



State of Utah

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Department of Environmental Quality

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DIVISION OF AIR QUALITY
Bryce C. Bird
Director

DAQE-IN163550001-26

August 4, 2026

Jon Hirt
Volition Industries, Inc.
421 West Rivers Edge Drive
Provo, UT 84604
jon@volition.eco

Dear Mr. Hirt:

Re: Intent to Approve: New Spanish Fork Power Generation Facility
Project Number: N163550001

The attached document is the Intent to Approve (ITA) for the above-referenced project. The ITA is subject to public review. Any comments received shall be considered before an Approval Order (AO) is issued. The Division of Air Quality is authorized to charge a fee for reimbursement of the actual costs incurred in the issuance of an AO. An invoice will follow upon issuance of the final AO.

Future correspondence on this ITA should include the engineer's name, **Christine Bodell**, as well as the DAQE number as shown on the upper right-hand corner of this letter. Christine Bodell, can be reached at (385) 290-2690 or cbodell@utah.gov, if you have any questions.

Sincerely,

Alan D. Humpherys, Manager
New Source Review Section

ADH:CB:jg

cc: Utah County Health Department

STATE OF UTAH
Department of Environmental Quality
Division of Air Quality

INTENT TO APPROVE
DAQE-IN163550001-26
New Spanish Fork Power Generation Facility

Prepared By
Christine Bodell, Engineer
(385) 290-2690
cbodell@utah.gov

Issued to
Volition Industries, Inc. - Spanish Fork Data Center

Issued On
August 4, 2026

A handwritten signature in black ink, appearing to read "Alan D. Humpherys", with a stylized, flowing script.

New Source Review Section Manager
Alan D. Humpherys

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GENERAL INFORMATION

CONTACT/LOCATION INFORMATION

Owner Name

Volition Industries, Inc.

Source Name

Volition Industries, Inc. - Spanish Fork Data Center

Mailing Address421 West Rivers Edge Drive
Provo, UT 84604**Physical Address**4000 East Highway 6
Spanish Fork, UT 84660**Source Contact**Name: Jon Hirt
Phone: (949) 436-2482
Email: jon@volition.eco**UTM Coordinates**449,800 m Easting
4,436,600 m Northing
Datum NAD83
UTM Zone 12**SIC code** 4911 (Electric Services)

SOURCE INFORMATION

General Description

Volition Industries, Inc. (Volition) operates a fuel cell-based power generation facility in Spanish Fork, Utah County. The facility utilizes solid oxide fuel cell (SOFC) technology, which generates electricity through an electrochemical process without combustion. The system converts the chemical energy in fuel directly into electrical energy using a ceramic electrolyte that transports oxygen ions to oxidize fuel at high temperature. The facility consists of up to 1,210 units, with a combined nameplate generating capacity of 393.25 megawatts (MW) (325 kW per unit).

NSR Classification

New Minor Source

Source Classification

Located in Provo UT PM_{2.5} Maintenance Area, Southern Wasatch Front O3 NAA, Utah County PM₁₀ Maint Area
Utah County
Airs Source Size: B

Applicable Federal Standards

None

Project Description

The facility operates an array of 1,210 SOFC modules in parallel to generate 325 MW of electricity. Natural gas is supplied to the system and internally reformed with steam to create a hydrogen-rich fuel stream. Air enters the cathode side of the cell, where oxygen molecules gain electrons to become oxygen ions. These ions migrate directly through a solid ceramic electrolyte to the anode, where they

electrochemically react with the reformed hydrogen fuel. Because this reaction is entirely electrochemical rather than combustion-based, electrons are released through an external circuit to generate direct current power without burning the fuel. An integrated inverter system then converts this power into usable alternating current for independent, on-site consumption. The system releases a high-temperature exhaust stream consisting primarily of water vapor and carbon dioxide.

SUMMARY OF EMISSIONS

The emissions listed below are an estimate of the total potential emissions from the source. Some rounding of emissions is possible.

