

Waiver Process

In the event of a fuel supply emergency, a waiver can be issued in PA. EPO staff will coordinate with the DEP Environmental Emergency Response Manager, PEMA, Pennsylvania Department of Transportation (PennDOT) and Governor's Office for a Governor's Declaration of Emergency and/or an Energy Emergency depending on the nature of the request. In general, a waiver is issued only to address a temporary fuel supply shortage caused by an unusual situation such as a natural disaster, and that could not have been avoided by prudent planning. A localized shortage generally is not considered a fuel supply disruption for which a waiver may be issued. A fuel supply disruption that meets the criteria for a waiver must be one that results in a generalized supply emergency. Fuel waivers cannot be issued to address concerns regarding the price of fuel.

The requestor will be required to provide responses to the following questions:

1. Type of assistance requested (Motor Carrier Regulatory relief, or other). Include the time frame of the relief requested and geographic area.
2. Identify the type of fuel (s) for which a shortage exists.
3. Factors believed to be causing customers' shortages, supply problems, or barriers to prompt delivery, including but not limited to, unordinary wait times for supplies, delays, or inability to obtain propane, fuel oil or equipment from customary suppliers; terminal, refinery or pipeline disruptions; allocation programs; lack of or inadequate transportation facilities; or extreme increased demand.
4. Areas of the state affected, transportation services affected, fuel oil/propane distributors affected and categories of consumers that will be affected (e.g., agriculture, commercial customers, residential customers, or combination thereof).
5. Status of the situation (e.g., anticipatory cold period, imminent storm, or current challenge).
6. For motor carrier regulatory relief, indicate the percentage of drivers in the emergency affected region that are or will be out of service within the next week.
7. Is weather sufficiently severe that fuel use by significant numbers of households will outstrip the ability of transportation services and propane/fuel oil distributors operating under normal hours of service limitations, to replenish fuel tanks?
8. Average day(s) of supply in current secondary (propane/fuel oil distributor inventory) and estimated time to resupply that secondary inventory once exhausted.
9. Explain the impact of external and unpredictable factors upon the ability to supply fuel oil/propane.

10. Have or will qualified drivers exhaust their hours of availability under normal hours of service limitations.

Sample Request Letter:

Name

Address

Dear Dave Althoff:

The (Name of Association) requests (Type of Waiver) for the timeframe (begin date and end date) due to (list situation). I am including responses to your questions to help facilitate your decision below:

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9. Explain the impact of external and unpredictable factors upon the ability to supply fuel oil/propane.

10. Have or will qualified drivers exhaust their hours of availability under normal hours of service limitations.

We appreciate your prompt response in this matter. Please do not hesitate to contact me at (requestor's contact information) if you need to reach me.

Sincerely,