

Concept

Revise Definition of Emergency Generator

Reason for Action

To revise the definition of emergency generator for consistency with treatment as emergency under the federal Reciprocating Internal Combustion Engine (RICE) National Emission Standard for Hazardous Air Pollutants (NESHAP)

Scope/Nature/Summary

Rule 15A NCAC 02Q .0903, Emergency Generators, provides the option for facilities meeting certain fuel consumption limits and recordkeeping requirements to be exempt from permitting. In recent years the US EPA has developed federal National Emission Standards for Hazardous Air Pollutants (NESHAP) regulations governing emissions from emergency generators. In that process EPA has defined operation of generators that qualifies as emergency. The conditions that define a generator as emergency and limit its operation apply whether or not the generator is at a facility where the power loss occurs and power generated by the unit will be used.

The definition of emergency generator in the state permitting rule is proposed to be revised to remove the words “at the facility” to align the definition with current treatment of the term emergency under the more recent NESHAP requirements. The revision would allow emergency generators meeting the operational requirements of the NESHAP that also meet the fuel consumption limits and obligations in 02Q .0903 to operate under emergency limitations without requiring a permit regardless of whether the generator is used at the site where the emergency power will be used or the unit is contractually providing power to the grid for reliability purposes.

This rule amendment is recommended by DAQ staff.

Statutory Authority

G.S. 143-215.3(a); 143-215.107(a)(10); 143-215.108.