New York State Emergency Support Function Annex

Disaster Preparedness Commission

ESF #12 Energy

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ESF Coordinating Agency:
NYS Department of Public Service (DPS)

DPC Support Members:
NYS Energy Research and Development Authority (NYSERDA)

Non-DPC Members:
New York Power Authority (NYPA)
Long Island Power Authority (LIPA)

EXECUTIVE SUMMARY

Emergency Support Functions (ESFs) provide the structure for coordinating response activities for disasters or emergencies that go beyond the capability of the local resources. The ESFs are a mechanism used to group functions most often needed to respond to incidents. At the State level, coordinating the delivery of emergency assistance, agency roles, and planning directives are determined by the Disaster Preparedness Commission (DPC). The objective of ESF #12 Energy is to facilitate the restoration of damaged energy systems and components during an incident.

SECTION I: General Considerations and Planning Guidelines

Introduction

New York State will continue to experience a variety of disasters from a number of causes: humans, nature, and technology. This Annex outlines the ESF #12's approach to providing a coordinated response effort to the support and reestablishment of energy systems and components in New York State during the response and short-term recovery phases of a disaster.

Critical Capability

ESF #12 would support the following Critical Capabilities in New York State: Planning, Critical Infrastructure/Key Resources Protection, and Restoration of Infrastructure and Critical Services.

Purpose

The State Comprehensive Emergency Management Plan (CEMP) has been structured into three distinct, but interconnected volumes. These are:

- Volume 1: All-Hazard Mitigation Plan
- Volume 2: Response and Short-Term Recovery
- Volume 3: Long-Term Recovery Plan

The purpose of the CEMP is to identify the State's overarching policies, authorities, and response organizational structure that will be implemented in an emergency or disaster situation that warrants a State response. The CEMP serves as the foundational framework for the State's response levels, and serves as the operational basis upon which other ESF's, functional, and hazard-specific annexes are built upon. These ESF's and annexes address a broad range of capabilities in response to the State's highest rated hazards.

The purpose ESF #12 is to describe the emergency response organizations/agencies and assign responsibilities for various functions relating to the energy infrastructure.

Scope

Emergency Support Function #12 is an operational-level management plan that outlines the basic concepts required to manage and coordinate State agencies providing response and short-term recovery assistance to anywhere in New York State. ESF #12 will be used to support the State's response during a disaster when there is a negative impact to any of New York State's energy supply. This includes:

- Petroleum Products
- Coal
- Electricity
- Natural Gas

Linkage to other State Plans

ESF #12 is linked to the New York State Energy Emergency Plan.

This ESF applies to incidents that require an activation of the State Emergency Operations Center (EOC). The ESF will be activated via direction from the State EOC after a determination concerning which ESF is required. During an activation, ESF #12 collects, evaluates, and shares information on energy system damage and estimations on the impact of energy systems throughout New York State. Additionally, ESF #12 provides information concerning the energy restoration process, facilitates the restoration of the energy systems through legal authorities and waivers, and provide technical expertise to energy assets and providers.

The ESF #12 Annex has an association with the New York State Energy Emergency Plan. When the ESF is activated they could be using many of the procedures outlined in the Energy Emergency Plan.

Situation

Local emergency response agencies may be fully involved with operational issues that are critical for responding to incidents that fall under the purview of this ESF. The local government is responsible for carrying out the initial response and short-term recovery activities and services and will use all available local resources in doing so. There may be a variety of problems with energy failures. Whether the actual incident is only a single source of energy failure or the failure is a cascading event from something else, there are potential impacts to the State, such as the people in the affected area, business, government, and mass transit which will impact how the local and State government responds. Further, the parameters and complexity of the incident may, in many cases, exceed the response capabilities of local government.

Most county and local governments have developed CEMPs in accordance with NYS Executive Law, Article 2-B. Such plans coordinate the collective response of that local government, within its borders, and provide for a mechanism to use all of the existing resources. However, unlike the State, most of the counties and local governments do not have any direct relationship, influence, or regulatory responsibility with the energy sector. Because of this, ESF #12 will have an important impact for everyone within New York State.

Any adverse impact to the energy infrastructure will greatly inhibit the abilities of the State of New York during a response. The consequences of an energy infrastructure failure can prevent a coordinated emergency response among state and local resources. It can also inhibit the ability to access real-time information and situational awareness. The need for a coordinated and concise response is vital during an emergency. Without the ability to do so, much time, effort, and resources may be squandered. ESF #12 will provide a coordinated effort to energy restoration. They may also work closely with the private sector in their efforts to share information and coordination in the restoration of the affected energy sector.

