

GRANT REQUEST FORM (GRF)

CEC-270 (Revised 10/2015)

CALIFORNIA ENERGY COMMISSION

New Agreement ARV-18-002 (To be completed by CGL Office)

600 Fuels and Transportation Division	Chris Jenks	6	916-654-4201
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Equilon Enterprises LLC (d/b/a Shell Oil Products US)	52-2074528
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Renewable Hydrogen Fueling at Scale for Freight (H2Freight)

12 / 1 / 2018	1 / 31 / 2022	\$ 8,000,000
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<input type="checkbox"/> ARFVTP agreements \$75K and under delegated to Executive Director.

Proposed Business Meeting Date	11 / 7 / 2018	<input type="checkbox"/> Consent	<input checked="" type="checkbox"/> Discussion
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Business Meeting Presenter	Chris Jenks	Time Needed:	5 minutes
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Please select one list serve. Altfuels (AB118- ARFVTP)

Agenda Item Subject and Description

EQUILON ENTERPRISES LLC (DBA SHELL OIL PRODUCTS US). Agreement ARV-18-002 with Equilon Enterprises for an \$8,000,000 grant to develop a high-capacity hydrogen fueling station servicing and promoting the expansion of zero-emission fuel cell electric Class 8 drayage trucks at the Port of Long Beach. This station will source hydrogen from 100 percent renewable biogas.

<p>1. Is Agreement considered a "Project" under CEQA?</p> <p><input checked="" type="checkbox"/> Yes (skip to question 2) <input type="checkbox"/> No (complete the following (PRC 21065 and 14 CCR 15378)):</p> <p>Explain why Agreement is not considered a "Project":</p> <p>Agreement will not cause direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment because any significant change will be mitigated.</p>	
<p>2. If Agreement is considered a "Project" under CEQA:</p> <p><input type="checkbox"/> a) Agreement IS exempt. (Attach draft NOE)</p> <p><input type="checkbox"/> Statutory Exemption. List PRC and/or CCR section number: _____</p> <p><input type="checkbox"/> Categorical Exemption. List CCR section number: _____</p> <p><input type="checkbox"/> Common Sense Exemption. 14 CCR 15061 (b) (3)</p> <p>Explain reason why Agreement is exempt under the above section: _____</p>	
<p><input checked="" type="checkbox"/> b) Agreement IS NOT exempt. (Consult with the legal office to determine next steps.)</p> <p>Check all that apply</p> <p><input type="checkbox"/> Initial Study <input type="checkbox"/> Environmental Impact Report</p> <p><input type="checkbox"/> Negative Declaration <input type="checkbox"/> Statement of Overriding Considerations</p> <p><input checked="" type="checkbox"/> Mitigated Negative Declaration</p>	

Legal Company Name:	Budget
Compression/Storage/Dispenser	\$ 6,093,000
Construction General Contractor	\$ 1,907,000
	\$

Legal Company Name:
Toyota Motor North America
FuelCell Energy, Inc

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CALIFORNIA ENERGY COMMISSION

**Budget Information**

Funding Source	Funding Year of Appropriation	Budget List No.	Amount
ARFVTP	17/18	601.118H	\$8,000,000
Funding Source			\$0
Funding Source			\$
Funding Source			\$
Funding Source			\$
R&D Program Area:	Select Program Area		\$8,000,000
Explanation for "Other" selection			
Reimbursement Contract #:		Federal Agreement #:	

Name:	Wayne Leighty	Name:	James C. Martin
Address:	Shell New Energies - Hydrogen 600 Montgomery Street, Suite 2740	Address:	Shell New Energies - Hydrogen 3301 Bollinger Crest Common
City, State, Zip:	San Francisco, CA 94111	City, State, Zip:	San Ramon, CA 94583
Phone:	907-223-1684	Fax:	415-544-0106
E-Mail:	w.leighty@shell.com	E-Mail:	james.c.martin@shell.com

<input checked="" type="checkbox"/> Competitive Solicitation	Solicitation #: GFO-17-603
<input type="checkbox"/> First Come First Served Solicitation	

