

State of California
AIR RESOURCES BOARD
Executive Order DG-039
Distributed Generation Certification of
FlexEnergy Energy Systems
250ST Microturbine

WHEREAS, the Air Resources Board (ARB) 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, 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 May 8 2012, FlexEnergy Energy Systems applied for a DG Certification of its 250 kW, 250ST Microturbine;

WHEREAS, FlexEnergy Energy Systems has demonstrated that the 250ST microturbine complies with the minimum efficiency requirement in title 17, California Code of Regulations (CCR), section 94203(b);

WHEREAS, FlexEnergy Energy Systems has demonstrated, according to test methods specified in title 17, CCR, section 94207, that its digester-gas-fueled 250ST microturbine has complied with the following emission standards:

1. Emissions of oxides of nitrogen no greater than 0.5 pounds per megawatt-hour;
2. Emissions of carbon monoxide no greater than 6.0 pounds per megawatt-hour; and
3. Emissions of volatile organic compounds no greater than 1.0 pounds per megawatt-hour.

WHEREAS, FlexEnergy Energy Systems has demonstrated that its 250ST microturbine complies with the emission durability requirements in title 17, CCR, section 94203(d);

WHEREAS, I find that the Applicant, FlexEnergy Energy Systems, has met the requirements specified in article 3, title 17, CCR, and has satisfactorily demonstrated that the 250ST Microturbine meets the DG Certification Regulation 2008 Waste Gas Emission Standards;

NOW THEREFORE, IT IS HEREBY ORDERED, that a DG Certification, Executive Order DG-039 is granted.

This DG Certification:

- 1) is subject to all conditions and requirements of the ARB'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 2008 Waste Gas Emission Standards; and
- 3) shall expire on the 31st day of December, 2012.

Executed at Sacramento, California, this 19th day of October 2012.

James Goldstene
Executive Officer
by

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Cynthia Marvin, Chief
Stationary Source Division