

Replacement and Repower Project Application Form Non-Road or Stationary Equipment and Related Refueling Infrastructure Projects

Emissions Reduction Incentive Grant Program (ERIG)

Texas Commission on Environmental Quality (TCEQ)

Texas Emissions Reduction Plan (TERP)

Solicitation No. 582-25-70255-ER

Esta es la aplicación de subvención para el Programa de Subsidios de Incentivos para la Reducción de Emisiones (ERIG por sus siglas en inglés). Debe llenar y enviar esta aplicación para solicitar una subvención. Comuníquese al 800-919-TERP (8377) para obtener ayuda con esta solicitud.



Eligible Activities

This project application form should only be completed by applicants seeking to replace or repower select non-road equipment or stationary equipment.

Applicants purchasing a piece of equipment under this grant program may request additional funding for on-site refueling infrastructure to fuel one or more of the qualifying pieces of equipment by filling out optional Section 7.

Applicants will be subject to application submission limitations as defined in Section 11.1 of the Request for Grant Applications (RFGA). For the purposes of these limitations, an applicant includes an individual or business and all of their associated legal affiliates. Applicants may not submit more than 10 activities in a single application. TCEQ reserves the right to limit the award of more than \$10 million in grant funds to a single applicant.

Application Completeness

TCEQ will review applications for completeness. If an application is found to be incomplete, TCEQ will notify the applicant in writing and provide details about what is missing from the application. Applicants will be provided a deadline to submit the missing information to TCEQ.

Submission Instructions

Submit a completed and signed application form and the required attachments by uploading to [TCEQ's File Transfer Protocol Secure \(FTPS\) site](#), or by submitting the application and associated documents by mail. All applications must be received by TCEQ no later than 5:00 p.m. Central Time on the application submission deadline listed in the table below. Refer to Section 11.0 of the RFGA for detailed instructions on submitting an application.

Learn how to create an account and submit your application via FTPS in this ([Step-by-Step Video Guide](#)).

Important Dates	Date
Program Opening Date	December 2, 2024
Application Submission Deadline	February 14, 2025

Section 1: Project Type and Project Category

1. Project Type: Replacement or Repower

Replacement projects and repower projects must be submitted on separate applications. Applicants may submit more than one application under this solicitation. Replacement projects involve replacing an older, select non-road or stationary piece of equipment with a newer and cleaner model. Repower projects involve replacing the existing engine on an eligible non-road or stationary piece of equipment.

Indicate the project type by checking only one of the boxes below.

Replacement Project	
Repower Project	

2. Project Category: Non-Road or Stationary Equipment

Non-road projects and stationary projects must be submitted on separate applications. Applicants may submit more than one application under this solicitation.

For this program, eligible non-road equipment is a piece of equipment, excluding a motor vehicle or on-road heavy-duty vehicle, that is powered by a non-road engine, including non-road and non-recreational equipment and vehicles, construction equipment, industrial equipment, mining equipment, and other categories of high-emitting engines.

Stationary equipment refers to equipment or engines permanently installed at a location, or that otherwise reside in a location for at least one full year. For this program, eligible stationary equipment includes those powered by an engine certified to the EPA emissions standards for non-road equipment, or one otherwise authorized by applicable rule or air permit. **Applicants proposing to replace or repower stationary equipment must also complete Section 6.1 of this application.**

Indicate the project category by checking only one of the boxes below.

Non-Road Equipment*	
Stationary Equipment	

*Please note: the non-road equipment categories that were included in the most recent Rebate Grants Program are not eligible for consideration under this ERIG grant round.

Section 2: Applicant Information

1. Legal Name of the Individual or Entity Applying for the Grant

If selected for a grant, the legal name of the applicant will be used for contracting purposes.

Applicant/Entity Legal Name (Must Match W-9 Form)	
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2. Entity Information

Entities required to register with the Secretary of State must have an active registration by December 2, 2024, 5:00 p.m. CT and must maintain an active registration throughout the contract period.

