

CONTRACT REQUEST FORM (CRF)



A) New Agreement 600-13-007 (To be completed by CGL Office)

B) Division	Agreement Manager:	MS-	Phone
600 Fuels and Transportation Division	Juan Garcia	27	916-654-3915

C) Contractor's Legal Name	Federal ID Number
California Department of Food and Agriculture Division of Measurement Standards	-

D) Title of Project
Hydrogen Dispenser Data Collection and Type Certification

E) Term and Amount	Start Date	End Date	Amount
	4 / 1 / 2014	12 / 31 / 2015	\$ 100,000

F) Business Meeting Information

Operational agreement (see CAM Manual for list) to be approved by Executive Director

ARFVTP agreements under \$75K delegated to Executive Director.

Proposed Business Meeting Date	3 / 12 / 2014	<input type="checkbox"/> Consent	<input checked="" type="checkbox"/> Discussion
Business Meeting Presenter	Juan Garcia	Time Needed:	5 minutes

Please select one list serve. **Altfuels (AB118- ARFVTP)**

Agenda Item Subject and Description

HYDROGEN DISPENSER DATA COLLECTION AND TYPE CERTIFICATION. Possible approval of Interagency Agreement 600-13-007 with the California Department of Food and Agriculture, Division of Measurement Standards (DMS) for \$100,000 to provide technical staff, to test equipment, and to perform type evaluations allowing for the sale of hydrogen by the kilogram to refuel light duty vehicles. DMS technical staff will be testing hydrogen refueling dispensers at nine public stations and one university. This agreement will be carried out in collaboration with other state agencies, an air district, and others. (ARFVTP Funding) Contact: Juan Garcia

G) California Environmental Quality Act (CEQA) Compliance

1. Is Agreement considered a "Project" under CEQA?
 Yes (skip to question 2) No (complete the following (PRC 21065 and 14 CCR 15378)):
 Explain why Agreement is not considered a "Project":
 Agreement will not cause direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment because no construction is involved in this agreement.

2. If Agreement is considered a "Project" under CEQA:
 a) Agreement **IS** exempt. (Attach draft NOE)
 Statutory Exemption. List PRC and/or CCR section number: _____
 Categorical Exemption. List CCR section number: _____
 Common Sense Exemption. 14 CCR 15061 (b) (3)
 Explain reason why Agreement is exempt under the above section: _____

b) Agreement **IS NOT** exempt. (Consult with the legal office to determine next steps.)
 Check all that apply
 Initial Study Environmental Impact Report
 Negative Declaration Statement of Overriding Considerations
 Mitigated Negative Declaration

H) List all subcontractors (major and minor) and equipment vendors: (attach additional sheets as necessary)

Legal Company Name:	Budget	SB	MB	DVBE
	\$	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	\$	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	\$	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

I) List all key partners: (attach additional sheets as necessary)

Legal Company Name:

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CEC-94 (Revised 01/13)

CALIFORNIA ENERGY COMMISSION



J) Budget Information			
Funding Source	Funding Year of Appropriation	Budget List No.	Amount
ARFVTF	13/14	600.118C	\$100,000
Funding Source			\$
R&D Program Area: N/A		TOTAL:	\$100,000
Explanation for "Other" selection			
Reimbursement Contract #:		Federal Agreement #:	

K) Contractor's Administrator/ Officer				Contractor's Project Manager			
Name:	Kristen Macey			Name:	Kristen Macey		
Address:	6790 Florin Perkins Road, Suite 100			Address:	6790 Florin Perkins Road, Suite 100		
City, State, Zip:	Sacramento, CA 95828			City, State, Zip:	Sacramento, CA 95828		
Phone:	916-229-2079	Fax:	916-229-3015	Phone:	916-229-2079	Fax:	916-229-3015
E-Mail:	kristin.macey@cdfa.ca.gov			E-Mail:	kristin.macey@cdfa.ca.gov		

L) Selection Process Used	
(For amendments, address amendment exemption or NCB, do not identify solicitation type of original agreement.)	
<input type="checkbox"/> Solicitation Select Type Solicitation #: _____ - _____ # of Bids: _____ Low Bid? <input type="checkbox"/> No <input type="checkbox"/> Yes	
<input type="checkbox"/> Non Competitive Bid (Attach CEC 96)	
<input checked="" type="checkbox"/> Exempt Interagency	

