enterprise TE Products Pipeline Company, LLC (TEPPCO) to temporarily provide priority treatment to propane shipments from Mont Belvieu, Texas." In response to the FERC order, approximately 18 million barrels per day of supply was added to the TEPPCO pipeline serving the Midwest and Northeast. This was the first time that FERC had used this emergency authority for any reason. This authority might be used to give priority to other liquid fuels when future fuel shortages might warrant. A description of FERC authorities is included below:



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5.3.4.1 Section 1(15) of the Interstate Commerce Act (ICA)¹ provides that FERC may, under certain circumstances, give directions for preference or priority in transportation, embargoes, or movement of traffic under permits, at such time and for such periods as it may determine, and to modify, change, suspend, or annul them.

5.3.4.2 The FERC order states, in part:

"The January 28, 2014 Department of Homeland Security IIA Update 1: Propane Supply Issues in the United States had three key findings: (1) Unseasonably cold weather is expected over the next two weeks and additional regions or states are likely to extend or issue emergency declarations; (2) The Department of Transportation has issued emergency declarations concerning trucking regulations in 35 states and the District of Columbia to help facilitate the delivery of propane to commercial and residential customers; and (3) Because prices are continuing to rise, some states are providing emergency heating assistance to residents who can no longer afford fuel costs.² The report further describes the wide ranging impact of propane shortages. In the Midwest and Northeast, limited supplies have forced companies to "short-fill" customer tanks. Counties in Tennessee and Alabama have been forced to close schools due to lack of propane for heat. Many states have limited or curtailed propane deliveries to municipal and commercial facilities in favor of residential customers. The report also recognizes economic impacts on chicken farmers, pig farmers, and dairy farms in the South and Midwest that use propane to maintain the livelihood and health of their stock.

"Based upon this information, and other information written in letters by Governors,³ Senators and members of Congress outlining the emergencies occurring in their respective states, the Commission is of the opinion that an emergency exists requiring immediate action. The Commission therefore invokes its authority pursuant to section 1(15)(d) of the ICA and directs Enterprise TEPPCO to provide priority for propane pursuant to its authority in its portioning policy "to allocate its Available Capacity on any equitable basis, in a manner different from this policy, during a generally recognized emergency period in order to alleviate the emergency conditions." Compliance with this directive shall begin immediately and remain in place for seven days from the date of this order pending further review and order of the Commission."

5.3.5 For more information about propane responses see the following resources:

5.3.5.1 [An Assessment of Heating Fuels and Electricity Markets During the Winters of 2013-2014 and 2014-2015](https://energy.gov/sites/prod/files/2015/10/f27/DOE_OE_Two%20Winters%20Report_Final_10.19.15.pdf). U.S. Department of Energy. October 2015.
https://energy.gov/sites/prod/files/2015/10/f27/DOE_OE_Two%20Winters%20Report_Final_10.19.15.pdf

¹ 49 App. U.S.C. § 1(15) (1988)

² U.S. Department of Homeland Security, Integrated Analysis Task Force. IIA Update 1: Propane Supply Issues in the United States. Jan. 28, 2014.

³ Midwest Governors Association. Propane Supply Letter to President Barack Obama. February 4, 2013.

<http://www.midwesterngovernors.org/resolutions/2014/Propane.pdf>



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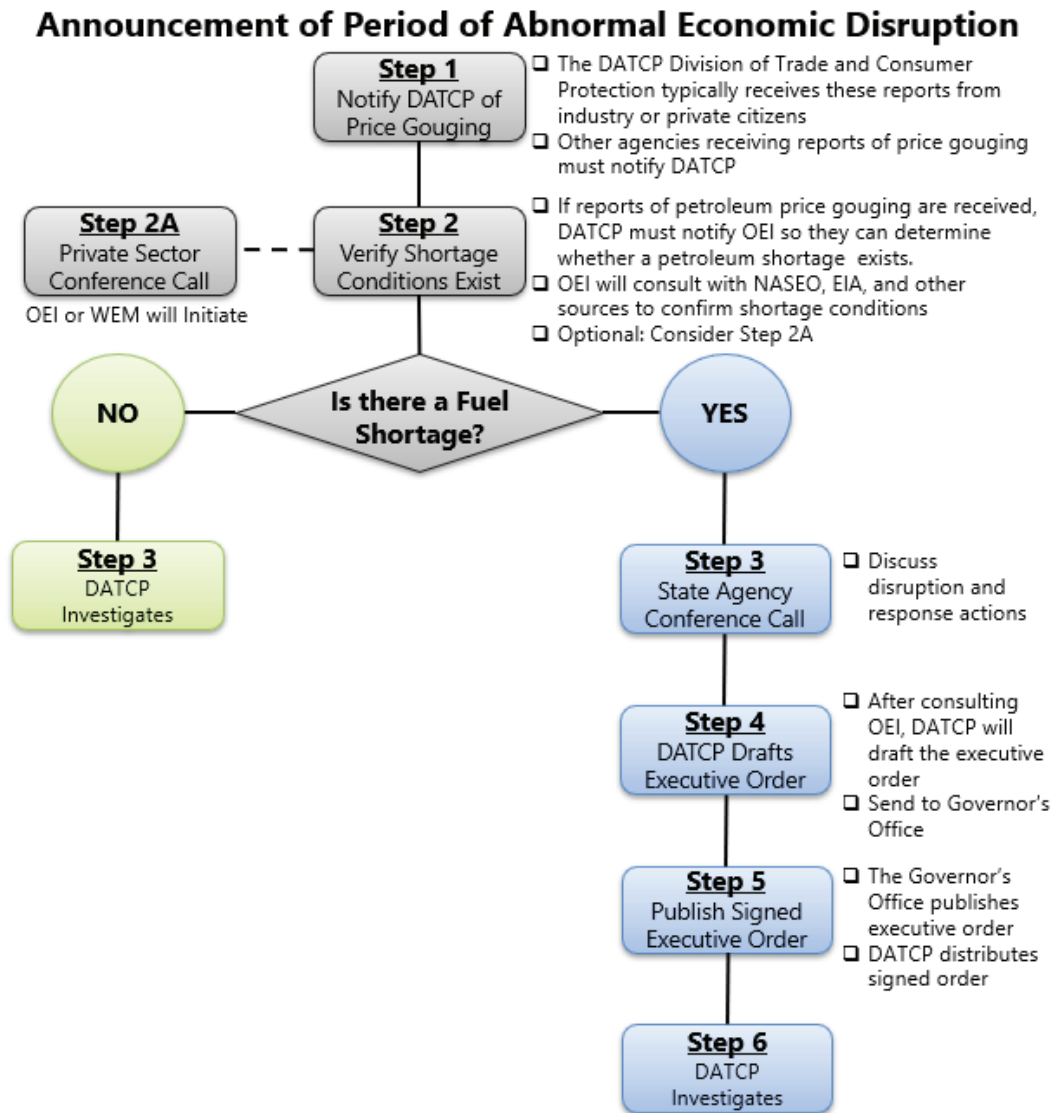
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- 5.3.5.2 [U.S. Propane Shortage Provides Lessons for Debate Over Oil and Gas Exports. Inside Climate News.](https://insideclimatenews.org/news/20140310/us-propane-shortage-provides-lessons-debate-over-oil-and-gas-exports) March 10, 2014. <https://insideclimatenews.org/news/20140310/us-propane-shortage-provides-lessons-debate-over-oil-and-gas-exports>
- 5.3.5.3 U.S. Senate Committee on Energy and Natural Resources [Hearing on Winter Propane Shortages.](https://www.scribd.com/document/321744096/SENATE-HEARING-113TH-CONGRESS-WINTER-PROPANE-SHORTAGES) May 1, 2014. <https://www.scribd.com/document/321744096/SENATE-HEARING-113TH-CONGRESS-WINTER-PROPANE-SHORTAGES>
- 5.3.5.4 FERC has supported response through its Alternative Dispute Resolution Process: <https://www.ferc.gov/enforcement-legal/legal/alternative-dispute-resolution>. Here is an example of its use in 2019: <https://www.ogj.com/general-interest/article/14072435/ferc-announces-process-to-resolve-midwest-propane-constraints>



6. Emergency Orders, Waivers, and Variances

6.1 Announcement of Period of Abnormal Economic Disruption



The Purpose of an Announcement of a Period of Abnormal Economic Disruption:
 During a petroleum shortage, this executive order is necessary to combat price gouging, and later to successfully prosecute any retailer for price gouging. Wisconsin clarified its pricing and anti-gouging laws after Hurricane Katrina resulted in 7 Wisconsin retailers being charged with pricing violations. Wisconsin Statute §100.305 Prohibited Practice During Periods of Abnormal Disruption, and administrative code §ATCP 106 Price Gouging During an Emergency.

Figure 4: Announcement of Period of Abnormal Economic Disruption



6.2 Waiver of the Safety Rules (including driver hour limits) of the Federal Motor Carrier Safety Administration:

- 6.2.1 Safety rules (including hours of service) can be waived during an emergency to increase the ability of drivers to deliver petroleum products.
- 6.2.2 Emergency relief from the safety regulations has been commonly referred to by the states as a waiver of driver hours-of-service. However, for commercial motor vehicle (CMV drivers) qualifying for the exemption, a Gubernatorial or Federal declaration of emergency invokes 100 percent exemption from all of the safety regulations contained under regulations 49 CFR Parts 390—399 (see below).
 - 6.2.2.1 Part 390—General Applicability
 - 6.2.2.2 Part 391—Qualification of Drivers
 - 6.2.2.3 Part 392—Driving of Commercial Motor Vehicles
 - 6.2.2.4 Part 393—Parts and Accessories Necessary for Safe Operation of a CMV
 - 6.2.2.5 Part 395—Hours-of-Service of Drivers
 - 6.2.2.6 Part 396—Inspection, Repair and Maintenance
 - 6.2.2.7 Part 397—Transportation of Hazardous Materials – Driving and Parking Rules
 - 6.2.2.8 Part 398—Transportation of Migrant Workers
 - 6.2.2.9 Part 399—Employee Safety and Health Standards
- 6.2.3 I-39 and I-41 were identified as interstates through special US congressional legislation that identified the route as well as identifying the weight limits and restrictions for them. The exempt section of I-39 (the 104-mile section b/w Wis 78 and US 51 near Portage, WI, and Wis 29 south of Wausau, WI) is referenced by 23 USC 127(f). The exemption for I-41 is referenced in 23 USC 127(j), and Wis Admin Code Ch. Trans 325.02) correctly reflects federal law and subsequent regulations, as they are required to by 23 CFR 658.17. Other than the aforementioned interstates, the State of Wisconsin can only waive weight limits on state highways.
- 6.2.4 Governors may use an emergency declaration to waive weight limits for petroleum tanker trucks per Wis. Statute §348.17. Such a measure only applies within the State that issued the emergency declaration. Should trucks have to go out of state for fuel supplies, they are subject to weight limits in the states through which they pass. As a result of these limits, some trucks with larger fuel hauling capacities might be required to move partial loads. This did occur during the Midwest propane shortages during the winter of 2013/2014. Wisconsin has waived weight limits in various situations over the past 40 years and will continue to do so.
- 6.2.5 OEI will coordinate with the regional EEACs and Federal Motor Carriers to waive weight limits across the Midwest if a dire situation, such as the propane crisis of 2013-14, should occur.