Ownership / Business Type	
Employer Identification Number (EIN)	

3. Authorized Official (AO)

The applicant or an officer or employee who has legal authority to sign for and speak on behalf of the applicant.

AO First Name	
AO Middle Initial	
AO Last Name	
AO Suffix (If applicable)	
AO Title	
AO Primary Phone Number	
AO Secondary Phone Number	
AO Email Address	
AO Mailing Address (Street or PO Box)	
AO City, State, and Zip Code	

4. Designated Project Representative (DPR)

The applicant or an employee who will serve as the point of contact for this application.

Is the DPR the same person as the AO? (If yes, select Yes and continue to Section 3. If no, select No and enter DPR information.)	
DPR First Name	
DPR Middle Initial	
DPR Last Name	
DPR Suffix (If applicable)	
DPR Title	
DPR Primary Phone Number	
DPR Secondary Phone Number	
DPR Email Address	
DPR Mailing Address (Street or PO Box)	
DPR City, State, and Zip Code	

Section 3: Third-Party Preparer Signature Page

1. Third-Party Preparer

A third-party preparer is someone other than the applicant or an employee of the applicant. If a third-party preparer was not used in the preparation of this application, select “No” from the drop-down list and proceed to Section 4.

Was this application prepared by a third-party?	
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2. Third-Party Preparer Certification

I hereby certify to the best of my knowledge and belief that all information provided in this application, including any attachments, is true and correct, as represented to me by the applicant. I understand that failure to sign the application will make this application ineligible. I understand that making a false statement may cause the submitted application to be ineligible, may make any resulting contracts voidable, and may subject me to criminal and civil penalties.

Third-Party Preparer Printed Name (First Last)	
Title	
Company Name	
Mailing Address (Street or PO Box)	
City	
State	
Zip Code	
Primary Phone Number	
Secondary Phone Number	
Email Address	
Third-Party Preparer Signature*	
Third-Party Signature Date	

*If using an electronic signature instead of a typed signature, please complete the entire application before signing electronically. The ability to edit, add, or remove information will not be available after the application is electronically signed.

Section 4: Certification of Eligibility to Receive a State-Funded Grant

All applicants must complete this section to certify their eligibility to receive a grant under this program, even if child support obligations do not apply to the applicant. Failure to complete this section may result in the rejection of the application.

Certification Regarding Child Support Obligations

Under [Texas Family Code, Section 231.006](#), a child support obligor who is more than 30 days delinquent in paying child support and a business entity in which the obligor is a sole proprietor, partner, shareholder, or owner with an ownership interest of at least 25%, is not eligible to receive a state-funded grant or loan. All applicants must include in the application the name and social security number of the individual or sole proprietor and each partner, shareholder, or owner with an ownership interest of 25% or more of the business entity submitting the application.

Federal Privacy Act Notice: This notice is given pursuant to the [Federal Privacy Act](#). Disclosure of your Social Security Number (SSN) is required under [Texas Family Code, Section 231.006\(c\)](#) and [Section 231.302\(c\)\(3\)](#). The SSN will be used to identify persons who may owe child support. The SSN will be kept confidential to the fullest extent allowed under [Texas Family Code, Section 231.302\(e\)](#).

Please Check One of the Following Applicant Options.

1. Individual or Sole Proprietor	
2. One or more individuals own 25% or more of the business entity	
3. No individual owns 25% or more of the business entity	
4. Governmental Entity	

If Option 1 or 2 is checked above, list the applicable name(s) and social security number(s) below.

Name		Social Security Number	
Name		Social Security Number	
Name		Social Security Number	
Name		Social Security Number	

Applicant Certification

By signing this application in **Section 10**, under [Texas Family Code, Section 231.006](#), the applicant certifies that the individual or business entity named in this application is not ineligible to receive the specified grant and acknowledges that any contract may be terminated, and any payments may be withheld if this certification is inaccurate.