1. Exhibit A, Scope of Work	<input checked="" type="checkbox"/> Attached
2. Exhibit B, Budget Detail	<input checked="" type="checkbox"/> Attached
3. CEC 105, Questionnaire for Identifying Conflicts	<input checked="" type="checkbox"/> Attached
4. Recipient Resolution	<input type="checkbox"/> N/A <input checked="" type="checkbox"/> Attached
5. CEQA Documentation	<input type="checkbox"/> N/A <input checked="" type="checkbox"/> Attached

Agreement Manager

Date

Office Manager

Date

Deputy Director

Date

Exhibit A SCOPE OF WORK

TECHNICAL TASK LIST

Task #	CPR	Task Name
1		Administration
2		Completion of Critical Milestones
3	X	Station Engineering, Equipment Procurement and Site Installation
4	X	Station Commissioning and Operations Start-up
5		Data Collection and Analysis

KEY NAME LIST

Task #	Key Personnel	Key Subcontractor(s)	Key Partner(s)
1	Manfred Becker – Shell James Martin – Shell Omar Shkeir – Shell Wayne Leighty – Shell Craig Scott – Toyota Motor North America		<i>Toyota Motor North America</i>
2	Manfred Becker – Shell James Martin – Shell James Kast – Toyota Motor North America		<i>Toyota Motor North America</i>
3	Manfred Becker – Shell James Martin – Shell Wayne Leighty – Shell Matt McClory – Toyota Motor North America		<i>Toyota Motor North America</i> FuelCell Energy
4	Manfred Becker – Shell James Martin – Shell Wayne Leighty – Shell Matt McClory – Toyota Motor North America		<i>Toyota Motor North America</i> <i>FuelCell Energy</i>

Task #	Key Personnel	Key Subcontractor(s)	Key Partner(s)
5	Annemarie Purmer – Shell Hydrogen HSSE Manfred Becker – Shell James Martin – Shell Wayne Leighty – Shell Michael Lord – Toyota Motor North America		<i>Toyota Motor North America FuelCell Energy</i>

GLOSSARY

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

Term/ Acronym	Definition
ARFVTP	Alternative and Renewable Fuel and Vehicle Technology Program
CAM	Commission Agreement Manager
CAO	Commission Agreement Officer
CEQA	California Environmental Quality Act
CPR	Critical Project Review
Energy Commission	California Energy Commission
FCET	Fuel Cell-Electric Truck
FTD	Fuels and Transportation Division
HSSE	Health, Safety, Security and Environment
NREL	National Renewable Energy Laboratory
Key Partner	Toyota Motors North America
Recipient	Equilon Enterprises LLC (d/b/a Shell Oil Products US)
VIN	Vehicle Identification Number

BACKGROUND

Assembly Bill (AB) 118 (Núñez, Chapter 750, Statutes of 2007), created the Alternative and Renewable Fuel and Vehicle Technology Program (ARFVTP). The statute authorizes the California Energy Commission (Energy Commission) to develop and deploy alternative and renewable fuels and advanced transportation technologies to help attain the state's climate change policies. AB 8 (Perea, Chapter 401, Statutes of 2013) re-authorizes the ARFVTP through January 1, 2024, and specifies that the Energy Commission allocate up to \$20 million per year (or up to 20 percent of each fiscal year's funds) in funding for hydrogen station development until at least 100

stations are operational. The ARFVTP has an annual budget of approximately \$100 million and provides financial support for projects that:

- Reduce California's use and dependence on petroleum transportation fuels and increase the use of alternative and renewable fuels and advanced vehicle technologies.
- Produce sustainable alternative and renewable low-carbon fuels in California.
- Expand alternative fueling infrastructure and fueling stations.
- Improve the efficiency, performance and market viability of alternative light-, medium-, and heavy-duty vehicle technologies.
- Retrofit medium- and heavy-duty on-road and non-road vehicle fleets to alternative technologies or fuel use.
- Expand the alternative fueling infrastructure available to existing fleets, public transit, and transportation corridors.
- Establish workforce training programs and conduct public outreach on the benefits of alternative transportation fuels and vehicle technologies.