Waiver of Federal Motor Carrier Safety Administration Safety Rules

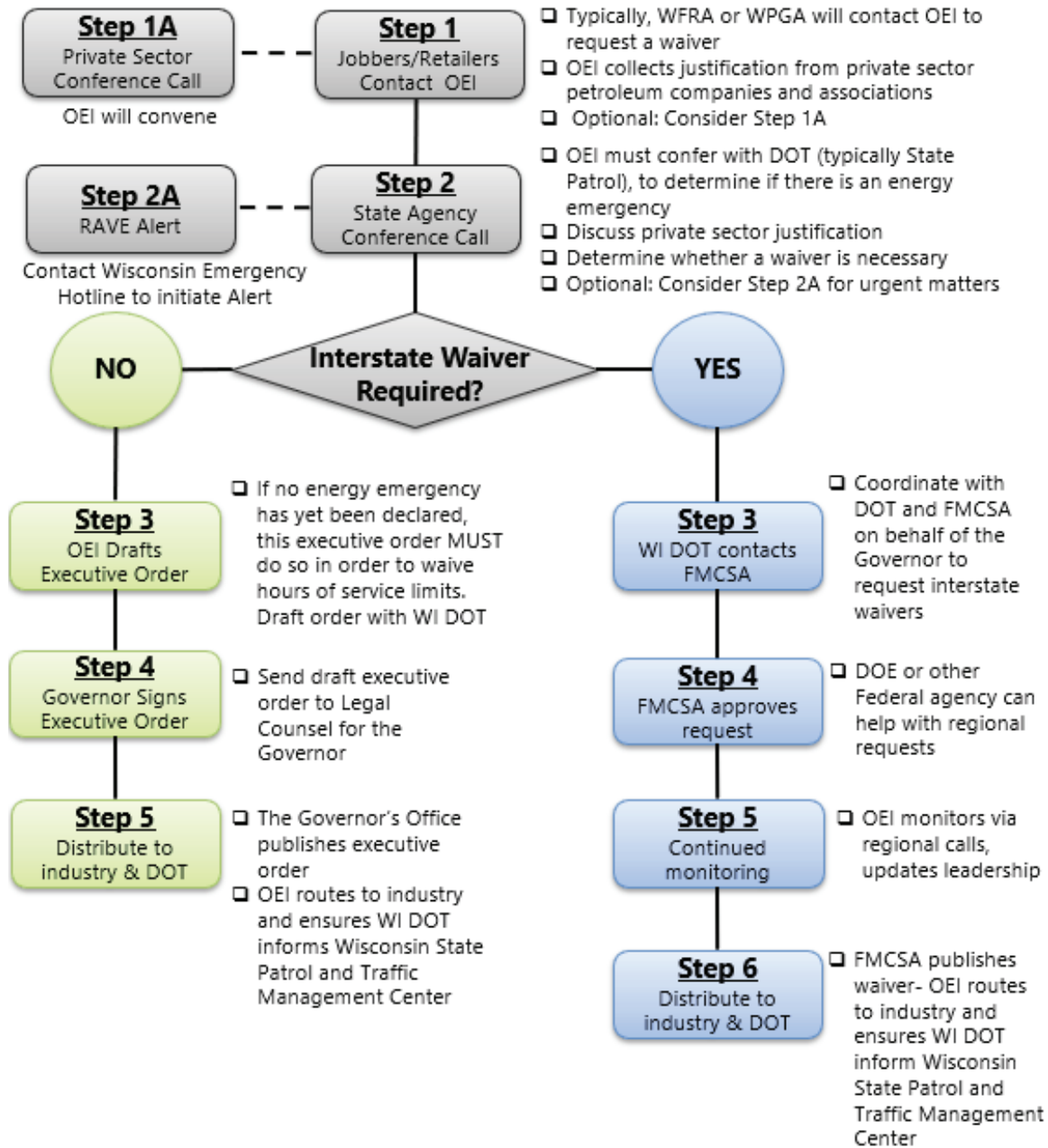
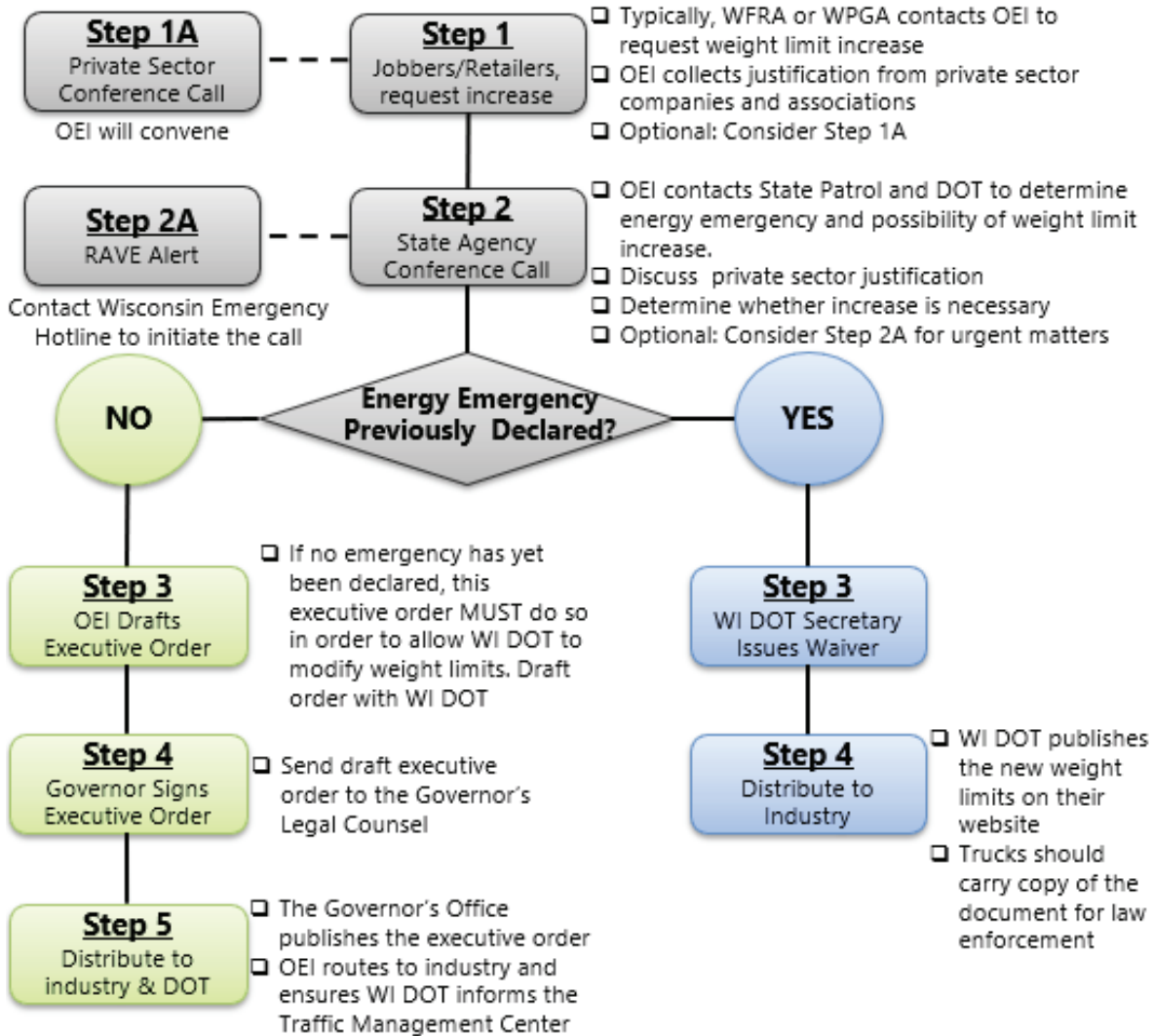


Figure 5: Waiver of Federal Motor Carrier Safety Administration Rules



6.3 Increase of Weight Limits

Increase of Weight Limits



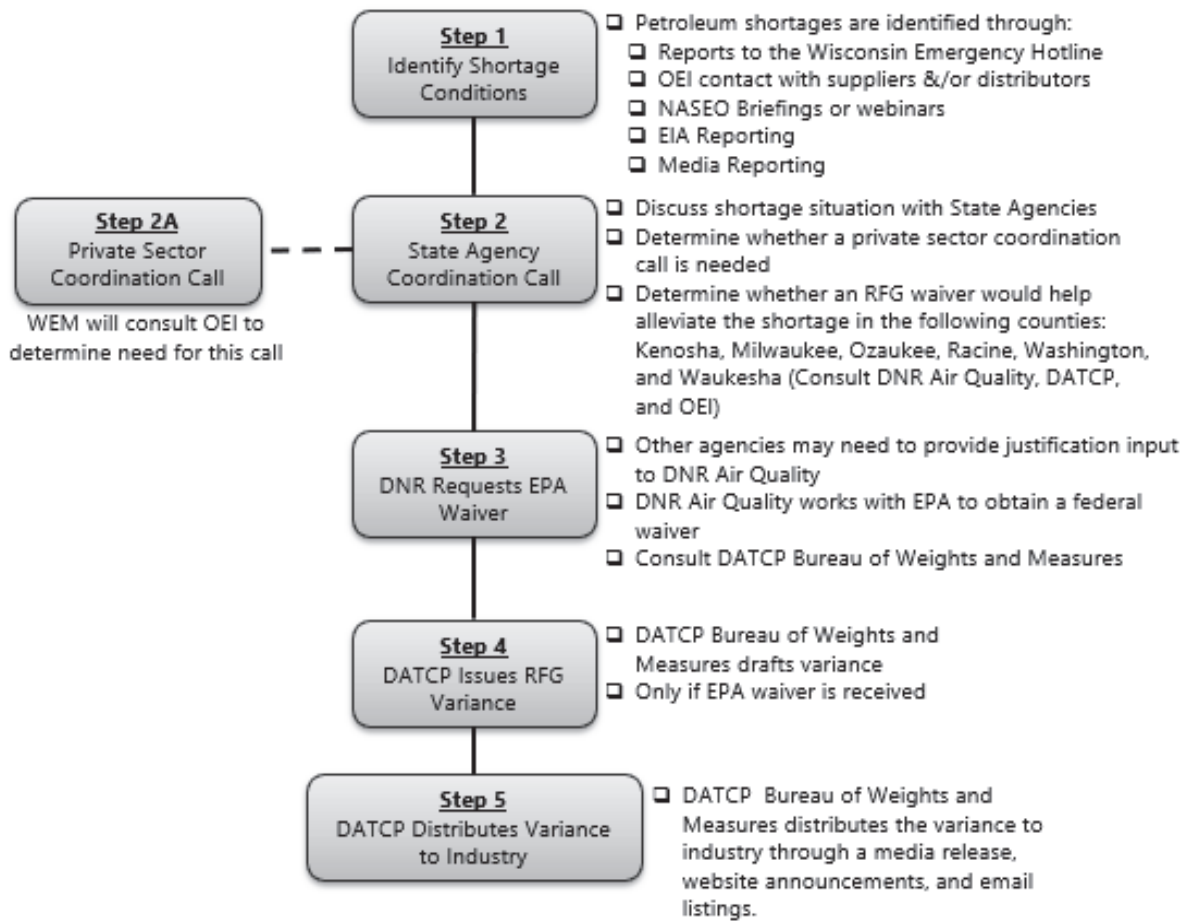
Note: This process can start at Step 2 if an emergency exists, it is not necessary for private industry to request a weight limit increase prior to one being granted

Figure 7: Increase of Weight Limits



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Reformulated Gasoline (RFG) Waiver Process



The Purpose of a Reformulated Gasoline (RFG) Waiver

Reformulated gasoline (RFG) is gasoline blended to burn more cleanly than conventional gasoline to reduce smog and toxic pollutants. RFG is required by the federal government in cities with high smog levels. Wisconsin has six counties in the Southeast Region that are required to utilize RFG (Kenosha, Milwaukee, Ozaukee, Racine, Washington, and Waukesha). An EPA issued RFG waiver would enable conventional gasoline to be sold in areas where RFG is normally required. To bring state requirements in line with the federal waiver, the Department of Agriculture Trade and Consumer Protection can issue a variance to existing state RFG requirements. The EPA waiver and state variance may help alleviate a shortage by enabling haulers and distributors to move existing supplies of conventional gasoline into areas it is not normally allowed.

Example: On 31 August 2017, the EPA granted a waiver allowing regulated parties to produce, sell, and distribute conventional "winter" gasoline with a Reid Vapor Pressure (RVP) of 11.5 psi before the addition of any ethanol in any RFG covered area in designated states (which included Wisconsin). This waiver was granted due to the impact of Hurricane Harvey on several refineries in Texas and Louisiana. The Wisconsin Department of Agriculture, Trade, and Consumer Protection then issued a temporary variance to bring Wisconsin's regulations in line with the federal waiver.

