



## MEMORANDUM OF UNDERSTANDING

### Heartland Hydrogen Hub

This Memorandum of Understanding (MOU) made on this 5th day of October 2022, by and between the states of Minnesota, Montana, North Dakota, and Wisconsin establishes a framework for coordinating and developing a regional clean hydrogen hub ("Heartland Hydrogen Hub" or "Hub") as contemplated by the 2021 Infrastructure Investment and Jobs Act, Pub. Law 117-58 (Act). The States of Minnesota, Montana, North Dakota, and Wisconsin may be referred to collectively as "States" or "Parties" and individually as "State" or "Party."

WHEREAS, we the undersigned are supporting a robust hydrogen hub to meet the nation's clean energy, transportation, and agricultural needs; and

WHEREAS, this model will incorporate clean hydrogen projects from various sources of energy, using the nation's most innovative technologies, to accelerate the nation's clean energy portfolio and strengthen the nation's energy security; and

WHEREAS, hydrogen has the potential to advance the interests of the participating states in clean air, reduction of greenhouse gas emissions, energy security, job creation, long-term energy cost savings, and rural and urban economic development; and

WHEREAS, the States have renowned expertise in agriculture and energy through the region's research and academic institutions; and

WHEREAS, this bipartisan effort has several planned clean hydrogen projects that competitively favor the region's leadership in the hydrogen economy, including plans for greenfield development of clean hydrogen projects as well as some of the largest brownfield conversion assets with the goal of being the largest in the country; and

WHEREAS, private sector partnerships and collaboration with state partners will foster a successful regional Hydrogen Hub; and

WHEREAS, the States of Minnesota, Montana, North Dakota, and Wisconsin embrace a common goal of developing a regional hydrogen hub that is industry-led and state coordinated.

**NOW, THEREFORE**, the Governors of the undersigned States agree as follows:

## I. Commitment

The Signatory States agree to work together with each states' respective stakeholders to develop a proposal for a Heartland Hydrogen Hub with supporting facilities in each state in response to the Act. The goal is to develop a proposal(s) to the Federal Opportunity Announcement (FOA) that the U.S. Department of Energy (DOE) issued on September 23, 2022, that solicits concept papers regarding the development of four or more regional hydrogen hubs. While the States in this agreement are committed to the success of the Heartland Hydrogen Hub, states may join multiple hub proposals based on integration and synchronization of hydrogen infrastructure in response to the hub and spoke model proposed by DOE. Consistent with the commitments to collaborate and submit a response to the FOA, individual States are encouraged to enter into separate agreements with other entities that further hydrogen development in their states consistent with the goals and obligations herein; this includes both production and offtake of clean hydrogen.

The Signatory States agree to identify opportunities to collaborate with Tribal Nations in the participating states.

The Signatory States agree to prepare an application(s) that advances a compelling vision for a hydrogen economy, including production and use in the Four State Region and other domestic markets.

## II. Workgroup

The participating States will identify at least one but no more than two individuals leading their respective state's Hydrogen Hub coordination.

Each signatory State agrees to support the analysis, consulting, convening, and writing that may be needed to successfully complete an application for Hydrogen Hub funding. North Dakota, through the Energy & Environmental Research Center (EERC), will lead the application development effort in collaboration with the identified state coordinators and industry partners.

A formal governance structure that is compliant with DOE's FOA will be identified and negotiated by the state coordinators in an expedited fashion.

## III. Timeline

The workgroup's collective work will meet deadlines for Federal funding opportunities for regional hydrogen hubs. Appointments to the workgroup by signatory state Governors will occur immediately following the execution of this agreement and the workgroup will meet within ten business days of all appointments being completed.

## IV. Additional Member States

Upon agreement of all States, additional States may be added to this group, subject to the provisions of this MOU, to enhance the ability to establish a Hydrogen Hub.

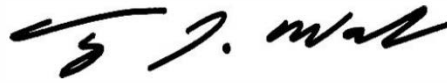
#### V. Duration

This MOU is not legally binding and does not create any legal, equitable, or financial rights, commitments, obligations, or liabilities for the Participating States.

This MOU is at-will and any State's participation may be terminated upon written notice to the other States. The MOU will continue following any such termination, so long as the remaining States agree to continue participation.



Doug Burgum  
Governor of North Dakota



Tim Walz  
Governor of Minnesota



Tony Evers  
Governor of Wisconsin



Greg Gianforte  
Governor of Montana