Planning Assumptions

1. An incident requiring the activation of the ESF #12 may begin locally and escalate to the State level, or may require State involvement from the incipient stage of the incident.

2. Energy sector incidents may be ordinary, day-to-day type scenarios while other incidents may evolve into an event of greater scope and magnitude.

3. Energy sector incidents may produce major consequences that will quickly overwhelm the capabilities of local government almost immediately.

4. Some energy sector incidents may require the activation of ESF #12 solely, while other incidents may require the activation of one or more of the other State ESFs.

5. Energy sector events may occur in one location or may occur coincidentally with other incidents throughout the State or in other states.

6. The level of training and response capability to an energy sector incident of local and county response agencies will vary from jurisdiction to jurisdiction and may impact the subsequent response from State agencies.

7. The energy failure may be the only incident or the consequence of another event.

8. The private sector owns, operates, and maintains most of the energy sector infrastructure in New York State.

Concept of Operations

1. An incident occurs in New York State that necessitates a State response.

2. As conditions warrant, State OEM will make a determination as to the level of activation necessary for the State.

3. State OEM and the ESF Coordinating Agency will jointly determine the level of ESF representation needed for the incident.

4. In the event of a Full Activation (Level 1), ESF #12 will coordinate and integrate with any necessary Federal ESFs, primarily Federal ESF #12.

5. At the end of the State EOC activation, ESF #12 will begin demobilization and transition to a necessary Recovery Support Function (RSF), if needed.

Policy or Authorities

- State Authorities/Polices
    - NYS Executive Law, Article 2-B
    - NIMS Executive Order 26.1 of 2006
    - Energy Law Section 5-117
    - Energy Law Section 10-105
    - NYS Fuel NY Initiative
    - New York State Utilities Material Sharing Group

    - New York State Public/Private Utility Mutual Assistance Protocol
- Federal Authorities
    - DHS/FEMA National Response Framework, ESF #12

Annex Maintenance, Distribution, and Revision Process

The NYS OEM Planning Section has the responsibility for the development, review, and maintenance of all multi-agency response plans under the New York State CEMP. As required under New York State Executive Law Article 2-B, each ESF annex shall undergo an annual review and update on or before February 15th of each year and be posted online (if applicable) no later than March 31st of each year.

During the annual review by the Planning Section for its material, this plan is examined for both content and format. For updates that do not impact operational mechanisms or processes, the appropriate edits are initiated within the Planning Section and do not warrant external involvement. Plan updates will also be conducted based upon experiences and lessons learned from exercises or real-world events, or through administrative changes in government. Planning Section updates and/or edits affecting operational capabilities, responsibilities, or otherwise impacting operations will engage stakeholders in a variety of ways, such as verbally, by document review, meetings, webinars, or any combination thereof. Final drafts will be socialized to all appropriate agencies/personnel upon completion.

SECTION II: Preparedness

Mitigation

Volume 1 of the State CEMP is the State Multi-Hazard Mitigation Plan. Pursuant to the requirements of 44 CFR 201.4, the State Multi-Hazard Mitigation Plan is required to focus on natural hazards that are likely to cause a substantial impact on the State. Mitigation planning efforts for technological and human-caused hazards are also recognized and are being implemented throughout the State as well. New York State participates in Federal, State, and local mitigation programs and identifies ongoing mitigation opportunities. The State takes maximum advantage of available Federal funding to implement mitigation measures at the State and local levels. Throughout the past several years, a substantial amount of funding has been invested in mitigating the impacts of various disasters in all parts of the State. Volume 1 addresses the overall State hazard mitigation planning process, risk assessment, strategy development, and plan maintenance. The State Multi-Hazard Mitigation Plan was Federally approved by DHS/FEMA in December 2018.

Risk Assessment

A variety of mechanisms are used to understand the various risks and associated threats and hazards facing the State. As required by the Homeland Security Grant Program (HSGP) and the National Preparedness Goal, the State must complete an annual Threat Hazard Identification Risk Assessment, or THIRA. The process involves the identification of scenarios that will most stress the State's capabilities and an assessment of those capabilities. Those capabilities are then mapped to the core capabilities in each of the ESF Annexes created under the State Comprehensive Emergency Management Plan. Further, New York State has developed additional programs and methodologies to better understand risk at the local level. This includes a County Emergency Preparedness Assessment (CEPA), which the State has conducted in each of the 57 counties of New York, and New York City. CEPA provides great insight as to the State's risk profile from a local level perspective.

