



D 2023 007

EXECUTIVE ORDER

Extending Executive Orders D 2023 003 and D 2023 004 Declaring a Disaster Emergency Due to the Ongoing Fuel Supply Chain Risk in Colorado

Pursuant to the authority vested in the Governor of the State of Colorado and, in particular, pursuant to Article IV, Section 2 of the Colorado Constitution and the relevant portions of the Colorado Disaster Emergency Act, C.R.S. § 24-33.5-701, *et seq.*, I, Jared Polis, Governor of the State of Colorado, hereby issue this Executive Order extending Executive Orders D 2023 003 and D 2023 004, declaring a state of disaster emergency due to the ongoing fuel supply chain risk in Colorado, enabling State agencies to coordinate for response and mitigation efforts.

I. Background and Purpose

The Governor is responsible for meeting the dangers to the State and people presented by disasters. C.R.S. § 24-33.5-704(1). The Colorado Disaster Emergency Act defines a disaster as “the occurrence or imminent threat of widespread or severe damage, injury, or loss of life or property resulting from any natural cause or cause of human origin...” C.R.S. § 24-33.5-703(3).

Suncor’s Commerce City refinery processes approximately 98,000 barrels of oil per day, and contributes \$2.5 billion to Colorado’s economy annually. Approximately 95% of Suncor’s products are sold within Colorado, accounting for roughly 25% of statewide gasoline consumption, 50% of statewide diesel consumption, and one third of jet fuel consumption at the Denver International Airport.

Coinciding with extreme and record-setting cold weather impacting Colorado in December 2022, Suncor’s Commerce City refinery experienced equipment damage and was shut down to enable inspection and repair of damaged equipment. In February 2023, Suncor began limited production again, and expects to be producing at full rates by April 2023. The shutdown resulted in significant fuel supply challenges throughout Colorado, and has caused increased gas prices across the State.

On December 31, 2022, at approximately 4:35 PM, I verbally declared a disaster emergency for the State of Colorado due to fuel supply chain risk, activating the State Emergency Operations Plan and directing the Office of Emergency Management (OEM) to take all necessary and appropriate State actions to assist the State with its response and mitigation efforts. I also verbally authorized deployment and use of the Colorado National Guard, though the National Guard was not ultimately needed.

On January 30, 2023, at approximately 2:15 PM, I verbally declared a disaster emergency for the State of Colorado due to the ongoing fuel supply chain risk in Colorado. My verbal declaration renewed the disaster emergency for another thirty days.

I have contacted refineries and fuel transportation companies in other parts of the country to minimize any disruption and to maximize distribution of fuel to Coloradans. My fellow Governors in neighboring states are helping coordinate additional deliveries to Colorado. My administration is pursuing every avenue to mitigate the impacts of Suncor's temporary shutdown, including temporarily suspending statute and making temporary regulatory exemptions to facilitate the expeditious delivery of fuel around the State. State agencies are proactively reviewing additional tools available to ensure that adequate fuel supply can reach distributors throughout the State.

This Executive Order extends Executive Orders D 2023 003 and D 2023 004 due to the ongoing fuel supply chain risk in Colorado.

II. Duration

This Executive Order, extending Executive Orders D 2023 003 and D 2023 004, shall expire thirty (30) days from February 28, 2023, unless extended further by Executive Order.



GIVEN under my hand and the Executive Seal of the State of Colorado, this twenty-eighth day of February, 2023.

A handwritten signature in blue ink, which reads "Jared Polis". The signature is written in a cursive, flowing style.

Jared Polis
Governor