The Energy Commission issued GFO-17-603 entitled "Advanced Freight Vehicle Infrastructure Deployment" under the ARFVT Program on December 19, 2017. This competitive grant solicitation was an offer to fund projects that will support infrastructure deployment for Advanced Freight Vehicles. To be eligible for funding under GFO-17-603, the projects must also be consistent with the Energy Commission's current ARFVTP Investment Plan. In response to GFO-17-603, the Recipient submitted Application #9, which was proposed for funding in the Energy Commission's Notice of Proposed Awards on April 5, 2018. GFO-17-603 is hereby incorporated by reference into this Agreement in its entirety.

In the event of any conflict or inconsistency between the terms of the Solicitation and the terms of the Recipient's Application, the Solicitation shall control. In the event of any conflict or inconsistency between the Recipient's Application and the terms of Energy Commission's Award, the Energy Commission's Award shall control. Similarly, in the event of any conflict or inconsistency between the terms of this Agreement and the Recipient's Application, the terms of this Agreement shall control.

Problem Statement:

Hydrogen refueling stations designed for heavy-duty trucks are needed in California, and more importantly, in ports, to make fuel cell-electric trucks (FCETs) a viable zero-emission transportation option for freight transport. This project will help address scientific and technical barriers, including the unproven design and fueling protocols for freight applications, and also limited availability of hydrogen refueling infrastructure performance data. The project will provide evidence of scalability by delivering station performance data for very large capacity stations (800 kg of hydrogen in 12 hours and 1,000 kg/day), which will augment current data collection efforts managed by the National Renewable Energy Laboratory (NREL). The industry also lacks the demonstration and standardization of stations utilizing on-site renewable hydrogen production and critically important protocols to develop standards for safely and quickly

refueling trucks at 700 bar pressure. The delivery method proposed in this project will provide valuable experience that can inform efforts to develop industry-wide standards.

Market barriers that need to be overcome include the inability to predict future behavior related to fuel cell-electric truck (FCET) deployments and the availability of hydrogen refueling infrastructure. The deployment and operation of a large-capacity station servicing a fleet of 10 or more FCETs will provide real-world data on market drivers, fuel supply logistics, and station demand — all key variables to feed the analysis necessary to understand future market scenarios. Finally, cost and financial barriers may be the most significant hurdles to overcome. Early station deployments will be significantly underutilized, and a limited number of companies with the technical expertise and financial resources are able to bear this level of financial burden and risk, especially during early-stage deployment. Another key barrier is the high cost of station equipment, in particular the costs associated with pre-cooling systems and redundancy systems to ensure uptime and availability.

Goals of the Agreement:

The goal of this Agreement is to facilitate the expansion and commercialization of large-scale heavy-duty truck fueling stations using hydrogen from 100% renewable biogas, to accelerate the transition to an emission-free freight industry.

Objectives of the Agreement:

The objectives of this Agreement are to provide a hydrogen refueling station at the Port of Long Beach, California, in collaboration with the public and private sectors, with the following results:

- Demonstrate that a sustainable economic business model is achievable for hydrogen refueling station sites for freight, featuring the considerable experience of the Recipient in retail station design, operations, and maintenance.
- Provide evidence that hydrogen refueling station technology can fuel heavy-duty trucks safely and reliably.
- Prove the technology readiness, scalability and economic viability of the Recipient's hydrogen refueling station design to dispense enough fuel at 700 bar pressure for 10-15 FCETs per day.
- Demonstrate that the Recipient's hydrogen refueling station can be fueled with 100% renewable hydrogen.

TASK 1 ADMINISTRATION

Task 1.1 Attend Kick-off Meeting

The goal of this task is to establish the lines of communication and procedures for implementing this Agreement. The Commission Agreement Manager (CAM) shall designate the date and location of this meeting and provide an agenda to the Recipient prior to the meeting.