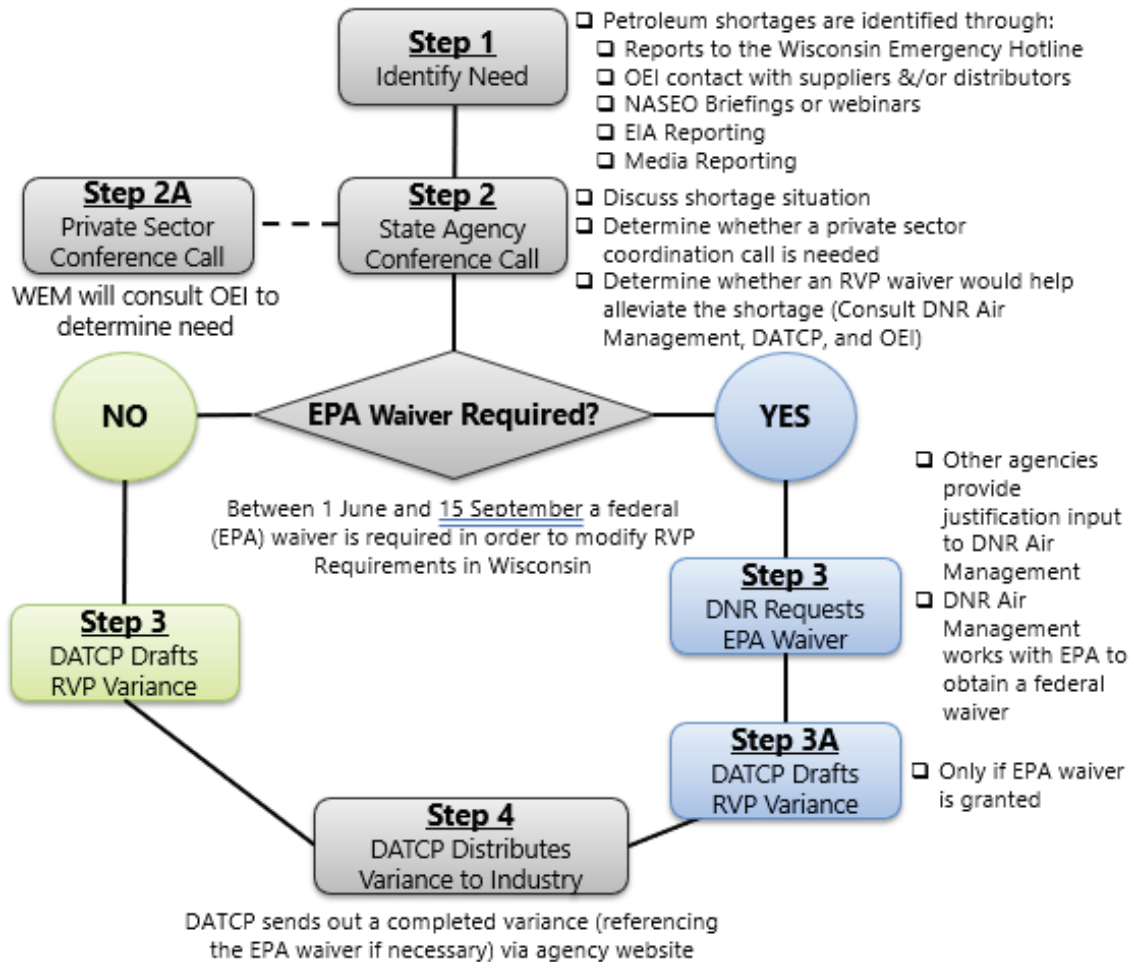
6.4 Suspension of Reformulated Fuel Requirements

Figure 8: Suspension of Reformulated Fuel Requirements



6.5 Reid Vapor Pressure Waivers

Reid Vapor Pressure (RVP) Waiver Process



Purpose of a Reid Vapor Pressure (RVP) Waiver

In many large metropolitan areas of the country, the maximum allowable RVP is lower than in rural areas in order to reduce ground level ozone emissions. This means different RVP fuels can't be legally sold in these areas. RVP requirements can vary from state-to-state as well. In Wisconsin, the statewide maximum allowable RVP is **9.0** psi year-round. During an emergency, it may be helpful to request a waiver of these RVP restrictions to allow fuel with higher RVP to be sold temporarily to alleviate a shortage. Coordinate with DNR Air Management, OEI, DATCP, and the private sector to determine whether the waiver is needed. If the shortage occurs between 1 June and 15 September, an EPA waiver is required. If not, DATCP can issue a temporary variance to existing state statutes to "waive" RVP requirements.

Example: On 31 August 2017, the EPA granted a waiver for RVP requirements to allow "winter" gasoline to be sold and distributed prior to the 15 September cut off date. This waiver was granted due to the impact of Hurricane Harvey on several refineries in Texas and Louisiana. DATCP then issued a temporary variance to bring Wisconsin's regulations in line with the federal waiver.

Figure 9: Reid Vapor Pressure (RVP) Waivers



6.6 Suspension of Air Permit Requirements at Terminals:

- 6.6.1 Fuel terminals in Wisconsin are considered “major sources” for purposes of air emissions. As such, each is subject to its own individual air permit restrictions. Most terminals have a form of vapor emission control or vapor recovery. These systems are so integral to the terminal that fuel cannot be loaded into trucks if the vapor-recovery system is not running. In the event of an emergency that cuts electrical power to a petroleum terminal, it might be necessary to use emergency back-up generators to access petroleum in the bulk storage tanks. The terminals would need a temporary waiver of their air permits in order to access product without running their vapor recovery systems.
- 6.6.2 Procedures: Once industry has requested a waiver and brought proper justification to OEI/Fuel Coordination Group, the Governor’s Office will direct DNR air quality regulators to coordinate with DATCP and the EPA to obtain these waivers.

6.7 Suspension of Oxygenate Requirements for Using Sub-Octane Fuel:

- 6.7.1 In Wisconsin, the base-stock of gasoline is usually 84 or 84.5 octane, otherwise known as sub-octane. When ethanol is added, the octane of the finished gasoline ethanol blend is 87. This sub-octane grade can be blended with premium and ethanol to achieve midgrade and premium level products. In most parts of Wisconsin, terminals offer a sub-octane grade to which the purchaser may add ethanol. In other areas, the product may be offered only as a finished blend (i.e. sub-octane already blended with ethanol and sold as a finished product). The importance of this fact is that most petroleum in terminal storage tanks is sub-octane (however, most fuel in bulk tanks will be finished product). Vehicles can run for limited amounts of time on sub-octane. However, a waiver from this environmental requirement would be necessary.
- 6.7.2 Procedures: In the event of a severe shortage, industry would request this waiver and OEI would convene the Fuel Coordination Group. Prior to an emergency, the Legal Coordination Group should be convened to discuss liability associated with requesting such a waiver. If the request is approved, the Governor’s Office will direct DATCP to coordinate with the EPA to obtain these waivers.



7. Conservation Measures

7.1 Public Information Campaign to Reduce Consumption

- 7.1.1 Note: During serious shortages, a Joint Information Center (JIC) should be established IAW ESF-15 External Affairs of the Wisconsin Emergency Response Plan.
- 7.1.2 ESF-12 agencies will coordinate with energy providers regarding the need for and content of public calls for reduction of consumption.

7.2 Recommend Employer-Based Travel Assistance (Car Pooling)

- 7.2.1 **Description:** The State Government may recommend (through press release) that companies implement measure to allow employees to carpool. These measures would be non-mandatory but may help reduce fuel consumption.
- 7.2.2 **Intent of Measure:** Conserve fuel by reducing the number of vehicles being used to transport workers to employment locations.
- 7.2.3 **Conditions under Which the Program May be used:** This measure could be used anytime; however, it may be particularly useful when shortage conditions are moderate or severe.
- 7.2.4 **Legal Authority:** Legal authority for a request is not needed because the measure is voluntary.
- 7.2.5 **Implementation Procedures:** Governor or designated representative can host a press conference and include this measure as a recommendation. Guidance for how to implement car-pooling procedures can be provided by Wisconsin DOT.

7.3 Compressed Work Week for State and Local Governments:

- 7.3.1 **Description:** The workweek for certain state and local government agencies may be decreased in the event of a significant fuel shortage. This would consist of eliminating one or more days from the workweek.
- 7.3.2 **Intent of Measure:** Conserve fuel by reducing required travel by government employees. Government officials could recommend the same procedures to private sector entities.
- 7.3.3 **Conditions under Which the Program May be used:** This measure could be used when shortage conditions are moderate or severe.
- 7.3.4 **Legal Authority:** [Wis. Stat. § 230.35\(5\)\(c\)](#) gives authority to the governor to “order some or all of the offices and other work stations of the departments of state government closed for specified periods of time or may order such other deviations in office hours or the standard basis of employment as may be necessitated by weather conditions, energy shortages or emergency situations. The governor’s order may specify how any time off or other deviation occasioned by the order may be covered for state employees.”
- 7.3.5 **Implementation Procedures:** Governor designates lead agency (likely DOA) via emergency Executive Order and agencies are notified. Local Governments will be encouraged to relieve non-essential personnel in order to save resources such as diesel fuel for generators.

Figure 10: Public Information Campaign to Reduce Consumptions



7.4 Minimum Purchase Plans for Gasoline and Diesel Fuel:

- 7.4.1 **Description:** This minimum purchase plan requires motorists to purchase a minimum amount of gasoline or diesel. This could be done as a voluntary suggestion or could be a requirement to pay the minimum in advance.
- 7.4.2 **Intent of Measure:** Minimize tank topping in an effort to prevent or eliminate lines of vehicles waiting to purchase motor fuel and to increase fuel supply. A penalty could be imposed on any driver who purchases less than the required amount. During a period of emergency, tank topping removes valuable fuel from the market and encourages hoarding. When drivers are provided an incentive to refill their tanks only when necessary, motor fuel will be more equitably distributed, allowing all citizens the opportunity to refuel with shorter wait times.
- 7.4.3 **Conditions under Which the Program May be Used:** This program could be used when significant lines of vehicles either develops at retail fueling stations or when conditions exist that would make them likely. Pre-conditions for the development of lines would include a shortage of motor fuel supplies resulting in significant declines of the average hours of operation by retail gasoline station owners. Lines are most likely in urban and suburban areas, as people stay closer to home.
- 7.4.4 **Legal Authority:** The Governor may initially introduce conservation measures as voluntary on the part of the public. However, if necessary, the Governor can mandate these measures under his powers granted by [Wis. Stat. § 323.12 \(4\) Powers During an Emergency](#)
- 7.4.5 Implementation Procedures:
- 7.4.5.1 State Level:
- A) OEI will coordinate with WPMCA and other private sector partners as necessary to determine the need for this program.
 - B) If the Governor deems implementation of this measure necessary, he/she will issue an executive order directing implementation of this plan. The Governor may exempt certain categories of vehicles (typically those involved in life-safety or emergency response operations. Specific exemptions will be outlined in the content of the executive order. For specific executive order language recommendations see sample Executive orders in Appendix A.
 - C) To set the minimum purchase amount, the Governor may direct OEI to coordinate with WPMCA and other industry representatives to determine what value would have the best chance of resolving issues while enabling citizens to purchase adequate fuel.
 - D) Copies of the executive order are posted to the governor's website, and printed and mailed or disseminated electronically to all petroleum stations, oil companies, county governments, and municipal governments in the designated area.
 - E) The Public Service Commission of Wisconsin Consumer Affairs call center will be used to handle inquiries, complaints, and resolve any disputes. Associated violence or intransigence would be referred to the county or local police as necessary. The Public Service Commission of Wisconsin website and other social media methods could be utilized to handle public inquiries and complaints. All public announcements would be managed by the Governor's Office.