M) Contractor Entity Type
<input type="checkbox"/> Private Company (including non-profits)
<input checked="" type="checkbox"/> CA State Agency (including UC and CSU)
<input type="checkbox"/> Government Entity (i.e. city, county, federal government, air/water/school district, joint power authorities, university from another state)

N) Is Contractor a certified Small Business (SB), Micro Business (MB) or DVBE?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
If yes, check appropriate box:	<input type="checkbox"/> SB <input type="checkbox"/> MB <input type="checkbox"/> DVBE

O) Civil Service Considerations
<input checked="" type="checkbox"/> Not Applicable (Agreement is with a CA State Entity or a membership/co-sponsorship)
<input type="checkbox"/> Public Resources Code 25620, et seq., authorizes the Commission to contract for the subject work. (PIER)
<input type="checkbox"/> The Services Contracted:
<input type="checkbox"/> are not available within civil service
<input type="checkbox"/> cannot be performed satisfactorily by civil service employees
<input type="checkbox"/> are of such a highly specialized or technical nature that the expert knowledge, expertise, and ability are not available through the civil service system.
<input type="checkbox"/> The Services are of such an:
<input type="checkbox"/> urgent
<input type="checkbox"/> temporary, or
<input type="checkbox"/> occasional nature
that the delay to implement under civil service would frustrate their very purpose.
Justification:
DMS is the only authorized organization to test and certify fuel dispensers.

P) Payment Method
<input checked="" type="checkbox"/> A. Reimbursement in arrears based on:
<input type="checkbox"/> Itemized Monthly <input checked="" type="checkbox"/> Itemized Quarterly <input type="checkbox"/> Flat Rate <input type="checkbox"/> One-time
<input type="checkbox"/> B. Advanced Payment
<input type="checkbox"/> C. Other, explain:

Q) Retention
1. Is Agreement subject to retention? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
If Yes, Will retention be released prior to Agreement termination? <input type="checkbox"/> No <input type="checkbox"/> Yes



R) Justification of Rates
DMS is the only authorized organization to test and certify fuel dispensers.

S) Disabled Veteran Business Enterprise Program (DVBE)
1. <input checked="" type="checkbox"/> Exempt (Interagency/Other Government Entity)
2. <input type="checkbox"/> Meets DVBE Requirements DVBE Amount:\$ _____ DVBE %: _____ <input type="checkbox"/> Contractor is Certified DVBE <input type="checkbox"/> Contractor is Subcontracting with a DVBE: _____
3. <input type="checkbox"/> Contractor selected through CMAS or MSA with no DVBE participation.
4. <input type="checkbox"/> Requesting DVBE Exemption (attach CEC 95)

T) Miscellaneous Agreement Information
1. Will there be Work Authorizations? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
2. Is the Contractor providing confidential information? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
3. Is the contractor going to purchase equipment? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
4. Check frequency of progress reports <input type="checkbox"/> Monthly <input checked="" type="checkbox"/> Quarterly <input type="checkbox"/> _____
5. Will a final report be required? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
6. Is the Agreement, with amendments, longer than a year? If yes, why? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes

U) The following items should be attached to this CRF (as applicable)
1. Exhibit A, Scope of Work <input type="checkbox"/> N/A <input checked="" type="checkbox"/> Attached
2. Exhibit B, Budget Detail <input type="checkbox"/> N/A <input checked="" type="checkbox"/> Attached
3. CEC 96, NCB Request <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Attached
4. CEC 30, Survey of Prior Work <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Attached
5. CEC 95, DVBE Exemption Request <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Attached
6. CEQA Documentation <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Attached
7. Resumes <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Attached
8. CEC 105, Questionnaire for Identifying Conflicts <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Attached

 Agreement Manager Date Office Manager Date Deputy Director Date

Exhibit A
SCOPE OF WORK

TASK LIST

Task #	Task Name
1	Interagency Agreement Management
1.1	Attend Kick-off Meeting
1.2	Invoices
1.3	Manage Subcontractors
1.4	Quarterly Progress Reports
1.5	Final Report
1.6	Final Meeting
1.7	Identify and Obtain Required Permits, if Applicable
2	Weekly Coordination Meetings
3	Hydrogen Dispenser Test Plan and Schedule
4	Dispenser Testing and Data Collection
4.1	Testing the Hydrogen Refueling Dispenser for the Temporary Use Permit
4.2	Testing the Hydrogen Refueling Dispenser for the Certificate of Approval
4.3	Collecting the Hydrogen Refueling Dispenser Performance