The Recipient shall:

- Attend a “Kick-Off” meeting with the CAM, the Commission Agreement Officer (CAO), and a representative of the Energy Commission Accounting Office. The Recipient shall bring their Project Manager, Agreement Administrator, Accounting Officer, and any others determined necessary by the Recipient or specifically requested by the CAM to this meeting.
- Discuss the following administrative and technical aspects of this Agreement:
 - Agreement Terms and Conditions
 - Critical Project Review (Task 1.2)
 - Match fund documentation (Task 1.6) No reimbursable work may be done until this documentation is in place.
 - Permit documentation (Task 1.7)
 - Subcontracts needed to carry out project (Task 1.8)
 - The CAM's expectations for accomplishing tasks described in the Scope of Work
 - An updated Schedule of Products and Due Dates
 - Monthly Progress Reports (Task 1.4)
 - Technical Products (Product Guidelines located in Section 5 of the Terms and Conditions)
 - Final Report (Task 1.5)

Recipient Products:

- Updated Schedule of Products
- Updated List of Match Funds
- Updated List of Permits

Commission Agreement Manager Product:

- Kick-Off Meeting Agenda

Task 1.2 Critical Project Review (CPR) Meetings

CPRs provide the opportunity for frank discussions between the Energy Commission and the Recipient. The goal of this task is to determine if the project should continue to receive Energy Commission funding to complete this Agreement and to identify any needed modifications to the tasks, products, schedule or budget.

The CAM may schedule CPR meetings as necessary, and meeting costs will be borne by the Recipient.

Meeting participants include the CAM and the Recipient and may include the Commission Agreement Officer, the Fuels and Transportation Division (FTD) program lead, other Energy Commission staff and Management as well as other individuals selected by the CAM to provide support to the Energy Commission.

The CAM shall:

- Determine the location, date, and time of each CPR meeting with the Recipient. These meetings generally take place at the Energy Commission, but they may take place at another location.
- Send the Recipient the agenda and a list of expected participants in advance of each CPR. If applicable, the agenda shall include a discussion on both match funding and permits.
- Conduct and make a record of each CPR meeting. Prepare a schedule for providing the written determination described below.
- Determine whether to continue the project, and if continuing, whether or not modifications are needed to the tasks, schedule, products, and/or budget for the remainder of the Agreement. Modifications to the Agreement may require a formal amendment (please see section 8 of the Terms and Conditions). If the CAM concludes that satisfactory progress is not being made, this conclusion will be referred to the Lead Commissioner for Transportation for his or her concurrence.
- Provide the Recipient with a written determination in accordance with the schedule. The written response may include a requirement for the Recipient to revise one or more product(s) that were included in the CPR.

The Recipient shall:

- Prepare a CPR Report for each CPR that discusses the progress of the Agreement toward achieving its goals and objectives. This report shall include recommendations and conclusions regarding continued work of the projects. This report shall be submitted along with any other products identified in this scope of work. The Recipient shall submit these documents to the CAM and any other designated reviewers at least 15 working days in advance of each CPR meeting.
- Present the required information at each CPR meeting and participate in a discussion about the Agreement.

CAM Products:

- Agenda and a list of expected participants
- Schedule for written determination
- Written determination

Recipient Product:

- CPR Report(s)

Task 1.3 Final Meeting

The goal of this task is to closeout this Agreement.

The Recipient shall:

- Meet with Energy Commission staff to present the findings, conclusions, and recommendations. The final meeting must be completed during the closeout of this Agreement.

This meeting will be attended by, at a minimum, the Recipient, the Commission Grants Office Officer, and the Commission Agreement Manager. The technical and administrative aspects of Agreement closeout will be discussed at the meeting, which may be two separate meetings at the discretion of the Commission Agreement Manager.

The technical portion of the meeting shall present an assessment of the degree to which project and task goals and objectives were achieved, findings, conclusions, recommended next steps (if any) for the Agreement, and recommendations for improvements. The Commission Agreement Manager will determine the appropriate meeting participants.