- 7.4.5.2 Fuel Vendors/Distributors:
 - A) Responsible for carrying a copy of the Executive order, posting placards with associated information
- 7.4.5.3 County and Local Government:
 - A) Coordinate with WEM and/or the JIC to disseminate message of conservation and cooperation.
 - B) Use social media

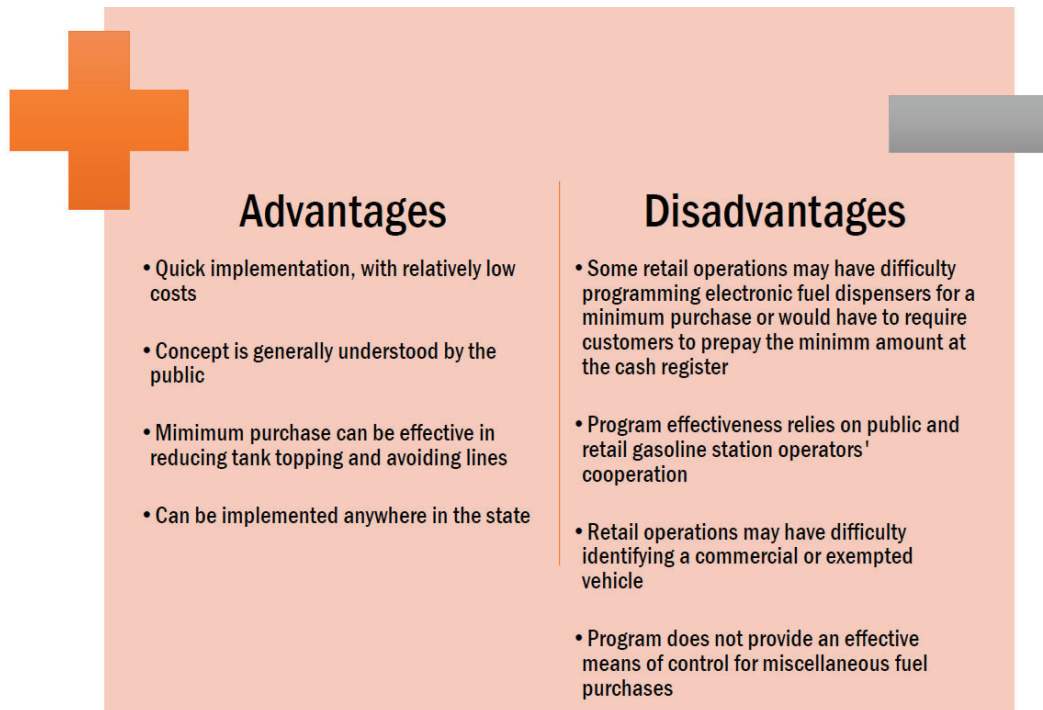


Figure 11: Advantages and Disadvantages of the Minimum Purchase Plan

7.5 Variable Work Hours:

- 7.5.1 **Description:** The Governor may direct state agencies to vary work hours during an emergency.
- 7.5.2 **Intent of Measure:** Varying state agency hours may reduce traffic during "rush" hours and ultimately reduce fuel consumption.
- 7.5.3 **Conditions Under Which the Program May be Used:** This measure could be used during a moderate to severe fuel shortage situation at the discretion of the Governor or his/her authorized representative.
- 7.5.4 **Legal Authority:** [Wis. Stat. § 230.35\(5\)\(c\)](#) gives authority to the Governor to vary work hours of state employees.
- 7.5.5 Implementation Procedures:



- 7.5.5.1 If the Governor deems implementation of this measure necessary, he/she will issue an executive order directing implementation of this plan. The Governor may exempt agencies as needed.
- 7.5.5.2 Copies of the executive order will be disseminated to all state agencies.
- 7.5.5.3 Messaging: Local media outlets should be notified of any variation in state agency operating hours so members of the public know when services may be available. Additionally, public messaging about the variation should be conducted to ensure local officials and the public are aware of the reason for the changes.

7.6 Recommend Telework Policies:

- 7.6.1 **Description:** Many state agencies and private sector companies allow employees to work from remote locations via computer or phone to save on facility costs, provide schedule flexibility to employees, and/or save on travel expenses.
- 7.6.2 **Intent of Measure:** Implementation of telework policies during a petroleum shortage may limit the amount of travel required by some state employees and ultimately help preserve available fuel supplies for essential travel.
- 7.6.3 **Conditions under which the Program May be used:** This measure could be utilized during a moderate to severe fuel shortage situation at the discretion of the Governor or his/her authorized representative.
- 7.6.4 **Legal Authority:** [Wis. Stat. § 230.35\(5\)\(c\)](#) gives authority to the Governor to authorize telework.
- 7.6.5 Implementation Procedures:
 - 7.6.5.1 DOA/DPM and COOP/COG will make recommendations for state government agencies based upon the incident scenario.
 - 7.6.5.2 If necessary, state agencies may be directed to reduce physical staffing levels to essential personnel only, with remaining employees having the capability to telework, do so from home, or other locations.
 - 7.6.5.3 Work and telework locations will be determined based upon the needs and circumstances of the incident. DOA/DPM and DOA COOP/COG will work with agency COOP managers to determine alternate work sites if necessary.

7.7 Even-Odd Purchasing

- 7.7.1 **Description:** Motorists with vehicle license plates that end in even numbers are only able to purchase fuel on even numbered days, and motorists with vehicle license plates that end in odd numbers are only able to purchase fuel on odd numbered days.
- 7.7.2 **Intent of Measure:** Reduce lines and wait times at fuel pumps by reducing by half the number of vehicles eligible for refueling on a given day.
- 7.7.3 **Conditions Under Which the Program May be Used:** This program could be used when significant lines of vehicles either develops at retail fueling stations or when conditions exist that would make them likely. Pre-conditions for the development of lines would include a shortage of motor fuel supplies resulting in significant declines of the average hours of operation by retail



gasoline station owners. Lines are most likely in urban and suburban areas as people stay closer to home.

7.7.4 **Legal Authority:** The Governor can mandate these measures under his powers granted by [Wis. Stat. § 323.12 \(4\) Powers During an Emergency](#).

7.7.5 Implementation Procedures:

7.7.5.1 State Level:

- A) OEI will coordinate with WPMCA and other private sector partners as necessary to determine the need for this program.
- B) If the Governor deems implementation of this measure necessary, he/she will issue an executive order directing implementation of this plan. The Governor may exempt certain categories of vehicles (typically those involved in life-safety or emergency response operations. Specific exemptions will be outlined in the content of the executive order. If implementation is deemed necessary, tasked state agencies (including State Patrol, DATCP, DNR, WEM and OEI) will work with the private sector to:
 - (1) *Develop detailed implementation plan in coordination with service station operators and petroleum associations.*
 - (2) *Conduct a fuel coordination group call to develop an implementation plan with all applicable agencies/organizations (petroleum associations, service station operators, suppliers, etc.)*
 - (3) *Determine minimum/maximum purchase levels if minimum/maximum option is added*
 - (4) *Set license plate or other protocol for identifying status of vehicles (e.g., vehicles with plates ending in an even number may only purchase fuel on an even numbered day of the month. Vehicles with license plates ending in odd numbers or a letter may only purchase fuel on odd numbered days of the month).*
 - (5) *Determine days of operation (e.g., workweek only, set number of days, rotating weekend control).*
 - (6) *Prepare reference materials for use by service stations and for agency staff when answering inquiries (work with public affairs).*
 - (7) *Set up extra telephone or computer response banks to answer questions. PSCW Consumer Affairs Call Center is activated and given script; the PSCW Consumer Affairs Call center will be directed to use their complaint database that can be used to track calls.*
 - (8) *Determine days of operation (e.g., workweek only, set number of days, rotating weekend control).*
 - (9) *Prepare reference materials for use by service stations and for agency staff when answering inquiries.*
 - (10) *Set up extra telephone or computer response banks to answer questions. Secure emergency funding for staff time, if possible.*
 - (11) *Coordinate with law enforcement for random checks and follow-up.*
 - (12) *Determine exemptions.*
 - (13) *Carefully weigh potential rules for dealing with motorists identifying other motorists as violators.*
 - (14) *Work with county and local governments to set up enforcement and appeals procedures.*
 - (15) *Notify the public; explain to the media.*
 - (16) *Coordinate with affected local jurisdictions.*
 - (17) *Seek continuing media coverage to encourage public cooperation.*



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(18) Provide data to the public illustrating fuel savings.

C) Copies of the executive order are posted to the governor's website and printed and mailed or disseminated electronically to all petroleum stations, oil companies, county governments, and municipal governments in the designated area.

7.7.5.2 **Fuel Vendors/Distributors:** Request security support as necessary- honor system-coordinate with local law enforcement and elevate as necessary.

7.7.5.3 **County and Local Government:** Coordinate with EM/OEI to communicate shortages and security issues.

7.8 Petroleum Priority End User Program for Bulk Purchasers

7.8.1 Description:

7.8.1.1 The essential services priority program (priority end-user program) would require primary petroleum suppliers to provide sufficient liquid fuels to meet the needs of critical end-users such as first responders: law enforcement, fire, emergency medical services, and any other essential service providers determined by the state. This program will be an important pre-cursor to the implementation of the set-aside.

7.8.1.2 Assuring petroleum supplies for essential public services during fuel shortages through a priority end-user program would require petroleum suppliers to provide critical (or priority) end-users with 100 percent of their current fuel requirements upon certification to their supplier(s) of the quantity needed to maintain operations at the prevailing price. If contractual obligation were suspended due to a force majeure situation, alternative suppliers would need to be identified. Liquid fuel supplies are defined as any petroleum-based fuel and bio-fuels including ethanol and bio-diesel such as:

7.8.1.3 Gasoline and diesel fuel as well as other petroleum products, including propane (LPG), jet fuel, and biofuels.

7.8.1.4 For the purpose of this measure, the critical end-user would certify this allocation average to their supplier(s). Certification may necessitate supplier and state coordination to resolve any disputes.

7.8.2 **Intent of Measure:** The priority end-user program is designed to guarantee the availability of necessary supplies of petroleum-based fuels for priority end-users essential to ensure the health, safety, and welfare of the public. Priority users would include those noted above plus any other essential service providers determined by the state or other legal authorities. If this program is implemented before a state set-aside program, those eligible for priority supplies for current requirements would not need to be eligible for the state set-aside program.

7.8.3 **Conditions Under Which the Program May be Used:** Should petroleum suppliers experience a major supply disruption, regardless of the cause, if needed they would discontinue sales to noncontract customers to prioritize available supply to meet contractual obligations. In addition, if the available supply is still less than contractual obligations, they would need to allocate fuel proportionately typically based on percent of contract volumes. Should the reduction be severe, essential public service providers (regardless of whether they are contracted customers) may not have sufficient fuel to ensure public safety. Furthermore, any government unit that may not have contracts in place could see their supplies cut off along with other noncontract customers. If



essential services are unable to be maintained, this program could be implemented to help keep those functions running.

7.8.4 **Legal Authority:** Pursuant to Wis. Stat. § 323.12(4)(a), the governor's powers during a state of emergency declared under [Wis Stat. § 323.10 include the following:](#)

7.8.4.1 Declare priority of emergency management contracts over other contracts, allocate materials and facilities in his or her discretion, and take, use, and destroy, in the name of the state, private property for emergency management purposes. The governor shall keep records of that action. Those records shall be evidence of a claim against the state. The claim against the state shall be referred to the claims board under s. 16.007.

7.8.4.2 Issue such orders as he or she deems necessary for the security of persons and property.

7.8.5 **Implementation Measures:**

7.8.5.1 The governor issues an executive order establishing a priority end-user program.

7.8.5.2 The governor notifies the representatives of all major petroleum companies operating in the state.

7.8.5.3 Each company is asked to designate a company representative to develop procedures for processing certification applications.

7.8.5.4 An information package containing the executive order, a certification application, and all regulations pertaining to the program would be sent to all petroleum suppliers operating in the state as well as to local governments.

7.8.5.5 The Department of Administration (or other agency designated by the Governor) within the state would prepare a press release for the governor, notifying the public that a priority end-user program will become operational.

7.8.6 **Operations:**

7.8.6.1 The state, in coordination with appropriate petroleum industry representatives, should determine points of contact within the petroleum industry to facilitate the implementation of a priority end-user program and to resolve any disputes.

7.8.6.2 Priority end-users would then certify their current requirements to the designated supplier system. The supplier may be a refiner, a national or regional supplier and may be represented by local wholesaler companies (jobbers) that can recertify to the designated supplier on behalf of the claimant. It is recommended that priority end users track fuel usage and have a draft letter prepared. See Appendix A for template.

7.8.6.3 This certification can be in any format preferred by the state (see Appendix A). The use of email, websites, and social media can contribute to more rapid implementation. The certification should include:

A) The name, business address, phone number, and point of contact for the individual representative of the priority end-user.

B) The essential uses for which the petroleum fuels would be consumed by the defined critical agencies.

C) The name, address, phone number, and point of contact of the end-user's supplier(s).

D) The on-site storage capacity if available.

E) The last 12 months of purchases from the supplier to whom the certification application is being made. (This is the average volume used to certify the amount.)