Criteria Pollutant	Change (TPY)	Total (TPY)
CO ₂ Equivalent		1434855.00
Carbon Monoxide		22.39
Nitrogen Oxides		5.17
Particulate Matter - PM ₁₀		0.12
Particulate Matter - PM _{2.5}		0.12
Sulfur Dioxide		0.01
Volatile Organic Compounds		17.22

Hazardous Air Pollutant	Change (lbs/yr)	Total (lbs/yr)
Benzene (Including Benzene From Gasoline) (CAS #71432)		60
Generic HAPs (CAS #GHAPS)		180
Methanol (CAS #67561)		320
Xylenes (Isomers And Mixture) (CAS #1330207)		20
	Change (TPY)	Total (TPY)
Total HAPs		0.29

PUBLIC NOTICE STATEMENT

The NOI for the above-referenced project has been evaluated and has been found to be consistent with the requirements of UAC R307. Air pollution producing sources and/or their air control facilities may not be constructed, installed, established, or modified prior to the issuance of an AO by the Director.

A 30-day public comment period will be held in accordance with UAC R307-401-7. A notification of the intent to approve will be published in The Daily Herald on August 6, 2026. During the public comment period, the proposal and the evaluation of its impact on air quality will be available for the public to review and provide comment. If anyone so requests a public hearing within 15 days of publication, it will be held in accordance with UAC R307-401-7. The hearing will be held as close as practicable to the location of the source. Any comments received during the public comment period and the hearing will be evaluated. The proposed conditions of the AO may be changed as a result of the comments received.

SECTION I: GENERAL PROVISIONS

The intent is to issue an air quality AO authorizing the project with the following recommended conditions and that failure to comply with any of the conditions may constitute a violation of the AO.

I.1	All definitions, terms, abbreviations, and references used in this AO conform to those used in the UAC R307 and 40 CFR. Unless noted otherwise, references cited in these AO conditions refer to those rules. [R307-101]
I.2	The limits set forth in this AO shall not be exceeded without prior approval. [R307-401]
I.3	Modifications to the equipment or processes approved by this AO that could affect the emissions covered by this AO must be reviewed and approved. [R307-401-1]
I.4	All records referenced in this AO or in other applicable rules, which are required to be kept by the owner/operator, shall be made available to the Director or Director's representative upon request. Unless otherwise specified in this AO or in other applicable state and federal rules, records shall be kept for a minimum of two (2) years. [R307-401-8]
I.5	At all times, including periods of startup, shutdown, and malfunction, owners and operators shall, to the extent practicable, maintain and operate any equipment approved under this AO, including associated air pollution control equipment, in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Director which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source. All maintenance performed on equipment authorized by this AO shall be recorded. [R307-401-4]
I.6	The owner/operator shall comply with UAC R307-107. General Requirements: Breakdowns. [R307-107]
I.7	The owner/operator shall comply with UAC R307-150 Series. Emission Inventories. [R307-150]
I.8	The owner/operator shall submit documentation of the status of construction or modification to the Director within 18 months from the date of this AO. This AO may become invalid if construction is not commenced within 18 months from the date of this AO or if construction is discontinued for 18 months or more. To ensure proper credit when notifying the Director, send the documentation to the Director, attn.: NSR Section. [R307-401-18]

SECTION II: PERMITTED EQUIPMENT

The intent is to issue an air quality AO authorizing the project with the following recommended conditions and that failure to comply with any of the conditions may constitute a violation of the AO.

II.A THE APPROVED EQUIPMENT

II.A.1	Fuel Cell-based Power Generation Facility
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II.A.2	SOFC Units Maximum Quantity: One Thousand Two Hundred and Ten (1,210) Nameplate Power Output: 325 kW Per Unit Fuel: Natural Gas Maximum Heat Rate: 7,127 Btu/kWh (2.32 MMBtu/hr) Per Unit
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SECTION II: SPECIAL PROVISIONS

The intent is to issue an air quality AO authorizing the project with the following recommended conditions and that failure to comply with any of the conditions may constitute a violation of the AO.