The administrative portion of the meeting shall be a discussion with the Commission Agreement Manager and the Grants Officer about the following Agreement closeout items:

- What to do with any equipment purchased with Energy Commission funds (Options)
- Energy Commission's request for specific "generated" data (not already provided in Agreement products)
- Need to document Recipient's disclosure of "subject inventions" developed under the Agreement
- "Surviving" Agreement provisions
- Final invoicing and release of retention
- Prepare a schedule for completing the closeout activities for this Agreement.

Products:

- Written documentation of meeting agreements

- Schedule for completing closeout activities

Task 1.4 Monthly Progress Reports

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

The objectives of this task are to summarize activities performed during the reporting period, to identify activities planned for the next reporting period, to identify issues that may affect performance and expenditures, and to form the basis for determining whether invoices are consistent with work performed.

The Recipient shall:

- Prepare a Monthly Progress Report which summarizes all Agreement activities conducted by the Recipient for the reporting period, including an assessment of the ability to complete the Agreement within the current budget and any anticipated cost overruns. Each progress report is due to the Commission Agreement Manager within 10 days of the end of the reporting period. The recommended specifications for each progress report are contained in Section 6 of the Terms and Conditions of this Agreement.
- In the first Monthly Progress Report and first invoice, document and verify match expenditures and provide a synopsis of project progress, if match funds have been expended or if work funded with match share has occurred after the notice of proposed award but before execution of the grant agreement. If no match funds have been expended or if no work funded with match share has occurred before execution, then state this in the report. All pre-execution match expenditures must conform to the requirements in the Terms and Conditions of this Agreement.

Product:

- Monthly Progress Reports

Task 1.5 Final Report

The goal of the Final Report is to assess the project's success in achieving the Agreement's goals and objectives, advancing science and technology, and providing energy-related and other benefits to California.

The objectives of the Final Report are to clearly and completely describe the project's purpose, approach, activities performed, results, and advancements in science and technology; to present a public assessment of the success of the project as measured by the degree to which goals and objectives were achieved; to make insightful observations based on results obtained; to draw conclusions; and to make recommendations for further projects and improvements to the FTD project management processes.

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

The Recipient shall:

- Prepare an Outline of the Final Report, if requested by the CAM.
- Prepare a Final Report following the latest version of the Final Report guidelines which will be provided by the CAM. The CAM shall provide written comments on the Draft Final Report within fifteen (15) working days of receipt. The Final Report must be completed at least 60 days before the end of the Agreement Term.
- Submit one bound copy of the Final Report with the final invoice.

Products:

- Outline of the Final Report, if requested
- Draft Final Report
- Final Report

Task 1.6 Identify and Obtain Matching Funds

The goal of this task is to ensure that the match funds planned for this Agreement are obtained for and applied to this Agreement during the term of this Agreement.

The costs to obtain and document match fund commitments are not reimbursable through this Agreement. Although the Energy Commission budget for this task will be zero dollars, the Recipient may utilize match funds for this task. Match funds shall be spent concurrently or in advance of Energy Commission funds for each task during the term of this Agreement. Match funds must be identified in writing and the associated commitments obtained before the Recipient can incur any costs for which the Recipient will request reimbursement.

The Recipient shall:

- Prepare a letter documenting the match funding committed to this Agreement and submit it to the Commission Agreement Manager at least 2 working days prior to the kick-off meeting. If no match funds were part of the proposal that led to the Energy Commission awarding this Agreement and none have been identified at the time this Agreement starts, then state such in the letter. If match funds were a part of the proposal that led to the Energy Commission awarding this Agreement, then provide in the letter a list of the match funds that identifies the:
 - Amount of each cash match fund, its source, including a contact name, address and telephone number and the task(s) to which the match funds will be applied.