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- F) The anticipated monthly requirements for the next 12 months.
 - G) If volumes are requested in excess of the prior year's total or average purchases, a written justification indicating the reason for the additional fuel must be included.
 - H) A sworn statement by the responsible party testifying to the truth and accuracy of the information provided.
- 7.8.6.4 Suppliers are urged to provide the additional supply as soon as possible with a maximum of no more than ten (10) days, upon submission of the certification.
- 7.8.6.5 Certification by priority end-users to jobbers and distributors should be forwarded to their supplier(s) who, in turn, provide the additional supplies of petroleum-based fuels to that distributor in order to meet the needs of their priority accounts.
- 7.8.6.6 Any dispute should be directed to the Office of Energy Innovation for resolution. This can include both appeals from a priority user or a supplier challenging a certification, or from a non-priority customer.

7.9 State Petroleum Fuel Set-Aside Program

- 7.9.1 **Description:** The Governor would establish a State Set-Aside Program by Executive Order upon declaration of an emergency and authorize the Office of Energy Innovation to operate the program. The program would require that each major oil company operating in the state set-aside up to three percent of the total anticipated supply of gasoline and diesel fuel, propane and heating oil, if needed, each month. If the shortage is only affecting a single fuel the Set-Aside Program can be used for that specific fuel as needed. The state would be authorized to direct the sale of this reserve to bulk purchasers who demonstrate that they needed the product to perform essential public services. Essential service whose fuel needs are met exclusively through retail gas stations would not be supplied through this program.
- 7.9.2 **Intent of Measure:** The State Set-Aside Program would be designed to provide supplies of fuel to bulk users experiencing an emergency or severe hardship caused by a shortage.
- 7.9.2.1 The program would provide a mechanism for maintaining essential services by providing fuel supplies to meet the emergency needs of the following users:
- A) Residential, institutional, and commercial space heating;
 - B) Agricultural producers and distributors of perishable food;
 - C) Emergency medical services;
 - D) Energy suppliers;
 - E) Firefighting units;
 - F) Law enforcement;
 - G) Public mass transportation, including school buses;
 - H) Sanitation services;
 - I) Snow removal;
 - J) Communications infrastructure;
 - K) Utility crews, and
 - L) Water and wastewater supply and treatment.



- 7.9.2.2 The above list may be modified depending on the nature of the problem and potential consequences. Keeping eligible categories limited will provide for a more manageable program administratively and groups that do not have a serious need should be excluded. For example, snow removal during a problem in the summer would not be needed.
- 7.9.2.3 If the Petroleum Priority Users Program for Bulk Purchasers has been implemented, then law enforcement, firefighting units, and emergency medical services should be receiving current fuel requirements and would have little need to request additional supplies through the set-aside program. For that reason, they may not need to be included in the eligible categories list. If additional categories are added to that priority program, they also may also be excluded.
- 7.9.3 **Conditions Under Which the Measure May Be Used:** The Set-Aside Program could be used after the Governor has declared an emergency. The decision to implement the Set-Aside Program will depend, in large part, on whether the market will provide bulk users with sufficient gasoline supplies to maintain essential services. During a petroleum shortage, the Office of Energy Innovation will monitor supplies, demand, and prices through contact with oil suppliers and other sources, such as the Energy Information Administration, and programs like the State Heating Oil and Propane Pricing Survey.
- 7.9.3.1 The Set- Aside Program could be implemented when the following conditions exist:
- A) Fuel suppliers have eliminated all no-contract sales and are limiting contract customers to purchases that are less than their contracted volumes. Any essential service that does not have a contract may be cut off if they are not a regular customer under these conditions.
 - B) Essential public services that would impact public health and safety would either be interrupted or threatened due to inadequate supplies and the problem would be expected to last for months. Thus, the Set-Aside could provide a temporary solution until the shortage abated and supplies for essential services returned to normal.
- 7.9.3.2 In a serious petroleum shortage, provisions of the Uniform Commercial Code as codified in Wisconsin law may apply, including Wis. Stat. § 402.615, "Excuse by failure of presupposed conditions." This section applies to commercial transactions and has provisions that address conditions when a supplier is unable to meet its supply obligations. For example, § 402.615(1) provides that non-delivery of goods under a contract for sale is not a breach of the seller's contract with the buyer, provided that delivery "has been made impracticable by the occurrence of a contingency the nonoccurrence of which was a basic assumption on which the contract was made," or made impracticable "by compliance in good faith with any applicable . . . domestic government regulation or order whether or not it later proves to be invalid."
- 7.9.3.3 Note that, under Wis. Stat. § 402.615(2), the seller must allocate available supply among its customers but is permitted to do so in "any manner which is fair and reasonable." If the Set-Aside Program is implemented, it should be done in a way that allows suppliers maximum flexibility to reallocate their remaining supplies in a fair and reasonable manner.
- 7.9.4 **Legal Authority:** The Governor, pursuant to a declaration of a state of emergency under Wis. Stat. § 323.10, would issue an additional Executive Order to implement the Set-Aside Program. This



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order will direct each prime supplier⁴ to the state to establish a Set-Aside Program and appoint an individual within the company to act as principal contact for the state in administration of the program. This order will be issued under the authority of Wis. Stat. § 323.12(4)(a), which expressly grants the governor authority in a declared emergency to “declare priority of emergency management contracts over other contracts, allocate materials and facilities in his or her discretion, and take, use, and destroy, in the name of the state, private property for emergency management purposes.” This statute, together with the Governor’s executive orders issued pursuant to the statute, will provide the legal basis for the Set-Aside Program under Wisconsin law.

7.9.5 Implementation:

7.9.5.1 Start-Up Procedures –

- A) The Governor will issue an Executive Order establishing the Set-Aside Program, which will direct the Office of Energy Innovation to administer the program.
- B) The Office of Energy Innovation will immediately notify representatives of all prime suppliers operating in the State that the Set-Aside Program will be put into operation. Each company will be asked to appoint a company representative to act for and on behalf of the company for administration of the program. Each company will be asked to provide the Office of Energy Innovation with the name, telephone number(s) and email address of the appointed representative, within 10 calendar days of the date of Executive Order. A package of information including the Executive Order and a copy of the application will be provided to each prime supplier and petroleum jobber/distributor.
- C) The State Set-Aside volume shall be based on the total anticipated supply to be made available to the State’s distribution system for consumption within the state. The Energy Information Administration Prime Supplier’s Monthly Report EIA-782⁵ will serve as the basis for this information and will be supplemented by information gathered from industry partners. The EIA 782c currently only requires the MONTHLY SALES in thousands of gallons for the total volume sold into the State where delivery of product occurs. For this program, prime suppliers will need to report as they do now the prior month’s actual deliveries AND in addition, the anticipated deliveries expected to be made in the upcoming month, which will serve as the volumes for which a percentage will be set-aside. A modified reporting form with this additional column for anticipated sales will need to be developed by the state for use with this program.
- D) Wisconsin’s Office of Energy Innovation collects and compiles 782C Prime Supplier reports on a monthly basis. Wisconsin Administrative Code ch. Adm 40 compels

⁴ Prime Supplier are defined by the Energy Information Administration for reporting purposes as: “A firm that produces, imports, or transports selected petroleum products across State boundaries and local marketing areas, and sells the product to local distributors, retailers, or end-users.”

⁵ See: EIA-782C Monthly Report of Prime Supplier Sales of Petroleum Products Sold for Local Consumption Prime supplier sales of selected petroleum products into the local markets of ultimate consumption are reported by refiners, gas plant operators, importers, petroleum product resellers, and petroleum product retailers that produce, import, or transport product across State boundaries and local marketing areas and sell the product to local distributors, local retailers, or end users.



suppliers to send this information.

(https://docs.legis.wisconsin.gov/code/admin_code/adm/40)

- (1) *The Public Service Commission of Wisconsin has a pre-existing call center and toll-free number that could be used in an emergency to handle calls related to the program that will help simplify implementation. The PSC also has the capabilities to receive online submissions using fillable forms on the designated agency website. Implementation or lead-time should be estimated and will vary significantly depending on the level of existing resources that might be leveraged.*
- (2) *A press release will be prepared for the Governor notifying the public and essential public service providers that a Set-Aside Program will be put into operation. The release will contain a toll-free number and/or website where the public may receive more detailed information and a set-aside application or online submission system.*

7.9.6 Operations:

7.9.6.1 Eligible applicants will submit an application (application form available in Appendix A) to a specially designated email address or as time might permit an online web-based application process could be developed if the event is expected to be of a longer duration. Alternatively, they could call the *Public Service Commission of Wisconsin* Consumer Affairs Call Center if the situation is extremely critical and calls have been directed here. In this case, a telephone release may be made, and a follow up application would be returned by the applicant to the Office of Energy Innovation within one week). Upon receipt of the application for emergency assistance, the Office of Energy Innovation and Wisconsin Emergency Management will investigate, verify, and evaluate each for eligibility. To facilitate relief for these users; jobbers and distributors may apply on behalf of essential users, if they specifically detail and obtain signed documents stating the emergency needs of each end-user. Applicants must certify that all information contained on the application is true and accurate. Spot checks will be conducted to assure releases are made only for legitimate needs and are not stockpiled or resold. Any applicant who has knowingly provided false information will be subject to penalties provided for in Wis. Stat. § 196.029(3).

7.9.6.2 Designated prime suppliers contacts will be notified in writing and by telephone or email of those applicants to which a release of a specific designated quantity fuel should be made. Applicants will be notified of approval or denial of their application. Applicants should arrange to purchase the fuel from the normal supplier at the contract price or mutually agreed upon price. Applicants who have been denied will be advised of their right to appeal to the Secretary of Administration.

7.9.6.3 The Office of Energy Innovation will need to keep track of the draw down of the set-aside volumes. Much like a checkbook ledger for each prime supplier beginning with the total Set-Aside amount at the beginning of the month, the amount of each emergency fuel allocation made from that company to its customers will need to be subtracted from the total to know the remaining balance. Once the set-aside for any given company have been allocated, no additional allocation can be made for that month. Some suppliers may have remaining un-allocated balances.

7.9.7 **Evaluation:** A follow up survey of randomly chosen set-aside applicants could be conducted to assess program responsiveness and effectiveness. The survey should request information on the number of calls necessary to reach the Office of Energy Innovation, the number of days the



applicant waited before the case was resolved, the number of days the applicant was without fuel, etc. Records of calls received, and applications processed will be maintained.

7.9.8 Advantages:

7.9.8.1 Allows the States to provide essential users with fuel to meet emergency or hardship requirements.

7.9.8.2 Several states have a State Set-Aside Program as part of the petroleum contingencies plans. As such, it is a more common contingency plan for which there is a greater opportunity to develop as a uniform approach across a multi-state region. This program was in use between 1973 and 1981 under the federal Mandatory Petroleum Allocation Program.

7.9.9 Disadvantages:

7.9.9.1 Potential for abuse by applicants seeking emergency or hardship requirements where these conditions do not exist.

7.9.9.2 Difficulty in verification of information provided for evaluation.

7.9.9.3 Does not address the capability of an essential user to cover the likely higher cost of the fuel to be purchased under the set-aside authorization. Companies may declare force majeure.

8. Fuel and Generator Support for Fixed Facilities

8.1 Generator Request Process

8.1.1 There are generally three types of support that facility owners/operators may request during a large-scale power outage. In all cases, facility owners/operators should work with their contract vendors/distributors to obtain support. If vendors are unable to provide support, owners/operators may request assistance with any of the functions below:

8.1.1.1 Generator Requirement Assessment (Sizing)

8.1.1.2 Generator Installation

8.1.1.3 Generator Repair or Maintenance

8.1.1.4 Generator Fueling

FUEL AND GENERATOR REIMBURSEMENTS

The State of Wisconsin will not provide funding or administer the disbursement of funds to priority users for fuel or generator allocation. Payment for fuel and/or generator support is the responsibility of the recipients.