II.B REQUIREMENTS AND LIMITATIONS

II.B.1	SOFC Requirements
II.B.1.a	The owner/operator shall not allow any visible emissions from the SOFC units on site. [R307-401-8]
II.B.1.a.1	Visual determination of emissions from each SOFC unit shall be conducted according to 40 CFR 60, Appendix A, Method 22. [R307-401-8]
II.B.1.b	The owner/operator shall install SOFC units that are each certified to meet the following emission rates: A. NO _x emission rate of 0.003 lbs/MWh (0.001 kg/MWh) or less B. CO emission rate of 0.013 lbs/MWh (0.005 kg/MWh) or less C. VOC emission rate of 0.01 lbs/MWh (0.004 kg/MWh) or less. [R307-401-8]
II.B.1.b.1	To demonstrate compliance with the above condition, the owner/operator shall maintain the manufacturer's emissions guarantee for the installed SOFC units. [R307-401-8]
II.B.1.c	The owner/operator shall use only natural gas as fuel in the SOFC units. [R307-401-8]
II.B.1.c.1	To demonstrate compliance with the fuel requirement, the owner/operator shall maintain records of natural gas fuel purchase invoices. [R307-401-8]
II.B.1.d	The owner/operator shall not consume more than 23,836 million standard cubic feet (MMscf) of natural gas in all SOFC units combined per rolling 12-month period. [R307-401-8]

II.B.1.d.1	The owner/operator shall: A. Determine gas volume to the SOFC units with a flow meter B. Record total gas volume to the SOFC units on a daily basis C. Use the total gas volume to the SOFC units data to calculate a new rolling 12-month total by the 20th day of each month using data from the previous 12 months D. Keep the total gas volume to the SOFC units records for all periods the plant is in operation. [R307-401-8]
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PERMIT HISTORY

This Approval Order shall supersede (if a modification) or will be based on the following documents:

Is Derived From
Incorporates

NOI dated June 10, 2026
Additional Information dated July 8, 2026

ACRONYMS

The following lists commonly used acronyms and associated translations as they apply to this document:

40 CFR	Title 40 of the Code of Federal Regulations
AO	Approval Order
BACT	Best Available Control Technology
CAA	Clean Air Act
CAAA	Clean Air Act Amendments
CDS	Classification Data System (used by Environmental Protection Agency to classify sources by size/type)
CEM	Continuous emissions monitor
CEMS	Continuous emissions monitoring system
CFR	Code of Federal Regulations
CMS	Continuous monitoring system
CO	Carbon monoxide
CO ₂	Carbon Dioxide
CO ₂ e	Carbon Dioxide Equivalent - Title 40 of the Code of Federal Regulations Part 98, Subpart A, Table A-1
COM	Continuous opacity monitor
DAQ/UDAQ	Division of Air Quality
DAQE	This is a document tracking code for internal Division of Air Quality use
EPA	Environmental Protection Agency
FDCP	Fugitive dust control plan
GHG	Greenhouse Gas(es) - Title 40 of the Code of Federal Regulations 52.21 (b)(49)(i)
GWP	Global Warming Potential - Title 40 of the Code of Federal Regulations Part 86.1818-12(a)
HAP or HAPs	Hazardous air pollutant(s)
ITA	Intent to Approve
LB/YR	Pounds per year
MACT	Maximum Achievable Control Technology
MMBTU	Million British Thermal Units
NAA	Nonattainment Area
NAAQS	National Ambient Air Quality Standards
NESHAP	National Emission Standards for Hazardous Air Pollutants
NOI	Notice of Intent
NO _x	Oxides of nitrogen
NSPS	New Source Performance Standard
NSR	New Source Review
PM ₁₀	Particulate matter less than 10 microns in size
PM _{2.5}	Particulate matter less than 2.5 microns in size
PSD	Prevention of Significant Deterioration
PTE	Potential to Emit
R307	Rules Series 307
R307-401	Rules Series 307 - Section 401
SO ₂	Sulfur dioxide
Title IV	Title IV of the Clean Air Act
Title V	Title V of the Clean Air Act
TPY	Tons per year
UAC	Utah Administrative Code
VOC	Volatile organic compounds