- Amount of each in-kind contribution, a description, documented market or book value, and its source, including a contact name, address and telephone number and the task(s) to which the match funds will be applied. If the in-kind contribution is equipment or other tangible or real property, the Recipient shall identify its owner and provide a contact name, address and telephone number, and the address where the property is located.
- Provide a copy of the letter of commitment from an authorized representative of each source of cash match funding or in-kind contributions that these funds or contributions have been secured. For match funds provided by a grant a copy of the executed grant shall be submitted in place of a letter of commitment.
- Discuss match funds and the implications to the Agreement if they are reduced or not obtained as committed, at the kick-off meeting. If applicable, match funds will be included as a line item in the progress reports and will be a topic at CPR meetings.
- Provide the appropriate information to the Commission Agreement Manager if during the course of the Agreement additional match funds are received.
- Notify the Commission Agreement Manager within 10 days if during the course of the Agreement existing match funds are reduced. Reduction in match funds must be approved through a formal amendment to the Agreement and may trigger an additional CPR meeting.

Products:

- A letter regarding match funds or stating that no match funds are provided
- Copy(ies) of each match fund commitment letter(s) (if applicable)
- Letter(s) for new match funds (if applicable)
- Letter that match funds were reduced (if applicable)

Task 1.7 Identify and Obtain Required Permits

The goal of this task is to obtain all permits required for work completed under this Agreement in advance of the date they are needed to keep the Agreement schedule on track.

Permit costs and the expenses associated with obtaining permits are not reimbursable under this Agreement. Although the Energy Commission budget for this task will be zero dollars, the Recipient shall budget match funds for any expected expenditures associated with obtaining permits. Permits must be identified in writing and obtained before the Recipient can make any expenditure for which a permit is required.

The Recipient shall:

- Prepare a letter documenting the permits required to conduct this Agreement and submit it to the Commission Agreement Manager at least 2 working days prior to the kick-off meeting. If there are no permits required at the start of this Agreement, then state such in the letter. If it is known at the beginning of the Agreement that permits will be required during the course of the Agreement, 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
 - The schedule the Recipient 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 and develop a timetable for submitting the updated list, schedule and the copies of the permits. The implications to the 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 Progress Reports and will be a topic at CPR meetings.
- If during the course of the Agreement additional permits become necessary, provide the appropriate information on each permit and an updated schedule to the Commission Agreement Manager.
- As permits are obtained, send a copy of each approved permit to the Commission Agreement Manager.
- If during the course of the Agreement permits are not obtained on time or are denied, notify the Commission Agreement Manager within 5 working days. Either of these events may trigger an additional CPR.

Products:

- Letter documenting the permits or stating that no permits are required
- A copy of each approved permit (if applicable)
- Updated list of permits as they change during the term of the Agreement (if applicable)
- Updated schedule for acquiring permits as changes occur during the term of the Agreement (if applicable)
- A copy of each final approved permit (if applicable)

Task 1.8 Obtain and Execute Subcontracts

The goal of this task is to ensure quality products and to procure subcontractors required to carry out the tasks under this Agreement consistent with the Agreement Terms and Conditions and the Recipient's own procurement policies and procedures. It will also provide the Energy Commission an opportunity to review the subcontracts to ensure that the tasks are consistent with this Agreement, and that the budgeted expenditures are reasonable and consistent with applicable cost principles.

The Recipient shall:

- Manage and coordinate subcontractor activities.
- Submit a draft of each subcontract required to conduct the work under this Agreement to the Commission Agreement Manager for review.
- Submit a final copy of the executed subcontract.
- If Recipient decides to add new subcontractors, then the Recipient shall notify the CAM.

Products:

- Letter describing the subcontracts needed, or stating that no subcontracts are required
- Draft subcontracts
- Final subcontracts

TECHNICAL TASKS

TASK 2 COMPLETION OF CRITICAL MILESTONES

The goal of this task is to prepare the selected site for station installation.

- The Recipient must hold an in-person pre-application meeting, for CEQA and permits to build and operate the proposed hydrogen refueling station, with the authority that has jurisdiction over the project and entitlement process.