8.1.2 Resource Request Process:



8.1.2.1 Requests for resources should be made in accordance with the Resource Mobilization Plan (ESF-7 Attachment 3) of the Wisconsin Emergency Response Plan. See Figure 11 for a general overview of how the request process works. Facilities must be prepared to provide specific information about the generator resources being requested (see Facility Information Requirements below)

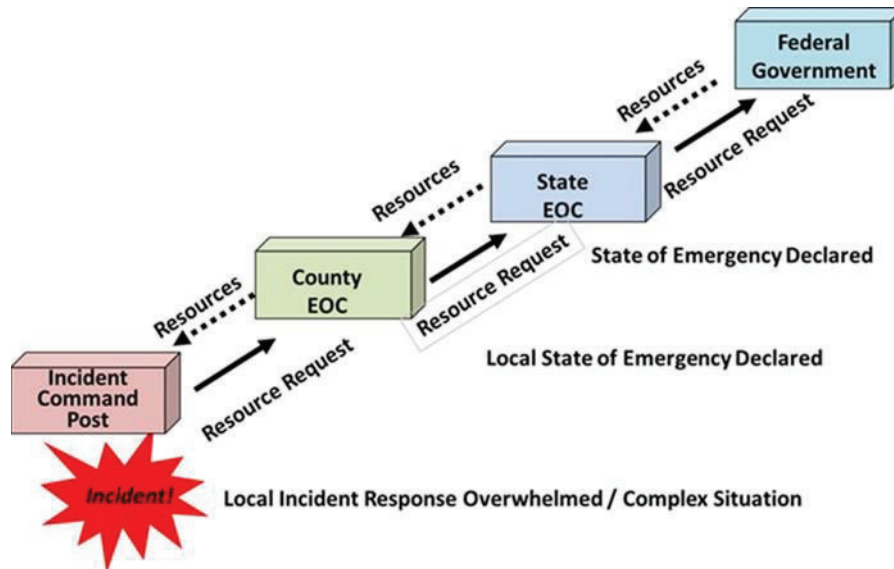


Figure 12: Resource Request Process

8.1.2.2 Once a request is received, local, county, tribal, and state emergency managers will work to identify and assign available resources. In many cases, it will be necessary for those entities to work with private sector fuel and generator manufacturers and distributors to obtain assistance.

8.2 Generator Installation, Repair, or Maintenance

- 8.2.1 During major power outage incidents, demand may exceed available generator inventories. Nothing in this plan guarantees availability of generators or qualified personnel to install or maintain them.
- 8.2.2 Facility owners/operators should pursue their own temporary power solutions prior to a major power outage event.
- 8.2.3 During a power outage, facility owners/operators must work with their generator manufacturer, distributor, and/or fuel vendor to resolve issues related to their generator. If unable to resolve the issue, owner/operators may request assistance from local units of government.
- 8.2.4 **Information Requirements:** If facility owners/operators are contacting local government for assistance, they must be prepared to provide the following information. Failure to provide one or more of the elements of information below may cause service/delivery delays.



General Request Information

Type of Assistance Requested: Sizing Assessment, Maintenance, Repair, or Installation	
Authorized Requestor Information: (Name, Phone Number, Organization)	
Facility Information	Generator Information
Facility Name	Phase and Size
Facility Function	Configuration
Facility Street Address	Voltage
Facility Point of Contact	Number of Runs
Population Served by Facility	Load Conductor Length and Ground Length
Specific Entry or Delivery Instructions	Load Conductor Cable Size
Life Safety Considerations (what happens if the request is not filled)	Fuel Tank Size and Fuel Type

8.2.5 Local, County, State, and Tribal Governments will prioritize requests received and attempt to coordinate assistance. When considering which facilities to prioritize all levels of government should examine:

8.2.5.1 Life safety implications if service or installation is not completed

8.2.5.2 Lifeline infrastructure needs and interdependencies. (for instance, hospitals require water systems to function. It is important to consider whether priority goes to a hospital generator or the water system that serves it.) Lifeline infrastructure includes:

- A) Water and Wastewater Systems
- B) Communications
- C) Energy Sector
- D) Transportation

8.2.5.3 Economic & environmental consequences if service or installation is not completed.

8.2.1 Federal Generator Support (USACE & FEMA)

8.2.1.1 General Considerations: If state resources are exhausted, Wisconsin can request generator assistance from FEMA. FEMA provides the following types of assistance related to generators:

- A) Deployment and installation of Generators: FEMA has the ability to deploy "Power Packs" which consist of approximately 30 generators each. These generators vary in size from 1MW to 15-50 KW. See Figure 14 for a breakdown of the size ranges of these generators. The U.S. Army Corps of Engineers installs these generators (249th Engineering Battalion). In large disasters, these generators may be pre-positioned in state at pre-designated federal staging areas. If these staging areas are too far from the incident site, the state can work with FEMA to identify alternate staging areas. Typically, USACE will require a 5-acre, flat, paved secure area to set up staging.
- B) Generator Maintenance: USACE can also provide assistance with generator maintenance. In long-term outage scenarios, diesel generators will require



maintenance to keep functioning. The state should be prepared to communicate priorities to USACE if this type of support is requested.

- C) Generator Fueling: If requested, generators obtained through FEMA/USACE can be fueled through Defense Logistics Agency (DLA) contracts if requested. Be sure to indicate this type of support is needed in the RRF when requesting assistance.
- D) Facility Assessments: If a facility without a generator needs one, a team from USACE can inspect the facility to determine requirements.

Generator Size (kW)	Generator Power Range (kW)	Generator Quantity (Units)
15 -50	15 – 60	10
100	61 – 100	6
200	101 - 200	7
400	201 – 400	4
700	401 – 704	2
1000+	705 – 1000+	1
Total Per Pack		30

Figure 13: FEMA Generator Pack Information

- 8.2.1.2 Request Process: To request assistance from FEMA, the state must fill out a Resource Request Form (RRF) and submit it to FEMA Region V. This is typically completed by the SEOC with the approval of the SEOC manager. The SEOC will provide as many specifics as possible on the RRF. A blank RRF form is included in Appendix A.
- 8.2.1.3 If requesting generator assistance from FEMA, state officials should be prepared to provide the following information:



- A) Type of assistance requested: (install, maintenance, repair, etc. Be specific)
- B) Facility street address
- C) City, State, County, Zip Code
- D) Specific Entry Instructions and facility point of contact
- E) Generator information
 - (1) *Phase*
 - (2) *Configuration*
 - (3) *Generator load size*
 - (4) *Voltage (assessed generator voltage feeding facility)*
 - (5) *Number of runs*
 - (6) *Load conductor length (ft)*
 - (7) *Load conductor cable size*
 - (8) *Ground length and size*
 - (9) *Fuel type and fuel tank size (gallons)*

8.2.1.4 While exceptions can be made, FEMA generators are typically only deployed to lifeline infrastructure and/or facilities with life safety implications.

8.3 Fuel for Generators

- 8.3.1 During major power outage incidents, large numbers of diesel, propane, and natural gas generators may activate at the same time. This will present a logistics challenge for industry. Facility owners/operators should work with fuel vendors to ensure they have a plan for fueling their facilities during significant outages. If the outage is severe enough, there may be instances where vendors are unable to deliver enough fuel to keep backup generators, they service running.
- 8.3.2 If facility owners/operators are unable obtain required fuel through their vendors, and they have exhausted other options for obtaining fuel, they can request assistance through local government. When requesting assistance, facility owners should be prepared to provide the following information:
 - 8.3.2.1 Facility function description (example: water pump, datacenter, hospital, emergency operation center, etc.)
 - 8.3.2.2 Facility population and/or population served by facility
 - 8.3.2.3 Immediate life safety implications should a loss of electrical power occur.
 - 8.3.2.4 Is a feasible backup available (relocation of services, personnel, etc.)
 - 8.3.2.5 Potential economic impact of short-term loss of electrical power
 - 8.3.2.6 Dependent infrastructure (for example: a water pump or lift-station may be critical to the function of a wastewater treatment plant).
 - 8.3.2.7 Facility address (street address, city, zip, county, zip code)
 - 8.3.2.8 Facility point of contact and contact information
 - 8.3.2.9 Fuel type needed
 - 8.3.2.10 Quantity of fuel needed, and the type of tank being utilized.
 - 8.3.2.11 Any specific nozzle instructions.



- 8.3.3 If local governments are unable to coordinate delivery, they may request assistance through county EOCs. If counties are unable to coordinate deliveries, they may request assistance through the SEOC.
- 8.3.4 Recipients of fuel are responsible for payment.
- 8.3.5 Request “batching”: In major disasters, it may make sense to “batch” requests by location and volume. In most cases, generator fuel tanks are significantly smaller than the capacity of the fuel trucks servicing them. When EOCs (municipal, county, or state) are coordinating with industry, it may make sense to provide requests to industry in batches to minimize unnecessary travel for fuel trucks. Generally, trucks delivering to fixed sites have a 2,500-gallon capacity. Batching four or five 500-gallon deliveries will allow a single truck to make all 5 deliveries.
- 8.3.6 When fuel deliveries have been coordinated through an EOC, the EOC should track (this information may be needed for disaster damage/cost estimates):
 - 8.3.6.1 How much fuel was delivered.
 - 8.3.6.2 Cost of fuel delivered.
 - 8.3.6.3 Recipient information.
 - 8.3.6.4 When the fuel was delivered.
 - 8.3.6.5 Whether a re-fill may be needed and when.

8.4 Facility Request Prioritization Process

- 8.4.1 When requests exceed available capacity, EOCs at all levels of government will need to prioritize them to ensure the most critical needs are met first.
- 8.4.2 Local governments are responsible for prioritizing generator and fuel requests within their jurisdictions. If their resources are exhausted, or they are unable to coordinate delivery of fuel to the requesting entity, they may request additional assistance through their county EOCs and the State Emergency Operations Center. County EOCs and the State Emergency Operations Center will also prioritize requests to ensure available resources are used in a manner which best preserves the life safety and economic well-being of Wisconsin’s citizens.
- 8.4.3 The information collected in section [8.3.2](#) must be collected at the time the request is received to assist officials with prioritization of requests.

9. Fuel for Vehicles Performing Critical Services

9.1 Fuel Points of Distribution (FPOD):

- 9.1.1 *Definition:* FPODs are pre-identified sites at which county and local governments conduct fueling operations for critical service vehicles during long-term power outages when normal fuel supplies to these entities has been interrupted. Two types of FPODs can be established:
 - 9.1.1.1 *Fixed Fuel Points of Distribution:* A pre-determined site such as a convenience store, county highways shop, or fleet fueling location which meets the requirements of section 9.1.2.
 - 9.1.1.2 *Mobile Fuel Points of Distribution:* County and local governments may elect to develop agreements with fuel vendors to bring trucks with pumps and metering capability to a



designated site. Ideally, these sites would be pre-identified, however, if necessary these trucks could move to where fuel is needed.

9.1.2 *Identification of FPODS: Ideally, FPODs should have the characteristics listed below. Final determination of the number, location, and method (fixed vs. mobile) of FPODs is made by local, county, and tribal governments.*

- 9.1.2.1 Large fuel storage capacity – limits the number of resupply trips needed
- 9.1.2.2 Backup power capability – ability to pump and meter fuel during power outages
 - A) Generator hookups on-site or,
 - B) Installed backup generator
- 9.1.2.3 Accessibility - accessible by large vehicles
- 9.1.2.4 Survivability – not located in areas likely to be impacted by floods or other predictable hazards
- 9.1.2.5 Local governments may utilize the following spreadsheet to pre-identify FPODs in their jurisdictions.

Pre-Designated Fuel Points of Distribution										
Facility Name	Street Address	City	State	Zip	Fuel Types*	Tank Size (Gal)	Tank Type**	Generator Capable?***	Generator On-Site?	Backup Generator Fuel Type
Sample Facility 1	555 Fox St	Sample City	WI	xxxxxx	Diesel	1000	Above Ground	Yes	Yes	Diesel
					Gasoline	1000	Underground	Yes	Yes	LP
			WI		Diesel					
					Gasoline					
			WI		Diesel					
					Gasoline					
			WI		Diesel					
					Gasoline					
			WI		Diesel					
					Gasoline					

Figure 14: Fuel Point of Distribution Spreadsheet

- 9.1.2.6 *Location of FPODS:* Local governments are responsible for determining the location of FPODs.
 - A) It is a best practice for local governments to share the location of these facilities with agencies and organizations providing critical services in their jurisdictions.
 - B) If desired, local governments may share this information with OEI and WEM. Sharing this information prior to an incident may reduce the time it takes to provide assistance to the jurisdiction.

