

**State of California
Air Resources Board
Executive Order DG-057
Distributed Generation Certification of
FuelCell Energy, Inc
SureSource 3000 Fuel Cell**

Whereas, the California Air Resources Board (CARB) was given the authority under California Health and Safety Code section 41514.9 to establish a statewide Distributed Generation (DG) Certification Program to certify electrical generation technologies that are exempt from the permit requirements of air pollution control or air quality management districts;

Whereas, CARB adopted the DG Certification Regulation in California Code of Regulations (CCR), title 17, article 3, sections 94200 to 94214;

Whereas, this DG Certification does not constitute an air pollution permit or eliminate the responsibility of the end user to comply with all federal, state, and local laws, rules, and regulations;

Whereas, on December 14, 2023, FuelCell Energy, Inc. applied for a DG Certification of its 2800 kW SureSource 3000 Fuel Cell and whose application was deemed complete on January 5, 2024.

Whereas, the SureSource 3000 Fuel Cell is not manufactured and sold with integrated combined heat and power technology;

Whereas, FuelCell Energy, Inc. has demonstrated, according to test methods specified in title 17, CCR, section 94207, that its anaerobic digester gas fueled SureSource 3000 Fuel Cell has complied with the following emission standards:

1. Emissions of oxides of nitrogen no greater than 0.07 pounds per megawatt-hour;
2. Emissions of carbon monoxide no greater than 0.10 pounds per megawatt-hour; and
3. Emissions of volatile organic compounds no greater than 0.02 pounds per megawatt hour.

Whereas, FuelCell Energy, Inc. has demonstrated that its SureSource 3000 Fuel Cell complies with the emission durability requirements in title 17, CCR, section 94203(d);

Whereas, I find that the Applicant, FuelCell Energy, Inc., has met the requirements specified in article 3, title 17, CCR, and has satisfactorily demonstrated that the 2800 kW SureSource 3000 Fuel Cell meets the DG Certification Regulation's 2013 waste gas emission standards;

Now, therefore, it is hereby ordered, that a DG certification, Executive Order DG-057 is granted.

This DG Certification:

1. Is subject to all conditions and requirements of CARB's DG Certification Program, article 3, title 17, CCR, including the provisions relating to inspection, denial, suspension, and revocation.
2. Shall be void if any manufacturer's modification results in an increase in emissions or changes the efficiency or operating conditions of a model, such that the model no longer meets the DG Certification Regulation's 2013 waste gas emission standards.
3. Shall expire on the 15th day of February, 2029.

Executed at Sacramento, California, this 15th day of February, 2024.



Heather Quiros, Chief
Enforcement Division