The Recipient shall:

- By the date specified in the Schedule of Products and Due Dates, hold an in-person pre-application meeting with the Port of Long Beach, the authority that has jurisdiction over the project and entitlement process, for permits to build and operate the hydrogen refueling station.

Products:

- Documentation of an in-person pre-application meeting with the authority that has jurisdiction over the project for CEQA
- Permits to build and operate the hydrogen refueling station

TASK 3 STATION ENGINEERING, EQUIPMENT PROCUREMENT AND SITE INSTALLATION

The goal of this task is to finalize the engineering design, procure equipment, submit permits, and complete installation for the development of a hydrogen refueling station located at: **785 Edison Ave., Long Beach, CA 90813.**

The Recipient shall:

- Finalize detailed engineering design and equipment layouts for the proposed fueling station installation.
- Develop and assemble all necessary engineering drawings and documentation.
- Finalize major equipment list needed for all aspects of the hydrogen refueling station.
- Prepare an equipment list for the station which will include but is not limited to:
 - Description of each item
 - Test protocols and codes applicable to each item
- Complete purchase orders and submit for procurement the equipment required for the hydrogen station installation.
- Complete engineering activities necessary for the needed permits.
- Prepare and submit construction and installation permits.
- Ensure all major equipment is appropriately conditioned and tested prior to shipment.
- Complete all construction and installation including civil, structural, electrical, and mechanical installation per the engineering design and in compliance with local permitting requirements and local and national codes.
- Prepare Safety Training Plan.
- Conduct safety training with engineering personnel and contractors.
- Prepare Preventative Maintenance Plan.
- Provide written documentation to the CAM that station installation is complete. Include a proposed date when operation will begin, and photographs of the station.

Products:

- Equipment list for the station
- Permit and CEQA extracts
- Written notification of Safety Training Plan
- Written notification of Preventative Maintenance Plan
- Written Notification regarding station installation

- Photographs of installed equipment

TASK 4 STATION COMMISSIONING AND OPERATIONS START-UP

The goals of this task are to test and commission the hydrogen refueling station to become operational.

The Recipient shall:

- Complete engineering readiness review of station equipment and safety systems.
- Complete commissioning and start-up of the hydrogen refueling station.
- Provide written notification to the CAM of when the station becomes operational.
- Prepare a Station Acceptance Testing Report which will include:
 - Documentation of the station readiness review
 - Station commissioning test results
 - Recommended additions to the safety and maintenance plans
 - Station photographs showing evidence of filling one FCET with hydrogen, the vehicle identification number (VIN) of the vehicle, and the system components installed at the station

Products:

- Written notification of when the station becomes operational either by corporate email or on company letterhead
- Station Acceptance Testing Report for the station
- Photographs of the system components installed at the station and of the filling and VIN of one FCET

TASK 5 DATA COLLECTION AND ANALYSIS

The goal of this task is to collect operational data from the project, to analyze that data for economic and environmental impacts, and to include the data and analysis in the Final Report.

The Recipient shall:

- Develop a plan for securing FCET and data collection test plan.
- Troubleshoot any identified issues.
- Collect 12 months of throughput, usage, and operations data from the project including but not limited to:
 - Maximum capacity of the new fueling system
 - Gallons of gasoline and/or diesel fuel displaced (with associated mileage information)

- Expected air emissions reductions including but not limited to:
 - Oxides of nitrogen
 - Particulate matter
- Duty cycle of the current fleet and the expected duty cycle of future vehicle acquisitions
- Specific jobs and economic development resulting from this project
- Identify any current and planned use of renewable energy at the facility.
- Identify the source of the alternative fuel.
- Describe any energy efficiency measures used in the facility that may exceed Title 24 standards in Part 6 of the California Code of Regulations.
- Provide data on potential job creation, economic development, and increased state revenue as a result of expected future expansion.
- Provide a quantified estimate of the project's carbon intensity values for lifecycle greenhouse gas emissions.
- Compare project performance and expectations provided in the proposal to Energy Commission with actual project performance and accomplishments.
- Collect data, information, and analysis described above and include in the Final Report.