ACRONYMS/GLOSSARY

Specific acronyms and terms used throughout this scope of work are defined as follows:

Acronym	Definition
CAM	Commission Agreement Manager
CEC	California Energy Commission
Contractor	California Department of Food and Agriculture Division of Measurement Standards
DAQ	Data Acquisition
FCV	Fuel Cell Vehicle
NIST	National Institute of Standards and Technology
NREL	National Renewable Energy Laboratory
SAE	Society of Automotive Engineers
TIR	Technical Information Review
ZEV	Zero Emission Vehicle

BACKGROUND/PROBLEM STATEMENT

California's Zero Emission Vehicle (ZEV) regulation requires auto manufacturers to develop, produce, and sell zero emission vehicles (ZEVs) in increasing volumes. Automobile manufacturers report that they intend to plan to roll out hydrogen fuel cell vehicles (FCVs) in the 2015 to 2017 timeframe. Despite technological progress and being a top priority by State agencies, hydrogen is still considered a "non-commercial" fuel. It cannot be sold by the kilogram to consumers without certification of fuel dispensers by the California Department of Food and Agriculture's Division of Measurement Standards (Contractor).

Long term success of the hydrogen market is dependent upon the ability for consumers to purchase fuel and stations to sell fuel. Currently, hydrogen is dispensed free of charge,

packaged as an add-on in vehicle lease agreements, or sold with a fee. These alternative refueling arrangements do not allow customers to fully experience the technology as intended, is a burden upon auto manufacturers, and detrimental to developing a business case for potential station operators.

The sale of hydrogen by the kilogram is dependent on the issuance of station dispenser type certificates published by the Contractor. Current hydrogen value accuracy class of 1.5-2.0% for Type Certification in the U.S. Department of Commerce / National Institute of Standards and Technology (NIST) Handbook 44, typically used for compressed natural gas fuel, is reportedly too stringent for hydrogen. Therefore, California dispenser test data is required to determine accuracy tolerance levels for dispensed hydrogen in hydrogen refueling stations. The issuance of hydrogen refueling station dispenser type certificates and the ability to sell hydrogen by the kilogram will not occur until testing by California's Contractor is complete.

GOALS AND OBJECTIVES OF THE INTERAGENCY AGREEMENT

The goal of this Interagency Agreement for Hydrogen Dispenser Data Collection and Type Certification between the California Energy Commission and the California Department of Food and Agriculture Division of Measurement Standards (Contractor) is to provide technical staff, to test equipment, and to perform type evaluations to test and certify light duty vehicle hydrogen dispensers in hydrogen refueling stations located in California so that the regulated sale of hydrogen per kilogram is possible. Type evaluation is defined as the process in which all commercial weighing and measuring devices must be evaluated, tested, and approved by the California Department of Food and Agriculture before use in California.

The hydrogen refueling dispenser test device used in this Interagency Agreement (shown below in Figure 1) shall be the device produced under California Energy Commission Contract 600-09-015. The testing will be conducted by the Contractor using the weights and measures standards fabricated by the National Renewable Energy Laboratory (NREL) for determining the error of hydrogen dispensers. The collection method will be by data acquisition (DAQ) that is incorporated into the NREL standards; see attachment A-3, the NREL Data Collection Tool template. The requirements shall adhere to the California Department of Food and Agriculture Division of Measurement Standards according to 4 C.C.R. 4181 and also Society of Automotive Engineers (SAE) standard J2719.

Figure 1. Hydrogen Refueling Dispenser Test Device. The Hydrogen Fill Tank 1 can be seen in the lower left corner. The space to the right of Tank 1 is for Fill Tank 2, which had not been received when this photograph was taken.