Training, Exercising, and Testing

The State of New York sponsors and conducts a variety of training to improve knowledge and response capability. This includes varying levels of training in the Incident Command System and the Professional

Development Series (PDS) curriculum. The State also participates in a wide variety of specialized training, including training to meet Federal program and grant requirements, such as the Emergency Management Performance Grant (EMPG). Further, many State agencies identify training requirements within their own organization to meet the needs of the agency for that specific discipline.

The State of New York has incorporated the Homeland Security Exercise and Evaluation Program (HSEEP) into its emergency management program. HSEEP consists of both doctrine and policy for designing, developing, conducting, and evaluating exercises. The State has instituted HSEEP into a host of exercise activities, including those that involve tests and activations of the State EOC. Further, some exercises are often linked to a specific grant requirement, while others are conducted as part of ongoing or existing programs, such as those for the Radiological Emergency Preparedness Program.

The State also utilizes an exercise component as part of the planning process to test the effectiveness of an emergency management plan. These exercises vary in scope, and cross several state-level plans or annexes. As a point of reference, the planning process that resulted in the creation of all of the State's ESF annexes included an exercise component.

Capability Assessment

As part of the THIRA process, the State was required to assess its capabilities under Presidential Policy Directive (PPD-8). In doing so, the State assessed its Critical Capabilities using the construct outlined in the County Emergency Preparedness Assessment (CEPA) program. The assessment provided the State with information regarding statewide capability trends and potential gaps that can then be planned for and addressed. Those capabilities have been mapped or linked to each one of the ESF annexes under Volume 2 of the State CEMP.

Stockpiles, Supplies, and Specialized Equipment

ESF #12 agencies do not possess any stockpiles, supplies, or specialized equipment that would pertain to this ESF. However, NYSERDA offers a funding program for permanent generators.

Memorandums of Understanding (MOUs)/Letters of Agreement (LOAs)

- NYS DPS sponsored State Agency and NYISO Winter Coordination Protocol
- Fuel NY Portable Emergency Generator Program (PON2924): a program to contract for generators. The State does not maintain a fleet of generators specifically designated for retail motor fuel outlets.
- NYS Strategic Fuel Reserve:
    - Downstate Gasoline Reserve; gasoline
    - Upstate Strategic Fuel Reserve; gasoline and diesel fuel

SECTION III: Response

Alert and Notification

The State Watch Center (SWC) serves as the focal point for receiving or providing notification of incidents in the State. In response to an incident that warrants an increase in State response posture, the SWC will be used to notify agencies that the State EOC is activating.

Activation

State OEM will assess the potential needs and demands of the incident, and then determine the level of activation necessary to effectively manage the response to the incident. The capabilities that are needed to support that activation are also identified, and agencies are notified to staff the State EOC using the ESF construct.

Flexibility will be key in activating this ESF. Not all incidents are the same, and not all activations of this ESF will require the full list of agencies to support the demands of the incident. Therefore, the representation of agencies that will be necessary to support the ESF may vary from incident to incident. The State CEMP identifies four activation levels of the State EOC. This ESF will activate to one of those levels as conditions warrant, with the coordinating agency serving as the ESF lead. These are:

NYS EOC Activation Levels

Steady State

Level 4 – Enhanced Monitoring

Level 3 – Partial Activation

Level 2 – Full Activation

Level 1 – Full State/Federal Response

Level 4 Enhanced Monitoring: A small, isolated, or a potential event that has some indicators that warrant extra attention, enhanced monitoring, or external communication.

- NYS OEM Staff only.
- Agencies may be asked individually to support any remote operations or reporting from their home agency.

Level 3 Partial Activation: An incident or event requiring a partial activation of the State EOC with agency/ESF lead activation.

- The ESF leadership is activated on an as needed basis.
- Additional agencies will be determined at the time of the event.

Level 2 Full Activation: An incident requiring full activation of the State EOC with ESF activation.

- The ESF leadership is activated on as needed basis.
- Additional agencies will be determined at the time of the event.
- ESF agencies will work in coordination with the lead agency to operate and report under the ESF.

Level 1 Full State/Federal Response: An incident requiring full activation of the State EOC with ESF activation, and Federal ESF integration and coordination.

- ESF leadership is activated.
- Most, if not all, member agencies will be activated.
- ESF agencies will work in coordination with the lead agency to operate and report under the ESF.
- The activities of the ESF will be integrated with those of their Federal ESF counterparts.

Direction and Control

The State endorses the development of one response organizational structure that will include all responding agencies. State agencies and ESFs will be organized under the framework of the National Incident Management System (NIMS) Incident Command System as required by NIMS Executive Order 26.1 of 2006 and HSPD-5. As such, a variety of direction and control components may be utilized to manage and coordinate the State's resources in an efficient and effective manner and to provide the interoperability between the local and Federal response organizations.

