

UPDATED INFORMATIVE DIGEST

ESTABLISH A DISTRIBUTED GENERATION CERTIFICATION PROGRAM

Sections Affected: Adoption of sections 94200-94214, in article 3, subchapter 8, chapter 1, division 3 of title 17, California Code of Regulations (CCR).

Background

The California Distributed Generation Certification Program (Program), was established by Senate Bill (SB) 1298 (chapter 741, statutes of 2000). SB 1298 focuses on electrical generation that is near the place of use, and defines these sources as “distributed generation” (DG).

The DG certification program created by SB 1298 is a new program and is codified in Health and Safety Code sections 41514.9 and 41514.10. This law requires the Air Resources Board (ARB) to adopt uniform emission standards for electrical generation technologies that are exempt from air pollution control or air quality management district (district) permit requirements and establish a certification program for technologies subject to these standards.

SB 1298 mandates two levels of emissions standards for affected DG technologies. The law requires that the first set of standards become effective no later than January 1, 2003, and reflects the best performance achieved in practice by existing DG technologies that are exempt from district permitting requirements. The law also requires that, by the earliest practicable date, the final set of standards be made equivalent to the level determined by the ARB to be Best Available Control Technology (BACT) for permitted central station power plants in California. The emission standards must be expressed in pounds per megawatt hour (lbs/MW-hr) to reflect the various efficiencies of electrical generation technologies.

Description of the Proposed Regulatory Action

After January 1, 2003, new electrical generation units to be sold, leased, or used in California, and that are exempt from district’s permit requirements, must be certified by the ARB to defined emission standards. The ARB staff will assist the manufacturers with determining exemption levels for each district. If a proposed unit is subject to the district’s permit requirements, it need not be certified by the ARB before it is sold, leased, or operated in that district. Equipment operating before January 1, 2003, will not be subject to the proposed standards.

The regulation also includes labeling requirements, testing procedures, record keeping requirements, recertification requirements, and payment of fees for technologies subject to the certification program. In accordance with Government Code sections 11345.3(c) and 11346.5(a)(11), the ARB’s Executive

Officer has found that the record keeping and reporting requirements of the regulation are necessary for the health, safety, and welfare of the people of the State. Lastly, the regulation provides for the denial, suspension, or revocation of certificates and creates an administrative appeals process for review of denials, suspensions, or revocations of certificates issued under the program. The types of technologies that will be subject to the emission standards include microturbines, reformer-based fuel cells, small reciprocating engines, external combustion engines, or any combination thereof.