The specific objectives of this Interagency Agreement are to:

- Evaluate standards suitable for the commercial measurement of dispensed hydrogen for vehicle refueling in the field utilizing three types of reference standards: gravimetric, volumetric, and master meter. The Contractor will determine the most efficient and effective process to test the various types of dispensers.
- Ensure device is transported safely and arrives functional at the testing sites as the Contractor moves the hydrogen refueling dispenser testing device from site to site,
- Develop type evaluation and field test procedures for hydrogen dispensers and apply the tester to certify hydrogen dispensers with either a Temporary Use Permit or a Certificate of Approval.
- Work with station developers that do not meet the requirements of the Temporary Use Permit or the Certificate of Approval during the initial testing on the modifications to the dispenser/station/system so they can meet the requirements and become certified after subsequent testing.
- Report on the reasons for stations unable to meet the requirements of the Temporary Use Permit or Certificate of Approval.
- Communicate with the Energy Commission and the team of other funding agencies on the status of the Hydrogen Dispenser Data Collection and Type Certification.

Figure 2: Depiction of a Temporary Use Permit

TEMPORARY USE PERMIT
STATE OF CALIFORNIA
DEPARTMENT OF FOOD AND AGRICULTURE
DIVISION OF MEASUREMENT STANDARDS

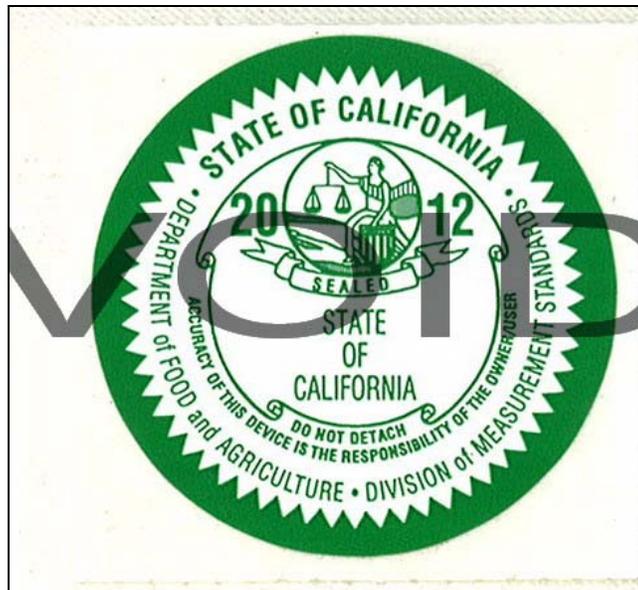
This device may be used for
commercial purposes until
permit expiration date.

Permit Expires _____
Location _____
County _____
Inspector _____
Permit No. _____ Date _____

VOID

46-035 (rev. 2-92)

Figure 3: Depiction of a Certificate of Approval



TASK 1 - INTERAGENCY AGREEMENT MANAGEMENT

Task 1.1 Kick-off Meeting

The goal of this task is to establish the lines of communication and procedures for implementing this Interagency Agreement.

The Contractor shall:

- Attend a “kick-off” meeting with the Commission Agreement Manager (CAM), the Contracts Officer, and a representative of the Accounting Office. The meeting will be held via Web-Ex or teleconference. The Contractor shall include their Project Manager, Contracts Administrator, Accounting Officer, and others designated by the CAM in this meeting. The administrative and technical aspects of this Interagency Agreement will be discussed at the meeting.
- If necessary, prepare an updated Schedule of Deliverables based on the decisions made in the kick-off meeting.

The CAM shall:

- Arrange the meeting including scheduling the date and time.
- Provide an agenda to all potential meeting participants prior to the kick-off meeting.

Deliverables:

- An Updated Schedule of Deliverables (if applicable)
- Updated List of Permits (if applicable)

Task 1.2 Invoices**The Contractor shall:**

- Prepare invoices for all reimbursable expenses incurred performing work under this Interagency Agreement in compliance with the Exhibit B of the Terms and Conditions of the Interagency Agreement. Invoices shall be submitted with the same frequency as quarterly progress reports (Task 1.4). Invoices must be submitted to the Energy Commission’s Accounting Office.

Deliverables:

- Invoices

Task 1.3 Manage Subcontractors

The goal of this task is to ensure quality products, to enforce subcontractor Interagency Agreement provisions, and in the event of failure of the subcontractor to satisfactorily perform services, recommend solution to resolve the problem.

The Contractor shall:

- Manage and coordinate subcontractor activities. The Contractor is responsible for the quality of all subcontractor work and the Energy Commission will assign all work to the Contractor. If the Contractor decides to add new subcontractors, they shall 1) comply with the Terms and Conditions of the Interagency Agreement, and 2) notify the CAM who will follow the Energy Commission’s process for adding or replacing subcontractors.

