

(a) The Department may use the State set-aside program during any energy emergency to mitigate the hardship and emergency situation of any person to the extent the person is engaged only in the following activities:

- (1) Agricultural production;
- (2) Cargo freight and mail hauling by trucks and mail carriers;
- (3) Congregate care facilities;
- (4) Emergency services;
- (5) Energy production;
- (6) Passenger transportation services;
- (7) Residential space heating and food preparation;
- (8) Sanitation services;
- (9) Social service agency use;
- (10) Space heating requirements of medical and nursing buildings; and
- (11) Telecommunication services.

(b) If State set-aside volumes are not sufficient to satisfy all requests for assignments, the Department may determine priorities for making assignments among the activities listed in subsection (a) OF THIS SECTION.

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(a) The Secretary is responsible for the proper administration and enforcement of the State set-aside program.

(b) If there is an energy emergency and the federal government does not provide for the collection and timely transmittal to the states of fuel supply data, every prime supplier shall report monthly to the Department information, including but not limited to the following:

(1) Total actual deliveries into the State during the preceding month by set-aside product.

(2) The estimated total supply available for distribution into the State for consumption in the State during the following month by set-aside product before the adjustment for State set-aside.