Products:

- Data Collection Test Plan
- Data collection information and analysis that will be included in the Final Report

RESOLUTION NO: 18-1107-18

STATE OF CALIFORNIA

**STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION**

**RESOLUTION - RE: EQUILON ENTERPRISES LLC (d/b/a SHELL OIL PRODUCTS
USA) PROJECT**

WHEREAS, the Port of Long Beach is the Lead Agency for the “Toyota Logistics Services Improvement Project,” a project to add buildings and facilities to the existing Toyota Logistics Services (TLS) facility, located at the Port of Long Beach (hereinafter “Project,”); and

WHEREAS, the Port of Long Beach prepared a Mitigated Negative Declaration (MND) for the Project to evaluate the potential environmental impacts of implementing the Project; and

WHEREAS, the Port of Long Beach, on August 13, 2018, certified the MND for the Project, a copy of which is on file with the California Energy Commission; and

WHEREAS, the Port of reviewed and considered the MND for the Project, adopted findings required by the California Environmental Quality Act (“CEQA”), including a Mitigation Monitoring and Reporting Program (MMRP), and approved the project by adoption of Harbor Development Permit HDP-16-057, a copy of which is on file with the California Energy Commission; and

WHEREAS, the Energy Commission is considering a proposed Agreement ARV-18-002, “Renewable Hydrogen Fueling at Scale for Freight (H2Freight)” (hereafter, “ARV-18-002”) a grant to fund the development of a high-capacity hydrogen fueling station servicing and promoting the expansion of zero-emission fuel cell electric Class 8 drayage trucks within the Project; and

Prior to acting on the Agreement ARV-18-002, the Energy Commission desires to make certain findings pursuant to the CEQA Guidelines, title 14, section 15096;

NOW THEREFORE, BE IT RESOLVED:

1. The Energy Commission has reviewed the information contained in the Mitigated Negative Declaration that is relevant to its approval of ARV-18-002, and has reviewed the CEQA findings contained in the Mitigated Negative Declaration, including the Mitigation Monitoring and Reporting Program, and the Port of Long Beach’s Harbor Development Permit, which are adopted to the extent that they are relevant to the Energy Commission’s decision to approve ARV-18-002.
2. The Port of Long Beach has already adopted the mitigation measures recommended in the Mitigated Negative Declaration and Mitigation Monitoring and

Reporting Program, has authority to implement the mitigation measures or to seek any required approvals for the mitigation measures, and the Energy Commission has no direct authority to implement the mitigation measures.

3. The Energy Commission has reviewed and considered the Mitigated Negative Declaration and finds that the Mitigated Negative Declaration is adequate for its use as the decision-making body for its consideration of ARV-18-002.
4. Approval of ARV-18-002 is within the scope of the Toyota Logistics Services Improvement Project, and the activities evaluated in the Mitigated Negative Declaration.
5. Since the Mitigated Negative Declaration was finalized, there have been no substantial Project changes and no substantial changes in the Project circumstances that would require major revisions to the Mitigated Negative Declaration due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusions set forth in the Mitigated Negative Declaration.
6. The Energy Commission has not identified any feasible alternative or additional feasible mitigation measures within its power that would substantially lessen or avoid any significant effect the Project would have on the environment.

THEREFORE BE IT RESOLVED, that the Energy Commission finds, on the basis of the entire record before it, that the mitigation measures incorporated in the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan will prevent ARV-18-002 from having any significant environmental impacts; and

BE IT FURTHER RESOLVED, that the Energy Commission approves Agreement ARV-18-002 with Equilon Enterprises LLC (d/b/a Shell Oil Products US) for \$8,000,000; and

BE IT FURTHER RESOLVED, that this document authorizes the Executive Director or his or her designee 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 November 7, 2018.

AYE: *[List Commissioners]*

NAY: *[List Commissioners]*

ABSENT: *[List Commissioners]*

ABSTAIN: *[List Commissioners]*

*Cody Goldthrite,
Secretariat*