Deliverables:

- None

Task 1.4 Quarterly Progress Reports

The goal of this task is to periodically verify that satisfactory and continued progress is made towards achieving the objectives of this Interagency Agreement.

The Contractor shall:

- Prepare quarterly progress reports which summarize all Interagency Agreement activities conducted by the Contractor for the reporting period, including an assessment of the ability to complete the Interagency Agreement within the current budget and any anticipated cost overruns. Each progress report is due within 10 calendar days after the end of the reporting period. The CAM will provide the format for the quarterly progress reports.
- Provide which reference standard or standards the hydrogen refueling dispenser testing utilized.
- Provide for each station location that had dispensers tested during the reporting period:
 - The address of the dispensers tested,
 - The dispenser model, pattern, or type number, and
 - The quantity of all hydrogen refueling dispensers that underwent testing.
- Provide the information gathered utilizing the NREL Data Collection Tool template and the Contractor DAQ device; see attachment A-3, the NREL Data Collection Tool template.
- Provide the results of initial testing including all non compliant issues discovered.
- Provide the results of subsequent testing to include a review of the data indicating all weights and measurement requirements are met.
- Provide a statement and reasoning regarding each dispenser being issued a Temporary Use Permit, Certification of Approval, or neither. If issued a Temporary Use Permit after subsequent testing the report must state the limited time period of the permit.
- Provide a statement discussing the results of testing, explanation, and rationale of the determined tolerance relaxation (if applicable).
- Provide a statement about the dispensed hydrogen production.
- Provide a statement as to whether or not the dispensed hydrogen is produced on or off the site of the station.
- Provide a statement about how the dispensed hydrogen is produced off the station site (if applicable), and how the hydrogen is transported to the station (if applicable).
- Provide information about the phase (gaseous or liquid) of the hydrogen stored at the station, where within the station the hydrogen is stored, and the various phases the hydrogen goes through prior to dispensing (if applicable). The information shall include explanations of when a phase change occurs (if applicable).

Deliverables:

- Quarterly Progress Reports

Task 1.5 Final Report

The goal of this task is to prepare a comprehensive written Final Report that describes the original purpose, approach, results and conclusions of the work completed under this Interagency Agreement. The Final Report shall be prepared in language easily understood by the public or layperson with a limited technical background.

The Final Report must be completed before the termination date of the Interagency Agreement in accordance with the Schedule of Deliverables.

The Final Report shall be a public document. If the Contractor has obtained confidential status from the Energy Commission and will be preparing both a public and a confidential version of the Final Report, the Contractor shall perform the following subtasks for both the public and confidential versions of the Final Report.

Task 1.5.1 Final Report Outline

The Contractor shall:

- Prepare and submit a draft outline of the Final Report for review and approval. The CAM will provide written comments to the Contractor on the draft outline. The Contractor shall review the comments and discuss any issues with the recommended changes with the CAM.
- Prepare and submit the final outline of the Final Report, incorporating CAM comments.

Deliverables:

- Draft Outline of the Final Report
- Final Outline of the Final Report

Task 1.5.2 Final Report

The Contractor shall:

- Prepare the draft Final Report for this Interagency Agreement in accordance with the approved outline.
- Submit the draft Final Report for review and comment. The CAM will provide written comments to the Contractor. The Contractor shall review the comments and discuss any issues with the recommended changes with the CAM.
- Prepare and submit the Final Report, incorporating CAM comments.

Deliverables:

- Draft Final Report
- Final Report

Task 1.6 Final Meeting

The goal of this task is to discuss closeout of this Interagency Agreement and review the project.

The Contractor shall:

- Meet with Energy Commission staff prior to the term end date of this Interagency Agreement. The meeting will be held via Web-Ex or teleconference. This meeting will be attended by the Contractor Project Manager and the CAM. The CAM will determine any additional appropriate meeting participants. The administrative and technical aspects of Interagency Agreement closeout will be discussed at the meeting.
- Present findings, conclusions, and recommended next steps (if any) for the Interagency Agreement, based on the information included in the Final Report.
- Prepare a written document of meeting agreements and unresolved activities.
- Prepare a schedule for completing the closeout activities for this Interagency Agreement, based on determinations made within the meeting.

