**The 50-Hour Exemption for Emergency RICE Non-Emergency Operation**

EPA has contacted NRECA to discuss its active consideration to eliminate a Clean Air Act (CAA) regulatory provision that allows up to a 50-hour exemption for uncontrolled reciprocating internal combustion engines (RICE) operations in certain non-emergency situations. Without the exemption existing uncontrolled RICE generators would be required to retrofit emission controls to continue any electricity generation for grid support.

NRECA is seeking input from distribution cooperatives that either own or contract with other entities for RICE generation under this exemption. NRECA needs your feedback to build a case for maintaining the 50-hour RICE exemption. The information provided below details the 50-hour exemption provision and application. If you think your cooperative has RICE generation that operates under the 50-hour exemption as described more fully below, please contact NRECA via the contact information below **by October 11th.**

*RICE generation subject to the 50-hour exemption:* The 50-hour exemption for allowed non-emergency operation covers existing RICE units owned by a co-op or RICE units under a financial arrangement between a distribution cooperative and a commercial or other entity for RICE generation to avoid potential voltage collapse or line overloads that could lead to power supply interruption in a local area or region. The exemption allows up to 50 hours use per year for this type of operation. The allowed 50 hours excludes generation supplied during power outages that is considered emergency generation, of which there are no operational limits. **Please note, RICE operation for “demand response,” “peak shaving” or in response to certain Energy Emergency Alerts[[1]](#footnote-1) or other similar circumstances is prohibited under this 50-hour exemption**. Only RICE EPA emissions certified or retrofitted with controls can participate in these types of operations or programs.

*RICE generation not of concern*: New RICE with EPA certified emission controls or existing RICE retrofitted with controls **are not** the subject of this memo. New RICE certified engines are generally manufactured after June 2006. The certification should be provided on the engine or can be provided by the manufacturer. Also, existing RICE (generally built before June 2006) retrofitted with controls for *area sources* meeting CAA hazardous emissions standards are likewise not of concern. This link <https://www.epa.gov/stationary-engines/compliance-requirements-stationary-engines> provides the required emission control requirements for area source RICE

*Other RICE generation not of concern:* RICE generation operated for **emergencies** **only**, defined as operation during black outs, is not of concern. **However,** if RICE generation is also run during **non-emergencies**, such as for voltage support, and is not EPA certified or equipped with retrofitted controls, the non-emergency operation is limited to 50 hours under the exemption.

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1. For example, in ERCOT, Energy Emergency Alert Levels 1 and Level 2 do not meet the criteria for the 50-hour exemption. For a description of ERCOTs Energy Emergency Alerts see: <http://www.ercot.com/content/wcm/lists/164134/EEA_OnePager_FINAL.PDF> [↑](#footnote-ref-1)