



## **NIST Handbook 44 Hydrogen Gas-Measuring Devices Code Pre-Rulemaking Workshop**

The California Department of Food and Agriculture (CDFA), Division of Measurement Standards (DMS) will conduct a workshop to develop regulatory language to amend Section 3.39. Hydrogen Gas-Measuring Devices Code contained in the National Institute of Standards and Technology (NIST) Handbook 44 (HB 44), “*Specifications, Tolerances, and Other Technical Requirements for Weighing and Measuring Devices*,” and adopted by reference by CDFA.

**Thursday, August 11, 2022**

9:00 a.m. – 12:00 p.m.

California Department of Food and Agriculture

1220 N Street

First Floor, Auditorium

Sacramento, CA 95814

Remote Access Available through GoToWebinar

### **Purpose**

The purpose of this pre-rulemaking workshop is to provide stakeholders an opportunity to comment on a proposed regulation to amend California Code of Regulations (CCR), Title 4, Division 9, Chapter 1, Part 3, § 3.39. Hydrogen Gas-Measuring Devices Code prior and in addition to the comment period mandated by the California Administrative Procedure Act. The objective of the regulation is to facilitate the Governor’s Zero Emissions Vehicle (ZEV) initiatives and address needed operational fueling safety and performance requirements. Manufacturers of hydrogen fuel cell electric vehicles (HFCEVs) and the California Energy Commission (CEC) have included the requirements for state co-funded hydrogen fueling stations, but no such requirement exists for privately developed stations. Adding the operational safety and reliability standards developed by SAE International (SAE) and the Canadian Standards Association (CSA) to the User Requirements in Section 3.39. Hydrogen Gas-Measuring Devices Code will provide consistency, safety, and confidence in the safe and reliable fueling of HFCEVs at all retail hydrogen fueling stations operating in California.

### **Background**

SAE International is a consensus standards organization that established SAE J-2601 which is a safety and operational performance fueling protocol for fueling hydrogen fuel cell electric vehicles (HFCEVs). In addition, Canadian Standards Association (CSA) is

another consensus standards organization that established CSA HGV 4.3 -Test methods for hydrogen fuelling parameter evaluation. Both SAE J-2601 and CSA HGV 4.3 are essential for automobile manufacturers to have confidence in a hydrogen fueling station's safety and performance, and allow their customers to fuel vehicles at the various hydrogen fueling stations in the state. Conformance to this standard ensures vehicle manufacturers that vehicles will be fueled in accordance with a recognized standard that provides consistent fueling and allows manufacturers to maintain vehicle equipment warranties. The current version of NIST HB 44 does not include SAE J-2601 or CSA HGV 4.3 as part of the technical requirements for hydrogen motor fuel dispensers.

As part of the grant funding requirements for CEC supported hydrogen fueling stations, conformance to SAE-2601 as verified by CSA HGV 4.3 is mandatory. Prior to 2022, hydrogen stations operating in the state have been co-funded by CEC grant awards and subject to verification. Now, privately funding hydrogen fueling stations are in development and safety, performance, and marketplace equity for these stations must be addressed.

CDFA has determined that regulatory amendments are necessary for the following reasons:

1. The amendment to include the SAE J-2601 fueling protocol as verified by CSA HGV 4.3 is a requirement of HFCEV manufacturers prior to authorizing owner/operators of their vehicles to use a hydrogen fueling station.
2. Amending the regulations would apply the essential technical fueling protocol and test method to the user requirements for all retail hydrogen fueling stations providing equity, consistency, and uniform performance and safety requirements.
3. The adoption of SAE-2601 and CSA HGV 4.3 is consistent with the National Fire Protection Act and supported by the California Air Resources Board, California Energy Commission, CalFire, and original equipment manufacturers (OEMs) of HFCEVs.

### **Stakeholder Comment**

Oral comments: Staff will accept oral comments during the pre-rulemaking workshop. All stakeholder comments and concerns will be considered by the Department to facilitate effective development of formal regulatory language. Formal regulatory language will be submitted to the Office of Administrative Law (OAL) after stakeholder comments and concerns have been reviewed by Department staff.

Written comments: Written comments may be accepted at the workshop; however, staff may or may not have time to review them before the workshop's conclusion. Written comments can be submitted to CDFA DMS, 6790 Florin Perkins Road, Suite 100, Sacramento, California 95828. Comments may also be submitted by facsimile (FAX) at (916) 229-3026 or by e-mail at [dms@cdfa.ca.gov](mailto:dms@cdfa.ca.gov). Please submit with Attention: Kevin Schnepf in the subject or title line.

Please note that your written and oral comments, attachments, and associated contact information (if provided, commenters may remain anonymous), will likely become part of the documents relied upon section included in the regulatory package submitted to OAL.

### **Remote Access**

You may participate in this meeting through GoToWebinar. Presentations will appear on your computer screen and you may listen to audio via your computer or telephone. Please be aware that a recording of this informal workshop may be made to assist the Department in accurately capturing all stakeholder comments and questions presented.

Please register at the link below (Webinar ID: 471-787-403):

<https://attendee.gotowebinar.com/register/131925327213675787>

You may use an alias when registering if you prefer to remain anonymous. After registering, you will receive a confirmation email containing information about joining the webinar. If you have difficulty joining the meeting, please call Technical Support at +1(833) 851-8340

### **Availability of Documents**

Following the meeting, documents, including staff reports, presentations, and public comments, will be available online at: <http://www.cdfa.ca.gov/dms/regulations.html>