9.1.2.7 *Facilitating Fuel Deliveries and Resupply of FPODS:*



- A) Local governments can work with fuel vendors to arrange deliveries of fuel to FPODs during emergencies. It is highly recommended that local governments coordinate how these deliveries will be accomplished with vendors before an emergency occurs.
- B) The SEOC may assist local governments with coordination and logistics support if requested. Additionally, if the scope of the disaster includes several jurisdictions, the SEOC can coordinate with appropriate EOCs and industry representatives to determine priorities for fuel delivery.
- C) When coordinating fuel deliveries, industry representatives and government officials should be prepared to identify the following items:
 - (1) *FPOD address*
 - (2) *Fuel type and amount needed (gallons)*
 - (3) *Access instructions and security requirements*
 - (4) *Point of contact at the site and appropriate method of communication (phone, radio, etc.)*
 - (5) *Billing/payment: How will the vendor be paid? How will purchases be tracked?*

9.1.2.8 *Access to Fuel at FPODS:*

- A) Jurisdictions establishing FPODs determine which organizations and agencies may have access to fuel at the sites. If private convenience stores are being utilized, access is determined by the owners unless another agreement has been made between the jurisdiction and the site.
- B) The tiers below are suggested categories for determining access to FPODs. Every emergency should be evaluated to determine what services should have access at the time. Jurisdictions should develop a process for clearly identifying and communicating what personnel or organizations can access FPOD locations.
 - (1) *Tier 1 Priority Access*
 - (a) *Law enforcement, fire, rescue, and medical services*
 - (b) *Sanitation and snow removal*
 - (c) *Maintenance or repair of electric, natural gas, water, wastewater, communications, or telecommunications services.*
 - (d) *Roadside assistance (help for stranded motorists)*
 - (e) *Transportation of energy supplies*
 - (f) *Generator repair or maintenance services*
 - (2) *Tier 2 Access*
 - (a) *Agricultural production and distribution of food products*
 - (b) *Passenger and transportation fleets: Vehicles and equipment (excluding privately owned vehicles) necessary for transporting passengers and freight between scheduled air, rail, water, and highway transport services.)*

9.1.2.9 *Reimbursement and Tracking:*



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- A) 8.1.6.1 Many government and private sector agencies (to include police and fire departments) utilize fleet gas cards to purchase fuel from commercial gas stations. During a significant power outage electronic card readers (credit/debit readers) may not function properly, which presents a significant obstacle to tracking payments for fuel vendors. Even if a backup generator can operate the pump mechanism, the payment architecture may not work. To track fuel purchases at FPODs, the following measures are recommended:
- (1) *Identify personnel to log fuel purchases manually at the site. Record the following:*
 - (a) *Agency/Organization receiving fuel*
 - (b) *Driver name and signature*
 - (c) *Date and time of purchase*
 - (d) *Quantity, type, and price of fuel purchased.*
 - (2) *The price of fuel purchased when payment architecture is not functional is typically the prevailing price that exists on the date of purchase. However, specific pricing is determined at the FPOD at the time of purchase. Recipients should ensure they are clear about the amount they are being billed for.*
 - (3) *Agencies receiving fuel at FPODs will be billed for fuel costs by the operator of the FPOD.*
 - (4) *A sample fuel purchase log is included in Appendix A.*

FUEL AND GENERATOR REIMBURSEMENTS

The State of Wisconsin will not provide funding or administer the disbursement of funds to priority users for fuel or generator allocation. Payment for fuel and/or generator support is the responsibility of the recipients.

10. Federal Fuel Support

When the President has issued an emergency or major disaster declaration to a State that includes Direct Federal Assistance (DFA), States may request fuel from FEMA if there is an insufficient supply of fuel available from private sources. States may request fuel for any entity that requires fuel in order to protect life and property or to maintain public health and safety. Entities may include, for example, State and local law enforcement, emergency medical responders, non-governmental organizations and private commercial entities supporting response operations. Distribution to the State can then be divided into bulk fuel or retail fuel operations. The State will be charged the applicable cost-share for the cost of all fuel provided to the State or to state-identified entities, including the cost of associated services such as transportation and handling. There are four types of fuel support FEMA can provide:

10.1 Bulk Fuel Support:

10.1.1 The State may request bulk fuel to fill large tanks owned by a State or local government for further distribution by the State or local government, at no charge to the recipients. A request for Bulk Fuel Support to Government must include:

10.1.1.1 Type and quantity of fuel required.



- 10.1.1.2 Delivery locations and any special information or equipment needed to deliver and download fuel.
- 10.1.1.3 Points of contact to receive fuel and sign for custody (if different people).
- 10.1.1.4 Report and document on the Resource Request Form (RRF) that the state has exhausted its own capabilities to secure the fuel, including any applicable Emergency Management Assistance Compact (EMAC) sources. Additionally, report and document on the RRF, any compelling reasons for not sourcing the fuel request from the private sector, when such fuel is available.

10.2 Retail Fuel Support:

- 10.2.1 The State may request retail fuel support to be provided by the Federal Government at Federal fueling locations. Such support will normally involve the Federal Government either setting up a retail fueling station, normally equipped with trucks capable of dispensing fuel directly into vehicles identified by the State or deliveries of smaller quantities to other State-identified locations to fill, for example, stationary generators. A request for Retail Fuel Support to the Government must include:
 - 10.2.1.1 The type of fuel required.
 - 10.2.1.2 The quantity of fuel required (this may be an estimate of vehicles or gallons per day).
 - 10.2.1.3 Identification of the point(s) of contact to receive the fuel and the point(s) of contact who will sign for custody of fuel (if different people).
 - 10.2.1.4 Identification of the State location(s) and requirement(s) for fuel. This means that if the request is for a retail fuel station, the location(s) must be specified, and any special instructions must be communicated. If the State requests that the vendor move between locations and fuel specified equipment at each location, each location and a description of the equipment to be fueled must be included.
 - 10.2.1.5 For a vehicle fuel station, detail of criteria to determine what vehicles are considered responder eligible to receive fuel. Responder vehicles are not limited to government owned vehicles; they may include private vehicles essential to the response effort, such as private ambulances, power company vehicles, or vehicles belonging to certain voluntary organizations identified by the State. The State should specifically detail agencies and organizations eligible to receive fuel, update the lists daily, and avoid generic authorizations in order to ensure that fuel is not wasted on government vehicles that have other fuel sources, or that are not requested by the State. The State should also generally describe what identification can be used to assure and ensure that the fuel recipients are entitled to fuel (i.e. identification card or license plate markings). The vendor will record required information to ensure that the fuel is received only by authorized responders.
 - 10.2.1.6 Report and document on the Resource Request Form (RRF) that the State has exhausted its own capabilities to secure this fuel, including any applicable Emergency Management Assistance Compact (EMAC) sources. Additionally, report and document on the RRF any compelling reasons for not sourcing the fuel request from the private sector, when such fuel is available.
 - 10.2.1.7 Detail of the security precautions at any fuel station and also clearly detail additional security requirements in the Resource Request Form (RRF) documentation.



10.3 Bulk Fuel to Authorized Recipients of the State:

- 10.3.1 The State may require bulk fuel support to commercial gas stations that are not able to obtain fuel from the normal private sector distribution chain, in order to provide fuel to the public. A request for Bulk Fuel Support to the commercial gas stations must include:
- 10.3.1.1 The type of fuel required.
 - 10.3.1.2 The quantity of fuel required (this may be an estimate of vehicles or gallons per day).
 - 10.3.1.3 A statement that this is a retail fuel mission to support the general public.
 - 10.3.1.4 Identification of the point(s) of contact to receive the fuel and the point(s) of contact who will sign for custody of fuel (if different people). If the site is a fuel station, it would be the person in charge of the site.
 - 10.3.1.5 Identification of the location(s) and requirement(s) for fuel.
 - 10.3.1.6 A description of how the distribution of the fuel will aid in the saving of lives or the protection of property.
 - 10.3.1.7 A statement of the criteria used to determine what vehicles will be eligible for fuel. The State may place restrictions on the frequency with which a vehicle may receive fuel, the amount of fuel, or other restrictions. The State may have to assist in administering these restrictions depending on if they exceed the capability of the vendor to administer.
 - 10.3.1.8 Report and document on the Resource Request Form (RRF) that the State has exhausted its own capabilities to secure this fuel, including any applicable Emergency Management Assistance Compact (EMAC) sources. Additionally, report and document on the RRF, any compelling reasons for not sourcing the fuel request from the private sector, when such fuel is available.
 - 10.3.1.9 The State should detail security precautions at any fuel station site and include any request for additional security.

10.4 Retail Fuel Support to Authorized Recipients of the State:

- 10.4.1 In extraordinary circumstances, FEMA may be authorized to provide retail fuel to the general public from FEMA fueling locations. Assistance of this type will incur a cost share if requested by the State. To request Federal Retail Fuel Support to the general public the request must include:
- 10.4.1.1 The type of fuel required.
 - 10.4.1.2 The quantity of fuel required (this may be an estimate of vehicles or gallons per day).
 - 10.4.1.3 A statement that this is a retail fuel mission to support the general public.
 - 10.4.1.4 Identification of the point(s) of contact to receive the fuel and the point(s) of contact who will sign for custody of fuel (if different people). If the site is a fuel station, it would be the person in charge of the site.
 - 10.4.1.5 Identification of the location(s) and requirement(s) for fuel.
 - 10.4.1.6 A description of how the distribution of the fuel will aid in the saving of lives or the protection of property.



- 10.4.1.7 A statement of the criteria used to determine what vehicles will be eligible for fuel. The State may place restrictions on the frequency with which a vehicle may receive fuel, the amount of fuel, or other restrictions. The State may have to assist in administering these restrictions depending on if they exceed the capability of the vendor to administer.
- 10.4.1.8 Report and document on the Resource Request Form (RRF) that the State has exhausted its own capabilities to secure this fuel, including any applicable Emergency Management Assistance Compact (EMAC) sources. Additionally, report and document on the RRF, any compelling reasons for not sourcing the fuel request from the private sector, when such fuel is available.
- 10.4.1.9 The State should detail security precautions at any fuel station site and include any request for additional security.



11. Appendix A – Forms & Templates

11.1 Template Executive Order: Declaration of an Energy Emergency

EXECUTIVE ORDER #XXX
Relating to the Declaration of an Energy Emergency

WHEREAS, the health, welfare, and economic well-being of the citizens of Wisconsin depend on petroleum products, including gasoline and diesel fuel for heavy trucks and home heating; and

WHEREAS, the one hundred and ten mile segment of the West Shore Pipeline which transported a significant amount of refined petroleum products to supply terminals in the Green Bay area has been shut down since March 2016; and

WHEREAS, the pipeline shutdown has resulted in fuel constraints in the Green Bay area as well as areas to the north, which are more dependent on #2 fuel oil for home heating; and

WHEREAS, the extreme cold and early snow of this winter's heating season has increased the demand for diesel in the northern region of Wisconsin, which may trigger shortages of petroleum products; and

WHEREAS, the extended wait times at Milwaukee, Madison, and Junction City terminals and trucking of petroleum products over long distances are making it difficult for petroleum product transporters to meet demand and have resulted in more trucks on the road; and

WHEREAS, in light of the foregoing, the shutdown of the pipeline leading to the shortage of petroleum products in the Green Bay area poses the risk of temporary shortages and shipment delays that may potentially impact the health, safety, welfare, and economic well-being of the citizens of this state; and

WHEREAS, to provide safe and appropriate measures for the transportation of petroleum products within this state in response to an imminent energy emergency, and to assure that gasoline and other motor fuel supplies will remain sufficient to protect the health, safety, and welfare of the citizens of Wisconsin; and



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WHEREAS, the Wisconsin Department of Transportation has consulted with the Wisconsin Department of Administration and the Office of Energy Innovation in the Wisconsin Public Service Commission and concludes that the above conditions warrant that the divisible load limitations in section 348.25(4) of the Wisconsin Statutes be waived for commercial motor vehicles transporting petroleum products.

