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**SUBSTITUTE SENATE BILL 5796**

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**State of Washington**

**63rd Legislature**

**2013 Regular Session**

**By** Senate Energy, Environment & Telecommunications (originally sponsored by Senators Schoesler and Ericksen)

READ FIRST TIME 02/22/13.

1 AN ACT Relating to emissions from certain emergency power sources;  
2 and adding a new section to chapter 70.94 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 70.94 RCW  
5 to read as follows:

6 (1) Emergency engines or backup generators with a brake horsepower  
7 rating greater than two thousand are in compliance for use at  
8 hospitals, sewage treatment plants, data centers, and other vital  
9 public services without further state air quality requirements if the  
10 emergency engines:

11 (a) Meet United States environmental protection agency emission  
12 standards;

13 (b) Are fueled by ultra-low sulfur diesel or ultra-low sulfur  
14 biodiesel, with a sulfur content of fifteen parts per million or 0.0015  
15 percent sulfur by weight or less; and

16 (c) Are operated for maintenance, testing, or other nonemergency  
17 use:

18 (i) A maximum of fifty hours per year;

19 (ii) Only during daylight hours; and

1 (iii) Only one at a time.

2 (2) For the purposes of this section, an emergency engine means a  
3 new, diesel-fueled, stationary compression ignition engine that is:

4 (a) Installed for the primary purpose of providing electrical power  
5 or mechanical work during an emergency and is not the source of primary  
6 power at the facility; and

7 (b) Operated to provide electrical power or mechanical work during  
8 an emergency under the following conditions: (i) The failure or loss  
9 of all or part of normal power service to a facility and the failure or  
10 loss of normal power service is beyond the control of the facility; or  
11 (ii) the failure or loss of all or part of a facility's internal power  
12 distribution system.

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