Deliverables:

- Written documentation of meeting agreements
- Schedule for completing closeout activities

Task 1.7 Identify and Obtain Required Permits, if Applicable

In the event that permits are required the goal of this task is to obtain all permits, if applicable, required for work completed under this Interagency Agreement in advance of the date they are needed to keep the Interagency Agreement schedule on track.

Permit costs and the expenses associated with obtaining permits are not reimbursable under this Interagency Agreement. While the budget for this task will be zero dollars, the Contractor may use match funds for this task. Permits must be identified in writing and obtained before the Contractor can incur any costs related to the use of the permits for which the Contractor will request reimbursement.

The Contractor shall:

- Prepare a letter documenting the permits required to conduct this Interagency Agreement and submit it at least 2 working days prior to the kick-off meeting. Provide in the letter:
 - A list of the permits that identifies the:
 - Type of permit
 - Name, address and telephone number of the permitting jurisdictions or lead agencies
 - A schedule the Contractor will follow in applying for and obtaining these permits.
- Discuss the list of permits and the schedule for obtaining them at the kick-off meeting. The implications to the Interagency Agreement if the permits are not obtained in a timely fashion or are denied will also be discussed. If applicable, permits will be included as a line item in the quarterly progress reports.
- If during the course of the Interagency Agreement additional permits become necessary, then provide the appropriate information on each permit and an updated schedule to the CAM.
- As permits are obtained, send a copy of each approved permit to the CAM if requested.
- If during the course of the Interagency Agreement permits are not obtained on time or are denied, notify the CAM within 5 working days.

Deliverables:

- A letter documenting the permits or stating that no permits are required
- Updated list of permits and schedule (as necessary)
- A copy of each approved permit (if requested)

TECHNICAL TASKS

TASK 2 - WEEKLY COORDINATION MEETINGS

When appropriate, the Contractor shall participate in weekly meetings with the CAM either in person or on the phone, depending on the nature of the topic, to coordinate activities, review data, discuss issues and challenges, and prepare deliverables.

The Contractor shall:

- Work with the CAM to reach resolution on all issues

Deliverables:

- None

TASK 3 - HYDROGEN DISPENSER TEST PLAN AND SCHEDULE

The Contractor shall produce a hydrogen dispenser testing plan and schedule for testing for review by the Energy Commission. The plan and schedule shall be identical to the plan and schedule being carried out by the California Air Resources Board contract titled "Hydrogen Dispenser Type Certification, Testing and Analysis Program".

The Contractor shall:

- Provide the Commission Agreement Manager the initial testing plan and schedule.
- Communicate changes to the station testing plan and schedule within three (3) business days.

Deliverables:

- Station Testing Plan and Schedule

TASK 4 - DISPENSER TESTING AND DATA COLLECTION

The goal of this task is to conduct an initial and subsequent testing of the hydrogen dispensers for the purposes of determining hydrogen refueling dispensing accuracy, performing type evaluations of the dispensers, certifying the hydrogen dispensers with either a Temporary Use Permit or a Certificate of Approval for the sale of hydrogen by the kilogram, and collecting the hydrogen dispenser performance data.

All tests are for determination of the dispenser's suitability in commercial service and compliance with weights and measures requirements. They are not intended to determine compliance with safety, performance requirements, or refueling protocols such as the Society of Automotive Engineers (SAE) Technical Information Review (TIR) J2601.

Therefore the testing of hydrogen dispensers under this Interagency Agreement is separated into three different categories:

- Testing the hydrogen refueling dispenser for the Temporary Use Permit.
- Testing the hydrogen refueling dispenser for a Certificate of Approval.
- Testing the hydrogen refueling dispenser for collecting performance data to determine tolerance relaxation(s).

The details of the three categories are described in the following tasks.

TASK 4.1 TESTING THE HYDROGEN REFUELING DISPENSER FOR THE TEMPORARY USE PERMIT

The Contractor shall:

- Conduct an initial test of the hydrogen refueling dispenser for the purpose of issuing a Temporary Use Permit. This will allow the dispenser into commercial service by selling hydrogen on a per kg basis for a limited time period in circumstances when the dispenser type:
 - Is not or will not be duplicated (it will be one of a kind),
 - Is not capable of complying with all of the weights and measures requirements, or,
 - Is obsolete with limited service time remaining.
- Issue a Temporary Use Permit upon successful completion of initial testing, at which time the dispenser will start to acquire throughput to provide data that shall be analyzed during subsequent testing.
- Determine the required throughput for the hydrogen refueling dispenser.
- Subject the dispenser to subsequent testing.
- State the time period for which the Temporary Use Permit is in effect.