The organizational structure of the State's ESFs is inherently different than the Federal construct under the NRF. With the exception of ESF #5 (Planning), ESF #7 (Logistics), and ESF #15 (External Affairs), the State ESFs will be situated organizationally in the Operations Section, and report directly to the Operation Section Chief (OSC), or Branch Chiefs, if established. ESF #5 is assumed by the Planning Section in the State EOC, ESF #7 is assumed by the Logistics Section in the State EOC, and ESF #15 is situated in the Command Element.

ESF #12 will provide incident management support and coordination under the ESF coordinating agency. The ESF coordinating agency will ensure the activities of the ESF are consistent with this Annex, and that agencies are operating in unison to achieve the common goal or mission of the ESF.

This ESF is assigned under Operations. The ESF leader will be the primary interface with the OSC, and the member agencies of the ESF. All requests for assistance will be managed through the OSC to the ESF lead for availability of resources/missions. The ESF leadership will be given latitude to facilitate the best resource or solution set in response to the request that the State has received. Confirmation or concurrence of that solution will be confirmed to the OSC to ensure the State maintains a centralized coordination of resources and direction of requests for assistance.

Assignments of Responsibilities

The responsibilities for each agency identified in this ESF are listed below. It should be noted that in some cases, the application of the resources below may have application in other emergency support functions. Therefore, the capacities for the resources that are identified below include what the agency has in totality and should not be interpreted as additional resources if identified in other ESF annexes.

1. **Coordinating Agency – NYS Department of Public Service (DPS)**

   The Department of Public Service (DPS) oversees utility preparation and responses to events, as well as witnesses required drills on the emergency response plans. During electric or gas events, DPS provides status monitoring of outages, estimated restoration times, and acts as a liaison between DHSES and the utilities for localized inquiries. Although the DPS is primarily associated with restoration of infrastructure, DPS does monitor and ensures adherence to requirements related to customers with life support equipment, as well as the distribution of dry or wet ice during events with longer restorations. DPS's regulatory authority over electric and gas utilities also ensures that the utilities have emergency response plans. These emergency response plans are reviewed by staff and approved by the Commission annually.

   It should be noted that DPS incorporates information from LIPA regarding restoration time and activities.

2. **Support Agencies – NYS Energy Research and Development Authority (NYSERDA)**

   The New York Energy Research and Development Authority's (NYSERDA) responsibilities include petroleum fuel supply market dynamics. The agency acts as a point of contact for the petroleum sector. This includes understanding capacities and operational status of fuel delivery infrastructure, monitoring overall fuel prices, understanding seasonal and current supply and demand dynamics, discuss potential corrective actions with major energy suppliers, and issue emergency orders and directives as necessary and appropriate. NYSERDA staff are responsible for both Downstate and Upstate Emergency Fuel Reserves and would also implement the Portable Emergency Generator Program, as directed. Additionally, NYSERDA offers funding for a permanent generator program. Further, NYSERDA staff have emergency response duties for any potential radiological emergency activities.

3. New York Power Authority (NYPA)

The New York Power Authority (NYPA) owns, operates, and maintains the only State-owned bulk power generation and transmission assets in NYS. NYPA's generation assets account for up to twenty percent (20%) of the state's power needs, while NYPA's transmission assets provide the critical pathways for the electricity to be distributed throughout NYS. Several of NYPA's assets provide critical capabilities to the NYS ISO Restoration Plan in the event of a large-scale blackout. NYPA can provide support to NYS during an emergency in the forms of equipment and personnel, as the event dictates.

NYPA is a signatory to the NYS Utilities Material Sharing Group (NYMSG) protocol and the New York State Public/Private Utility Mutual Assistance Protocol.

4. Long Island Power Authority (LIPA)

The Long Island Power Authority (LIPA) oversees Public Service Electric and Gas Long Island (PSEG LI) preparation and responses to electric events, as well as witnesses required drills on the various activities of the emergency response plans. During such events, LIPA monitors the status of outages, estimated restoration times, and the overall adequacy of PSEG LI activities for the restoration of infrastructure. LIPA also monitors PSEG LI adherence to requirements related to customers with life support equipment. LIPA's oversight supplements, but does not replace, the oversight conducted by DPS. LIPA annually reviews the PSEG Long Island Emergency Restoration Plan prior to its submission to DPS. Upon receipt of a positive recommendation from DPS, LIPA adopts the Emergency Restoration Plan.