Section 5: Program Certifications

This section includes specific requirements and statements for funding under the ERIG Program. These terms apply to any contract awarded by TCEQ from this application. The ERIG RFGA and the draft contract, located on the [ERIG webpage](#), contain additional terms and conditions that the applicant should review before submitting an application.

By signing this application, you understand and certify compliance with all the statements below, as well as with any state statutes, regulations, policies, guidelines, and requirements as they relate to the application, acceptance, and the use of funds for this project. A waiver may be requested for the ownership and use requirements under Appendix C in the RFGA.

If any of these certifications change after the submittal of the application, you will provide prompt notification to TCEQ within three business days of becoming aware of the change. Failure to notify TCEQ of any changes to your certifications may make the application ineligible and may make any resulting contracts voidable.

Equipment and Activity Certifications

1. **Ownership.** The equipment the applicant proposes to replace or repower has been continuously owned, leased, or otherwise commercially financed by the applicant for the two years immediately preceding the application signature date.
2. **Operation.** The equipment has been continuously located and used in Texas in its primary function in the routine operations of the applicant for the two years immediately preceding the application signature date.
3. **Condition.** The equipment is in good operating condition and capable of performing its primary function in the routine operations of the applicant at the time of application signature. To the best of the applicant's knowledge, the equipment is capable of continuing to perform its primary function for at least five years from the application signature date, taking into account normal maintenance, repairs, and upkeep.
4. **Continued Operation and Use.** If the grant funds were not available, the applicant expects to otherwise continue to operate the equipment in Texas for at least five years from the application signature date, and the applicant otherwise would not have planned to replace the equipment.
5. **Disposition.** The applicant has the legal authority to complete the approved method of disposition of the equipment or engine being replaced. If selected for a grant, the grantee is responsible for completing the disposition of the old equipment and engines being replaced within 90 days after the reimbursement is issued by TCEQ.
6. **Not Otherwise Required.** To the best of the applicant's knowledge, the proposed activities are not required by any state or federal law, rule or regulation, memorandum of agreement, or other legally binding contract.
7. **No Emissions Reductions Credits.** Activities funded under this program are not eligible to generate marketable credits under state or federal emissions reduction credit averaging, banking, or trading programs. If the project is funded, the applicant waives, for all time, its right to claim or apply for any emissions reduction credits from the use of the equipment or low-emission technology funded under the ERIG Program.
8. **Not to Exceed 100% of Equipment Cost.** The amount of the ERIG grant award plus any other public financial assistance, tax credits or deductions, or other grants may not exceed the total eligible costs of the equipment.
9. **Duty to Use, Maintain, and Repair Equipment.** If awarded a grant, the applicant agrees to replace or repower the old equipment and purchase new equipment as described in this application. The applicant agrees to use any grant-funded equipment as described in this application. The applicant will maintain and repair any grant-funded equipment to ensure it remains in good operating condition during the Activity Life.
10. **Requirement to Monitor and Report.** The applicant will monitor and report on the use of the grant-funded equipment over the designated Activity Life. The applicant agrees to provide all required information on the use of the equipment upon TCEQ's request.
11. **Insurance Coverage.** The applicant will maintain, for the term of the Activity Life, property loss insurance in an amount equal or greater than the grant award and any other types of insurance required under an ERIG contract, or self-insurance coverage (for governmental entities) on any equipment acquired, leased, repowered, or constructed using these funds.