NOW THEREFORE, I, Tony Evers, Governor of the State of Wisconsin, by the authority vested in me by the Constitution and laws of this State, including sections 323.10 and 340.01(15s) of the Wisconsin Statutes, do hereby declare the present shutdown of the pipeline and potential shortage of petroleum products to be an energy emergency and I further declare that a state of emergency shall exist for the entire State of Wisconsin, effective immediately today, Friday, December 30, 2016, for as long as drivers transporting petroleum products are providing assistance for the emergency, or for a duration of sixty days, whichever is shorter. Pursuant to this state of emergency, and by the authority vested in me by section 323.12(1)(c) of the Wisconsin Statutes, I hereby order that:

1. Carriers and drivers of commercial motor vehicles while in the process of obtaining and transporting petroleum products are exempted pursuant to section 348.17(3) of the Wisconsin Statutes, from the divisible load limitations of section 348.25(4) of the Wisconsin Statutes. This exemption authorizes only weights not more than 10% greater than the gross axle weight and axle combination weight limitations, and not more than 15% greater than the gross vehicle weight limitations under sections 348.15 and 348.16 of the Wisconsin Statutes.
2. The waiver described in par. 1 above does not apply to commercial motor vehicles operating on highways designated as parts of the national system of interstate and defense highways, except for the I 39 and I 41 Interstate corridors.
3. The waiver described in par. 1 above lasts for thirty days but may be extended for an additional thirty-day period if the Wisconsin Department of Transportation determines the conditions described above warrant an additional thirty days.
4. This order does not suspend the operation of any state or federal laws within the State of Wisconsin except as specifically described in the order. All other laws remain in full force and will be enforced.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol in the City of Madison this thirtieth day of December in the year two thousand sixteen.

Tony Evers
Governor



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By the Governor:

DOUGLAS LA FOLLETTE
Secretary of State



11.2 Set-Aside Application Form

PUBLIC SERVICE COMMISSION Office of Energy Innovation via email or fax preferred. STATE SET-ASIDE APPLICATION CERTIFICATION OF PETROLEUM PRODUCT HARDSHIP		FOR STATE USE ONLY: Received: _____ Code Reviewed: _____ By Approval: _____ Date: _____ Notify: App. <input type="checkbox"/> Supplier <input type="checkbox"/> Denial Notify <input type="checkbox"/> Date: _____			
1. Applicant Identification Information:					
Applicant Name		Business Phone (Include Area Code)			
Street/Box/RFD		Home Phone (Optional)			
City, State, Zip Code		Individual to Contact			
County		Months for Which Applicant is Seeking Assistance?			
2. Location for Delivery of Product if Different from Above:					
Street/Box/RFD		City, State, Zip Code			
3. Applicant's Classification:		4. Product Requested: (Submit <u>one</u> application for <u>each</u> product requested)			
<input type="checkbox"/> Wholesale Purchaser-Distributor (Jobber) <input type="checkbox"/> Wholesale Purchaser-Retailer (Gas Station) <input type="checkbox"/> End-User		<input type="checkbox"/> Gasoline <input type="checkbox"/> Number 1 Fuel Oil <input type="checkbox"/> Diesel <input type="checkbox"/> Number 2 Fuel Oil <input type="checkbox"/> Propane			
5. Supplier(s). Name of the prime supplier (major oil company) that is ultimate supplier (<i>If supplied by a jobber or distributor, indicate their name <u>and</u> the name of their supplier</i>):					
<input type="checkbox"/> My existing supplier(s), named below is unable to supply the quantity requested. <input type="checkbox"/> I do not have a supplier. The two suppliers named below have been contacted and could not supply the product requested.					
Supplier Name		Supplier Name			
Street/Box/RFD		Street/Box/RFD			
City, State, Zip Code		City, State, Zip Code			
Contact Name		Contact Name			
Contact Phone (Include Area Code)		Contact Phone (Include Area Code)			
Check One <input type="checkbox"/> Existing Supplier <input type="checkbox"/> Potential Supplier		Check One <input type="checkbox"/> Existing Supplier <input type="checkbox"/> Potential Supplier			
6. Indicate total amount of product received each month from supplier(s) for the base year (Month/Year) through (Month/Year). Base Period of Supply Volume by Month in Gallons (Indicate the year next to the month)					
Month	Year	Supply Volume	Month	Year	Supply Volume



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January			July		
February			August		
March			September		
April			October		
May			November		
June			December		

Total Base Period Supply Volume

Does this base period supply volume agree with your supplier? Check one. Yes No

7. The following question is for motor fuel requests only:

a. Indicate your purchases (gallons) in:

October (Year)	_____	November (Year)	_____	December (Year)	_____
January (Year)	_____	February (Year)	_____	Five Month Average	_____

b. Did you overdraw on your allocation last month? Yes No By how much (gallons)? _____

If yes, please provide explanation for the overdrawn allocation:

8. Describe the type of customers you are requesting product for, the nature of the business, and amount of product requested for each. *Attach additional sheets as necessary.*

Business Name and Phone Number	Type of Business	Fuel Requirement Amount Requested (Gallons)
--------------------------------	------------------	---

9. Describe in complete detail the reason or your hardship. Please be specific. Explain all circumstances and situations related to hardship request. This information will be investigated and will act as the principal basis for evaluation of the request. For each of the customers listed above, indicate the nature of the supply problems. *Attach additional sheets as necessary.*

10. Certification (Please remember to sign).

I certify that all of the above information is true and accurate and that any quantity granted will be used for purposes herein described and will not be diverted to other uses. I further certify that I have an energy conservation program in effect.

Name and Title	Signature	Date
----------------	-----------	------

[Cite law and penalties that might be imposed under state laws for providing false or misleading information]

If different than above
Prepared by: _____



11.3 Priority End User Certification Form

DEPARTMENT OF [Insert Name] [Insert Agency Name] [Insert Agency address] CERTIFICATE OF PRIORITY END-USE Please Print or Type – Application Must Be Legible and Signed. Return To Above Address.						
PART I: IDENTIFICATION						
Date of Request			EIN Number			
MON	DAY	YEAR				
PART II: SUPPLIER/SUPPLY DATA						
7. Supply Volumes for Requested Product (In Gallons)						
1. Name of Company/Applicant Submitting Request (Last name first if individual)		Month	Current		Actual Purchases for the Last Twelve Months	
			Year	Purchases	Year	Volume
2. Mailing Address of Company/Applicant (Street, City, State, Zip Code, County)		(1) Jan				
		(2) Feb				
		(3) Mar				
3. Name and Phone (Including area code) of Contact Person		(4) Apr				
		(5) May				
4. Name of Delivery Location (If different from mailing address)		(6) Jun				
		(7) Jul				
		(8) Aug				
5. Address of Delivery Location (If different from delivery location) (Street, City, State, Zip Code, County)		(9) Sep				
		(10) Oct				
		(11) Nov				
		(12) Dec				
		(13) Total				
8. Applicant's Classification: (a) <input type="checkbox"/> Police Agency (b) <input type="checkbox"/> Fire Fighting Units (c) <input type="checkbox"/> Emergency Medical Services (d) Other Explain: _____						
PART III: SUPPLIER/SUPPLY DATA Storage Capacity:						
9. Supplier Information (Enter the information requested below for each current supplier for motor gasoline. List on the first line the principal immediate supplier. If more than three, use an additional sheet.)						
Name and Mailing and Mailing Address (a)	City, State and Zip Code (b)	Supplier's Name (c)	% of Volume (d)	Name and Phone Number (including area code) of Contact Person (e)		
10. Justification of Volumes Requested (Describe in detail the reasons justifying the requested volumes as normal and reasonable for intended use and provide reasons why the product is needed. Use additional sheets as needed.)						
PART IV. CERTIFICATION (To Be Completed by All Applicants)						
I hereby certify that all information submitted as part of this application is true, accurate and complete to the best of my knowledge, that any quantity requested for priority use will be used only for that requested use, and that an amended application for a downward base period adjustment will be filed if the need for the volume assigned pursuant to this application declines.						
Name of Applicant or Company Official	Title of Applicant or Company Official	Signature	Date Signed (Month Day Year)			



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Location:		FUEL DISTRIBUTION LOG				Event:
Date:	Agency Information	Vehicle Information	Fuel Dispensed by Type (Number of Gallons)			Operator (Print)
	Name	Make/Model	Gasoline	Diesel	Other	Signature
Time:	Address	License #				Site Attendant
	Contact Information	Current Mileage				
Date:	Agency Information	Vehicle Information	Fuel Dispense by Type (Number of Gallons)			Operator (Print)
	Name	Make/Model	Gasoline	Diesel	Other	Signature
Time:	Address	License #				Site Attendant
	Contact Information	Current Mileage				
Time:	Address	License #				Site Attendant
	Contact Information	Current Mileage				

11.4 Fuel Distribution Log (Recommended for FPOD Use)



12. Appendix B - References

12.1 FEMA Region V Power Outage Incident Annex

12.2 Wisconsin Emergency Response Plan – ESF 12 *Energy*

12.3 FEMA Fuel Services Guide (2021)

13. Appendix B - Definitions

Current requirements - means the supply of an allocated product needed by an end-user or wholesale purchaser to meet its present supply requirement for 1 month. (b) "State Office" means Office of Energy Innovation.

Director - means the Director of Office of Energy Innovation or the designee thereof.

Distillate fuel oil - means a general classification of one of the petroleum fractions produced in conventional distillation operations. It is used primarily for space heating, on – and off-highway diesel engine fuel (including railroad engine fuel and fuel for agricultural machinery), and electric power generation. Included are products known as Number 1, and Number 2 fuel oils; and diesel fuels as covered by ASTM specifications D396 and D975. It does not include kerosene-type jet fuel.

End-User - means any person who is an ultimate consumer of a petroleum product other than a wholesale purchaser-consumer.

Motor gasoline - means any of the various grades of motor gasoline (premium, regular, or unleaded, including gasoline/alcohol mixtures such as gasohol), suitable for the operation of an internal combustion engine and defined under ASTM specification D439-88.

Officer - means the fuel allocation officer authorized to sign orders and to authorize documents for the set-aside assignments.

Order - means a written or oral directive followed by written confirmation issued by the officer with respect to state set-aside assignments. It also means a written determination by the director relative to an appeal from an order of the officer.

Person - means an individual, corporation, firm, governmental unit, organization, or any other establishment whatsoever.

Prime Supplier - means the supplier or producer who makes the first sale of petroleum products into the state distribution system for consumption within the state.

Propane - means a normally gaseous paraffinic compound (C₃H₈), which includes all products covered by natural gas policy act specifications for commercial and HD-5 propane and ASTM specification D1835. EXCLUDES: feedstock propane, which are propane not classified as consumer grade propane, including the propane portion of any natural gas liquid mixes that is butane-propane mix.

Purchaser - means a wholesale purchaser or an end-user, or both.

Retail - means any retail gasoline station, jobber or distributor which sells motor gasoline, propane and/or distillate fuel oil directly to an end-user.



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Service - means personal service or service by registered or certified United State mail, postage prepaid. Service upon a person’s duly authorized representative shall constitute service upon the person. Service by mail is complete upon mailing.

Set-aside assignment - means an order directing a prime supplier to make a product from its state set-aside available to a designated person.

State set-aside - means, with respect to a particular prime supplier, that amount of the specified petroleum products (e.g., motor gasoline, propane, or distillate fuel oil), which is made available from a percentage of the projected monthly sales by prime suppliers, for utilization by the Office of Energy Innovation to resolve emergencies and hardships due to fuel shortages. The state set-aside amount for a particular month is calculated by multiplying the state set-aside percentage level the projected monthly sales expected to be made in the upcoming month by the prime supplier’s prepared consistent with the actual monthly sales made in the prior month as reported under Part 4 of the EIA-782C, the Monthly Report of Prime Suppliers Sales of Petroleum Products Sold for Local consumption and filed by said supplier.

Supplier - means a firm or subsidiary of a firm, other than the United States department of Defense, which presently or during the last 12 months, supplies, sells, transfers, or otherwise furnishes, such as by consignment, motor gasoline, propane and distillate fuel oil to wholesale purchasers or end-users, including, but not limited to, a refiner, importer, reseller, jobber, or retailer.

Wholesale purchaser - means a wholesale purchaser-reseller or a wholesale purchaser consumer.

Wholesale purchaser-consumer - means an ultimate consumer, which, as part of its normal operation, purchases or obtains petroleum products from a supplier and receives delivery of that product into a storage tank substantially under the control of that firm at a fixed location.

Wholesale purchaser-reseller - means a person who purchases, receives through transfer, or otherwise obtains, such as by consignment, motor gasoline, propane and distillate fuel oil and who resells or otherwise transfers it to other purchasers without substantially changing its form; excluding retailers.

Record of Changes

#	Date	Agency/Individual	Change
1.			
2.			
3.			
4.			
5.			
6.			
7.			



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8.			
9.			
10.			
11.			
12.			
13.			
14.			
15.			