Integration of Federal ESFs

The Federal Government organizes its response resources and capabilities under an ESF construct. Similar to New York State's ESF construct, Federal ESFs are multi-agency operational components that serve as the primary means for coordinating Federal resources and capabilities into New York State. The Federal ESFs bring together a wealth of capabilities of Federal departments and agencies and other national-level assets. In doing so, they are organized to provide the operating structure for building, sustaining, and delivering Federal response core capabilities in support of the State's Critical Capabilities. Integration and coordination is key to leveraging the resources of each Federal ESF. As such, New York State ESF #12 will serve at the primary integration point for Federal ESF #12. The table below summarizes Federal ESF #12 and indicates the response core capabilities that the ESF most directly supports. Detailed response capabilities and activities are listed in each Federal ESF Annex.

ESF # 12 – Energy **ESF Coordinator: Department of Energy**
Key Response Core Capability: Infrastructure Systems, Logistics and Supply Chain Management, Situational Assessment
Facilitates the reestablishment of damaged energy systems and components and provides technical expertise during an incident involving radiological/nuclear materials. Functions include but are not limited to: • Energy infrastructure assessment, repair, and reestablishment • Energy industry utilities coordination • Energy forecast

Short-Term Recovery

There is no clear delineation of when disaster response activities transition into short-term recovery activities. As with all disaster and emergency-related activities, any transition to a new phase will be dependent upon the needs of the response and the identified needs of the individuals/communities affected. In general, disaster response addresses the immediate aftermath and life safety issues of a disaster or emergency, while short-term recovery activities begin as the need for immediate life-saving activities diminishes. At times, these phases will often overlap with one another.

Demobilization

Demobilization of agencies and ESFs from the State EOC will occur based upon operational needs, and will be jointly determined by OEM and ESF leadership. Based upon the needs of the operation, ESFs may begin to demobilize during the response/short-term recovery phase. However, it should be noted that agencies may be subject to a rapid recall for re-activation of the ESF if needed based upon operational needs.

In most cases, demobilization of an ESF will include the release of the coordinating agency and all member agencies. However, there may be instances where the ESFs can be partially demobilized, allowing member agencies to be released as the need for their representation and capability in that ESF is no longer necessary. In the process of demobilizing an ESF, all member agencies must ensure that any open or ongoing activities that require cross-coordination with other ESFs are closed out prior to demobilizing. This must be done in a manner to ensure that any dependencies or inter-dependencies of that ESF are properly and effectively communicated across the response organization. In addition, each agency must ensure that they coordinate their demobilization with their agency-specific counterparts that are represented on other ESFs.

Transition to Long-Term Recovery

As the urgency of a response lessens, and communities begin to focus their efforts on implementing recovery programs, the State's focus will also shift to the long-term recovery needs of the affected areas. In Presidential Disaster Declarations, this will likely include the activation of a Federally-established Joint Field Office (JFO). JFOs are established, operated, and maintained by DHS/FEMA, and will include the temporary recovery organization structure put in place to support recovery. To properly ensure effective integration of State and Federal recovery activities, the State will organize in a similar structure to the Federal structure contained within the National Disaster Recovery Framework.

Implement Recovery Support Functions (RSFs)

As JFO activation occurs, the Federal government will transition out of the Emergency Support Function (ESF) construct and implement the Recovery Support Functions (RSFs). RSFs bring together the core recovery capabilities of Federal departments and agencies to focus on community recovery needs. The RSF structure includes the following: Community Planning and Capacity Building, Economic, Health and Social Services, Housing, Infrastructure Systems, and Natural and Cultural Resources. RSFs are intended to facilitate the coordination and delivery of Federal assistance to supplement the recovery efforts of local and State governments, and are designed to operate within a timeframe of months to years.

As the Federal ESFs transition to RSFs, the State's ESF posture will be required to transition into the RSF construct. As such, State agencies will transition from their assigned ESF role to the appropriate Recovery Support Function, as warranted. It is important to note that not all Federally-declared disasters will require full RSF activation; and not all RSF activations will require full participation from each agency. The transition from an

agency to the RSF construct is situation-based, and dependent upon the agency's role(s) within the State response framework. For planning purposes, it is assumed that in a credible worst-case event, the situation may warrant full participation from all agencies that comprise this ESF. In such cases, the following agencies that comprise this ESF will transition to the RSFs below:

Agency	**RSF Assignment**					
	Community Planning and Capacity Building	Economic	Health/Social Services	Infrastructure Systems	Natural & Cultural Resources	Housing
DPS				X		
NYSERDA		X		X		X
NYPA				X		
LIPA	No RSF Assignment					