Section 5: Program Certifications Continued

Administrative and State Contracting Certifications

12. **Legal Authority.** The applicant has legal authority in the State of Texas to apply for the grant. The applicant's governing body has authorized the filing of the application, understands these requirements and certifications, and has authorized the individual identified as the Authorized Official to act in connection with the application and to provide such additional information as may be required.
13. **Conflict of Interest.** The applicant has not given, offered to give, nor intends to give any economic opportunity, future employment, gift, loan, gratuity, special discount, trip, favor, or service to a public servant in connection with the submitted application. All purchase decisions must be based on sound business decisions and arm's length bargaining.
14. **Nondiscrimination.** The applicant will comply with all state and federal statutes relating to nondiscrimination. If the applicant is an employer under the Texas Labor Code, it must not discriminate on the basis of race, color, disability, religion, sex, national origin, age, or genetic information in its employment decisions.
15. **Risk Review.** The applicant's prior performance under other TCEQ contracts; its overall compliance history; and any federal, state, or local enforcement action for violation of environmental laws or permit conditions may be considered in determining eligibility. If the application is prepared by an individual who has previously submitted inaccurate or fraudulent information to the agency, the application will be considered "high risk" and reduce the likelihood of an award.
16. **Texas Public Information Act.** Information, documentation, and other material in connection with this solicitation or any resulting contract or grant may be subject to public disclosure pursuant to [Texas Government Code, Chapter 552](#). In accordance with [Texas Government Code, Section 2252.907](#), the applicant is required to make any information created or exchanged with the State pursuant to the contract and grant, and not otherwise excepted from disclosure under the Texas Public Information Act, available in a format that is accessible by the public at no additional charge to the State.
17. **Debt to the State.** The applicant is not indebted to the State nor has an outstanding tax delinquency. The applicant must comply with all state and federal tax laws and fee requirements and is solely responsible for filing all state and federal tax and fee forms.
18. **Contract.** The applicant understands that a PDF of the draft contract may be viewed and downloaded from the [ERIG webpage](#). The draft contract is for reference only and contains terms and conditions which are standard provisions for grants awarded under this program. Any requested changes to the draft contract must be received by TCEQ no later than the date of the application submission. However, the applicant further understands that TCEQ will not normally change the contract language in response to individual requests from grant recipients and is under no obligation to do so. TCEQ reserves the right to modify the draft contract terms as necessary due to statutory, rule, or policy changes. Modifications will be posted to the ERIG webpage and the Electronic State Business Daily.
19. **Emission Reductions.** If awarded a grant, the applicant certifies that they will provide written notification to TCEQ within 30 calendar days of any termination of use, change in use, sale, transfer, or accidental or intentional destruction of grant-funded equipment during the Activity Life. The applicant further agrees that TCEQ may be entitled to the return of all or a prorated share of the grant funds for any loss of emissions reductions compared with the emissions reductions projected in awarding the grant.
 - a. **Texas Grant Management Standards.** In accordance with [Texas Government Code, Chapter 783](#), if the applicant is a local government, federal or state entity, or a political subdivision, they will comply fully with the [Texas Grant Management Standards \(TxGMS\)](#). This includes compliance with relevant sections of TxGMS when procuring goods and services under a resulting contract. For all other applicants, the selected items of cost of TxGMS apply to any resulting contract.
 - b. **Procurement of Goods and Services.** If this application results in a contract, all procurement transactions made with (or to be reimbursed by) grant funds must be conducted in a manner providing full and open competition. All purchase decisions must be based on sound business decisions and arm's length bargaining, and purchases must be made without any real or apparent personal or organizational conflicts of interest as described in TxGMS.
 - c. **Grant Administration.** The applicant will maintain an appropriate grant administration system to ensure that all terms, conditions, and specifications of the grant, including these certifications, are met.

