

New Version of the Support Guide for Special Hydrogen Project Authorization Requests before the SEC



Last Friday, October 18, Exempt [Resolution No. 27,364](#) dated August 23, 2024, was published in the Official Gazette by the Superintendency of Electricity and Fuels (“SEC”), which Establishes the Support Guide for Special Hydrogen Project Authorization Requests before the SEC (“Support Guide”).

I. Previous Version of the Support Guide

In the absence of specific regulations for the development of green hydrogen projects, the previous version of the Support Guide¹ aimed to guide individuals and companies interested in implementing hydrogen projects through the process of obtaining a special project authorization from the SEC, which set forth specific conditions for their implementation.

In parallel with the implementation of the Support Guide, the Ministry of Energy was working on the development of the Green Hydrogen Installations Regulation, as part of the regulatory roadmap outlined in the National Green Hydrogen Strategy.

II. Entry into Force of the Hydrogen Installations Safety Regulation

With the entry into force of Supreme Decree No. 13/2022, Hydrogen Installations Safety Regulation (“**Regulation**”), on June 24, 2024, the minimum safety requirements that hydrogen installations must meet were established. As a result, the need to obtain a special authorization for most projects containing hydrogen installations was largely eliminated, and the rules and procedures of the Regulation now apply.

However, the Regulation excludes certain installations from its scope² and explicitly states that the following projects will still require authorization from the SEC before implementation:

1. Projects that contemplate the use of technologies different from those established in the Regulation (Article 4).
2. Hydrogen installations with production systems that have a total production capacity greater than 100 kg/h (Article 50).

III. New Version of the Support Guide

This new version of the Support Guide aims to align with the provisions of the Regulation and DFL No. 1³, facilitating a uniform application of the authorization process before the SEC for both special hydrogen installations projects covered by the aforementioned supreme decree and those that are not included within it.

¹Granted by Exempt Resolution SEC No. 34,273, dated March 19, 2021, amended by Exempt Resolution SEC No. 24,111, dated March 28, 2024.

²The following installations are excluded from the application of this regulation: 1) Hydrogen refueling installations for land, rail, air, or maritime vehicles; 2) Hydrogen transport and distribution networks used to move hydrogen outside the hydrogen installation; 3) Vehicles operating on hydrogen, whether land, rail, air, or maritime; and 4) Vehicles, trains, ships, or aircraft that transport hydrogen.

³Hydrogen installations not covered by Supreme Decree No. 13, but which fall within the jurisdiction of the SEC, must therefore be submitted as special projects for their subsequent registration in accordance with DFL No. 1

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