Deliverables:

- Report on stations that were tested
- Report for each station tested stating whether the station did or did not receive a Temporary Use Permit

TASK 4.2 TESTING THE HYDROGEN REFUELING DISPENSER FOR THE CERTIFICATE OF APPROVAL

The Contractor shall:

- Following the issuance of a Temporary Use Permit, subject the hydrogen refueling dispenser to testing to meet all of the weights and measures requirements to receive a Certificate of Approval to allow the dispenser into commercial service by selling hydrogen on a per kg basis.
- Issue a Certificate of Approval after correction of all non compliant requirements (if applicable), after the successful completion of subsequent testing, and after review of the collected testing data indicates the dispenser meets all weights and measures requirements.

Deliverables:

- Report on stations that were tested
- Report for each station tested whether the station did or did not receive a Certificate of Approval

TASK 4.3 COLLECTING THE HYDROGEN REFUELING DISPENSER PERFORMANCE DATA

The data collected from the initial test will be used to determine the relaxation of tolerances in circumstances where:

- The hydrogen dispenser was not intended to comply with the weights and measures requirements
- The dispenser is not intended for use in commercial service

The Contractor shall:

- Test the hydrogen refueling dispenser for the purpose of collecting the dispenser performance data.
- Subject the dispenser to subsequent testing to verify permanence (stability and durability) after the required throughput.
- Determine the number of specific tests sufficient to determine the registration tolerance that will be required for both the initial and subsequent tests.

Deliverables:

- Report on station performance data.
- Report on number of tests required for the initial and subsequent testing.
- Report on tolerance relaxations.

Notice of Exemption**Appendix E**

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk
County of: Sacramento

From: (Public Agency): California Energy Commission
1516 Ninth Street
Sacramento, CA 95814

(Address)

Project Title: Hydrogen Dispenser Data Collection and Type Certification

Project Applicant: California Department of Food and Agriculture Division of Measurement Standards

Project Location - Specific:

Various locations of hydrogen stations throughout California.

Project Location - City: Varies Project Location - County: Varies

Description of Nature, Purpose and Beneficiaries of Project:

The Contractor will be testing hydrogen refueling dispensers at nine public and one university hydrogen dispensing stations. After said testing the Contractor will provide type evaluations and certifications for the sale of hydrogen by the kilogram to refuel light duty vehicles.

Name of Public Agency Approving Project: California Energy Commission

Name of Person or Agency Carrying Out Project: Ron Nies, Department of Measurement Standards

Exempt Status: **(check one):**

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: _____
- Statutory Exemptions. State code number: Public Resources Code Section 21065

Reasons why project is exempt:

Project is not considered a project under CEQA.

Lead Agency
Contact Person: Juan Garcia Area Code/Telephone/Extension: 916-654-3915

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: _____ Date: _____ Title: _____

Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____



STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION REGARDING: CONTRACT
WITH
CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE

RESOLVED, that the State Energy Resources Conservation and Development Commission (Energy Commission) approves Agreement 600-13-007 with **California Department of Food and Agriculture Division of Measurement Standards (DMS)**, for **\$100,000**, to provide technical staff, to test equipment, and to perform type evaluations allowing for the sale of hydrogen by the kilogram to refuel light duty vehicles. DMS technical staff will be testing hydrogen refueling dispensers at nine public stations and one university.

FURTHER BE IT RESOLVED, that this document authorizes the Executive Director to execute the same on behalf of the Energy Commission.

CERTIFICATION

The undersigned Secretariat to the Commission does hereby certify that the foregoing is a full, true, and correct copy of a Resolution duly and regularly adopted at a meeting of the California Energy Commission held on March 12, 2013.

AYE: [List of Commissioners]

NAY: [List of Commissioners]

ABSENT: [List of Commissioners]

ABSTAIN: [List of Commissioners]

Harriet Kallemeyn,
Secretariat