Section 5: Program Certifications Continued

Administrative and State Contracting Certifications Continued

- d. **Audit.** Acceptance of funds under this program acts as acceptance of the authority of TCEQ, the State Auditor's Office (SAO), or any successor agency, to conduct an audit or investigation in connection with those funds. The applicant or other entity that may receive funds directly or indirectly from TCEQ must provide the SAO with access to any information the SAO considers relevant to the investigation or audit. The applicant will include this clause concerning the authority to audit funds received indirectly and the requirement to cooperate in any subcontract it awards.
20. **Contracting with an Executive of a State Agency.** Under [Texas Government Code, Section 669.003](#), relating to contracting with an executive head of a state agency, the applicant represents that no person who, in the past four years, served as an executive of TCEQ or any other state agency, was involved with or has any interest in this application. If the applicant employs or has used the services of a former executive head of TCEQ or another state agency, then the applicant shall provide the following information: name of former executive, name of state agency, date of their separation from the state agency, their position with the applicant, and their date of employment with the applicant.
21. **Debarment and Excluded Parties.** The applicant certifies that the applying entity and its principals are eligible to participate in this transaction and have not been subjected to suspension, debarment, or similar ineligibility determined by any federal, state, or local governmental entity. The applicant also certifies that it and its principals are not listed in the [State of Texas Debarred Vendor List](#) maintained by the Texas Comptroller of Public Accounts, or the [System for Award Management \(SAM.gov\)](#) maintained by the General Services Administration as authorized by [Executive Order No. 13224](#), "Blocking Property and Prohibiting Transactions with Persons Who Commit, Threaten to Commit, or Support Terrorism," published by the U.S. Department of Treasury, Office of Foreign Assets Control.
22. **Abortion Funding Limitation.** The applicant represents and warrants it is not an abortion provider or an affiliate of an abortion provider under [Texas Government Code, Chapter 2273](#), Prohibited Transactions.
23. **COVID-19 Vaccine Passport Prohibition.** Under [Texas Health and Safety Code, Section 161.0085](#), the applicant certifies that it is not ineligible to receive funds.
24. **Disclosure Protections for Certain Charitable Organizations.** If the applicant is a governmental entity, it represents and warrants that it will comply with [Texas Government Code, Section 2252.906](#) relating to disclosure protections for certain charitable organizations, charitable trusts, and private foundations.
25. **Public Camping Ban.** If the applicant is a local entity, it certifies and affirms that it has not received a final judicial determination finding it intentionally adopted or enforced a policy that prohibited or discouraged the enforcement of a public camping ban in an action brought by the Attorney General under [Local Government Code Section 364.003](#). If the applicant is currently being sued under this provision, it must disclose the lawsuit and its current posture to TCEQ.

Section 5: Program Certifications Continued

Replacement and Repower Project Certifications

For each equipment category selected in Section 6, the following certifications apply. By signing this application, you are certifying the applicable eligibility requirements listed herein.

Replacement Projects: Non-road or stationary equipment eligible for replacement must:

- a. Be powered by an engine rated at 25 horsepower (hp) or greater.
- b. Have an engine that is certified to the US EPA emissions standards for non-road engines.
- c. Have been continuously owned and operated by the applicant in Texas for at least the two years immediately preceding the application signature date.
- d. Have been used in its primary function in the routine operations of the applicant in Texas for at least the two years immediately preceding the application signature date.
- e. Be in operating condition with at least five years of useful life remaining.

Repower Projects: Repower project refers to the replacement or upgrade of the engine on an existing non-road or stationary piece of equipment with a new, rebuilt, or remanufactured engine. Non-road or stationary equipment eligible for repower must:

- a. Be powered by an engine rated at 25 horsepower (hp) or greater.
- b. Have an engine that is certified to the US EPA emissions standards for non-road engines.
- c. Have been continuously owned and operated by the applicant in Texas for at least the two years immediately preceding the application signature date.
- d. Have been used in its primary function in the routine operations of the applicant in Texas for at least the two years immediately preceding the application signature date.
- e. Be in operating condition with at least five years of useful life remaining at the time of repowering.

A **waiver** may be requested for any ownership and use requirements pursuant to Appendix C in the RFGA.

Section 6: Equipment Information

An activity represents the replacement or repower of a single piece of equipment. Applicants may include up to 10 activities on a single application. If you have more than 5 activities, insert the equipment information for Activities 06–10 starting on page 12 of this application.

Activities 01-05

1. Old Equipment Information (the equipment proposed to be replaced or repowered)

Activity Number	01	02	03	04	05
Equipment Category Stationary or Non-Road					
Equipment Description (container handlers, off-highway trucks, etc.)					
Equipment Identification Number List the entire ID number					
Equipment Make					
Equipment Model					
Equipment Year					

2. Old Engine Information (the engine proposed to be replaced or repowered)

Activity Number	01	02	03	04	05
Fuel Type					
Engine ID/Serial Number					
Engine Make					
Engine Model					
Engine Model Year					
Engine Horsepower Rating (bhp/hr)					
Engine Family Code 12-digit emissions code for engines 2003 and newer					
Federal NO_x Emissions (g/bhp-hr)					

Color photographs of the front, right side, left side, and rear of the equipment; left and right side of the engine, including a close-up of the engine data plate of the old equipment are required to be provided with the application. Photos of the equipment must include tires and tracks if applicable. Each photograph must be labeled with the associated activity number.

Section 6: Equipment Information Continued

Activities 01-05 Continued

3. New Equipment Information (the proposed new, grant-funded equipment)

Activity Number	01	02	03	04	05
Equipment Description (container handlers, off-highway trucks, etc.) Replacement only					
Equipment Model Year Replacement only					
Fuel Type					
Engine Manufacture Year					
Engine Horsepower Rating (bhp/hr)					
Federal NO _x Emissions (g/bhp-hr)					

4. Annual Usage

Refer to the Technical Supplement for a list of standard default usage rates. Refer to Section 6.0 of the RFGA and complete Supplemental Form 2: Non-Standard Annual Usage Rates if selecting Non-Standard.

Activity Number	01	02	03	04	05
Usage type Standard or Non-Standard (only one usage type per application)					
Activity Annual Usage Rate					
Usage Unit					

5. Requested Grant Amount

Applicants may be eligible for up to 1) an incentive amount that is equal to or less than \$35,000 per ton of NO_x reduced or 2) 80% of the eligible costs of the equipment. Applicants will receive the smaller amount of either 1) or 2). Please indicate the requested grant amount and cost per ton of NO_x reduced.

Activity Number	01	02	03	04	05
Requested Grant Amount					
Cost Per Ton of NO _x Reduced Use the grant estimator to determine CPT					

Section 6: Equipment Information Continued

Activities 06-10

1. Old Equipment Information (the equipment proposed to be replaced or repowered)

Activity Number	06	07	08	09	10
Equipment Category Stationary or Non-Road					
Equipment Description (container handlers, off-highway trucks, etc.)					
Equipment Identification Number List the entire ID number					
Equipment Make					
Equipment Model					
Equipment Year					

2. Old Engine Information (the engine proposed to be replaced or repowered)

Activity Number	06	07	08	09	10
Fuel Type					
Engine ID / Serial Number					
Engine Make					
Engine Model					
Engine Model Year					
Engine Horsepower Rating (bhp/hr)					
Engine Family Code 12-digit emissions code for engines 2003 and newer					
Federal NO_x Emissions (g/bhp-hr)					

Color photographs of the front, right side, left side, and rear of the equipment; left and right side of the engine, including a close-up of the engine data plate of the old equipment are required to be provided with the application. Photos of the equipment must include tires and tracks if applicable. Each photograph must be labeled with the associated activity number.

Section 6: Equipment Information Continued

Activities 06-10 Continued

3. New Equipment Information (the proposed new, grant-funded equipment)

Activity Number	06	07	08	09	10
Equipment Description (container handlers, off-highway trucks, etc.) Replacement only					
Equipment Model Year Replacement only					
Fuel Type					
Engine Manufacture Year					
Engine Horsepower Rating (bhp/hr)					
Federal NO _x Emissions (g/bhp-hr)					

4. Annual Usage

Refer to the Technical Supplement for a list of standard default usage rates. Refer to Section 6.0 of the RFGA and complete Supplemental Form 2: Non-Standard Annual Usage Rates if selecting Non-Standard.

Activity Number	06	07	08	09	10
Usage type (Standard or Non-Standard)					
Activity Annual Usage Rate					
Usage Unit					

5. Requested Grant Amount

Applicants may be eligible for up to 1) an incentive amount that is equal to or less than \$35,000 per ton of NO_x reduced or 2) 80% of the eligible costs of the equipment. Applicants will receive the smaller amount of either 1) or 2). Please indicate the requested grant amount and cost per ton of NO_x reduced.

Activity Number	06	07	08	09	10
Requested Grant Amount					
Cost Per Ton of NO _x Reduced (Use the grant estimator to determine CPT)					

Section 6.1: Stationary Equipment

Activity Number ____

An activity represents the replacement or repower of a single piece of equipment.

Click here for additional pages ____

Applicants may include up to 10 activities on a single application.

1. List the physical address and a description of the equipment location

Physical Address	
City	
State	
Zip Code	
Description of the equipment location	

2. Is this facility covered under a TCEQ permit or registration?

Select the appropriate response from the list	
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If yes, complete the information below for Items 3-5.

3. Permit and Contact Information

Name of Permit Holder	
TCEQ Permit / Registration / Account Number	

Section 6.1: Stationary Equipment Continued

Activity Number ____

An activity represents the replacement or repower of a single piece of equipment.

Click here for additional pages ____

Applicants may include up to 10 activities on a single application.

4. General Permit or Permit by Rule

List the permit or rule number and provide a summary of the regulated equipment in the space provided.

5. TCEQ Central Registry Information

TCEQ Customer Reference Number (CN)	
TCEQ Regulated Entity Reference Number (RN)	
TCEQ Facility Identification Number (FIN)	
TCEQ Emission Point Number (EPN)	

Emissions Reduction Requirements, Credits, and Allowances

By signing the Project Application Form 20965-a, the applicant certifies that the NO_x emissions achieved by this activity are not already required under the conditions of a permit or rule for this site or facility, or to ensure that the site or facility remains under an emissions limit. The applicant also understands that any emissions reduction measure that would otherwise generate a marketable credit under a state or federal emissions averaging, banking, or trading program is not eligible unless the credits are transferred to the TCEQ for the state implementation plan and permanently retired. This includes emissions allowances assigned to the applicant under the Mass Emission Cap and Trade Program in the Houston-Galveston-Brazoria Area established under [Title 30, Texas Administrative Code, Chapter 101, Subchapter H, Division 3](#). If a grant is awarded, the applicant must transfer and permanently retire any applicable credits or allowances.

Section 7: Refueling Infrastructure (Optional)

Refueling Infrastructure Project Certifications

Skip to Section 8 if not applicable.

This Section only needs to be completed by applicants requesting grant funds for refueling infrastructure.

Site Ownership

Is the Applicant the Property Owner?	
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Applicants are required to be the owner of the site where the refueling equipment is installed unless the applicant establishes permission to install and operate the grant-funded equipment at the site during the contract period.

The information below must be completed by the property owner if the applicant does not own the site where the equipment will be installed.

Property Owner Name	
Authorized Representative (AR) of Property Owner	
AR Title	
AR Phone Number	
AR Email Address	
AR Mailing Address (Street or PO Box)	
AR City, State, and Zip Code	

I, the undersigned owner or authorized representative of the real property located at the address identified in the Infrastructure Project Location field below, consent to the installation of the refueling infrastructure on this property. I understand and agree that the applicant is obligated, unless otherwise approved by TCEQ, to keep the refueling infrastructure in operation and in service for a minimum of five years after installation.

Property Owner or Authorized Representative Signature*	
Date	

*If using an electronic signature instead of a typed signature, please complete the entire application before signing electronically. The ability to edit, add, or remove information will not be available after the application is electronically signed.

Infrastructure Equipment Ownership

By signing this application, the applicant certifies that they will purchase and own the grant-funded equipment during the contract period subject to the following:

- Any sale of the grant-funded equipment during the contract period will be subject to approval and consent to assignment by TCEQ in accordance with the contract terms.
- An entity that purchases the equipment and leases it to another entity may establish eligibility provided that the applicant maintains ownership of the grant-funded equipment during the contract period.

Section 7: Refueling Infrastructure (Optional) Continued

Refueling Infrastructure Equipment Information

This section must be completed by applicants who are requesting grant funds to purchase and install refueling infrastructure for qualifying alternatively fueled equipment detailed in Section 6 of this application. At least one qualifying piece of equipment must operate on the fuel type selected in Part 1 of this Section. All grant-funded refueling infrastructure must be owned and operated by the applicant. Leased equipment is not eligible.

1. Fuel Type and Information

Select the fuel type from the drop-down box below.

Fuel Type	
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Please provide the charge rate (kW) of the charging infrastructure or the throughput rate (kg/day) of the refueling infrastructure.

Charge Rate (kW)	
Throughput Rate (kg/day)	

Please list the number of dispensing units and the number of connectors or refueling nozzles.

Number of dispensing units	
Number of connectors or refueling nozzles	

2. Infrastructure Project Location

Please list the location of the proposed refueling infrastructure project.

Physical Address	
City	
State	
Zip Code	
County	

3. Infrastructure Project Details

Please briefly describe the proposed refueling infrastructure project below. Be sure to describe how this refueling infrastructure will support, at the very least, the qualifying equipment detailed in this application and the number of fueling or charging ports that will be installed. If this project will expand existing refueling infrastructure, please indicate this as well.

Section 7: Refueling Infrastructure (Optional) Continued

4. Required Documentation

Applicants with projects that include refueling infrastructure must provide documentation that includes:

- a. A site plan with the application (including a scaled map which could be a photograph, satellite map, drawing, or similar graphic of the proposed site) that shows the planning and design of the proposed facility. The site plan must:
 - i. demonstrate how the equipment may access the proposed facility; and
 - ii. provide the location of the facility within the property and include any easements, set-back requirements, and property boundaries.
- b. A demonstration of the applicant’s ability to install, operate and maintain the refueling infrastructure at the proposed site by providing documentation, such as property ownership records, lease agreements or other legal agreements, that can show the following:
 - i. the ability to complete any required construction on the proposed site; and
 - ii. the ability to operate on the proposed property for the duration of the contract if awarded a grant.

5. Infrastructure Grant Amount

Please indicate the projected costs and requested grant amount in the space provided below. Applicants may receive up to 50% of the incremental cost of the refueling infrastructure associated with this project, provided the total requested grant amount does not result in the overall application cost per ton of NO_x reduced to exceed \$35,000. Refer to Section 8.0 and 10.0 of the RFGA to determine the maximum grant amount and eligible costs.

Equipment Total	
Supplies and Materials Total	
Construction Total	
Contract Services Total	
Total Eligible Project Costs	
Refueling Infrastructure Grant Amount	

Section 8: New Equipment Usage Area

Activities 01-05

Check here if percent annual usage is the same for all activities and enter under Activity 01.	
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For replacement and repower projects, **at least 55%** of the grant-funded equipment’s annual operation must occur in one or more of the nonattainment areas and affected counties for the duration of the Activity Life.

In the table below, identify the areas where the grant-funded equipment will operate, and provide the percent of annual operation for Activities 01-05 in the space provided. For applications with more than 5 activities, please also fill out page 20. Applicants may elect to increase their total annual commitment up to a maximum of 95%. Refer to Section 4.9 of the RFGA for usage requirements. A map of the eligible areas and counties can be found in Appendix A of the RFGA.

Nonattainment and Affected Counties	Activity				
	01	02	03	04	05
% of Annual Usage in Austin Area Bastrop, Caldwell, Hays, