

## **Institutional, Commercial, and Residential RICE**

If an emergency engine is located at an area source, fits the definition of commercial, institutional or residential AND is existing (the original owner/operator of the engine entered into a contract for the on-site installation of the engine before June 12, 2006), then it may be subject to reduced requirements. Relocating an existing engine to a new location does not change the engines's status as "existing."

Engines constructed or reconstructed on or after June 12, 2006 are considered to be new sources for the purposes of ZZZZ NESHAP. New emergency RICE, including those located at residential, institutional, or commercial area or major sources, are subject to the RICE NSPS and NESHAP.

Some institutions have signed contracts to sell electrical power from their emergency generators for more than 15 hours (or be available to do so) and have lost their emergency status, which means they will have to do emission testing. Without a contract of 15 hours, then they have to meet 63.6640(f) -- 50 hours maintenance and testing & etc. plus 50 hours (after May 3, 2014) of non-emergency stuff without a contract for a total of 100 hours to maintain emergency status.

Existing emergency engines that are 1) located at residential, commercial, or institutional area sources; 2) used or obligated to be available  $\leq 15$  hours/year for emergency demand response; and 3) not used for local reliability are not subject to the RICE NESHAP. However, even these units must meet the emergency engine operational requirements of 40 CFR 63, Subpart ZZZZ at §63.6640 (f):

- Unlimited use for emergencies (e.g., power outage, fire, flood)
- Emergency engines may operate for 100 hr/yr for any combination of the following:
  1. maintenance/testing;
  2. emergency demand response (in situations when a blackout is imminent – either the reliability coordinator has declared an Energy Emergency Alert Level 2 as defined in the North American Reliability Corporation (NERC) Reliability Standard; or there is a deviation of voltage or frequency of 5 percent or greater below standard voltage or frequency);
  3. 50 hr/yr of the 100 hr/yr allocation can be used for:
    1. .non-emergency situations if no financial arrangement
    2. local reliability as part of a financial arrangement with another entity if specific criteria met (existing RICE at area sources of HAP only)
    3. peak shaving until May 3, 2014 (existing RICE at area sources of HAP only) if part of a peak shaving (load management) program with the local distribution system operator and the power is provided only to the facility or to support the local distribution system

EPA August 9, 2010 Guidance Memo on RICE NESHAP residential-commercial-institutional emergency generation definition:

[http://www.epa.gov/ttn/atw/icengines/docs/guidance\\_emergency\\_engine\\_def.pdf](http://www.epa.gov/ttn/atw/icengines/docs/guidance_emergency_engine_def.pdf)

## **From 40 CFR 63, Subpart ZZZZ**

§63.6585 Am I subject to this subpart?

*Commercial emergency stationary RICE* means an emergency stationary RICE used in commercial establishments such as office buildings, hotels, stores, telecommunications facilities, restaurants, financial institutions such as banks, doctor's offices, and sports and performing arts facilities.

*Institutional emergency stationary RICE* means an emergency stationary RICE used in institutional establishments such as medical centers, nursing homes, research centers, institutions of higher education, correctional facilities, elementary and secondary schools, libraries, religious establishments, police stations, and fire stations.

*Residential emergency stationary RICE* means an emergency stationary RICE used in residential establishments such as homes or apartment buildings.

*Emergency stationary RICE* means any stationary reciprocating internal combustion engine that meets all of the criteria in paragraphs (1) through (3) of this definition. All emergency stationary RICE must comply with the requirements specified in §63.6640(f) in order to be considered emergency stationary RICE. If the engine does not comply with the requirements specified in §63.6640(f), then it is not considered to be an emergency stationary RICE under this subpart.

(1) The stationary RICE is operated to provide electrical power or mechanical work during an emergency situation. Examples include stationary RICE used to produce power for critical networks or equipment (including power **supplied** to portions of a facility) when electric power from the local utility (or the normal power source, if the facility runs on its own power production) is interrupted, or stationary RICE used to pump water in the case of fire or flood, etc.

(2) The stationary RICE is operated under limited circumstances for situations not included in paragraph (1) of this definition, as specified in §63.6640(f).

(3) The stationary RICE operates as part of a financial arrangement with another entity in situations not included in paragraph (1) of this definition only as allowed in §63.6640(f)(2)(ii) or (iii) and §63.6640(f)(4)(i) or (ii).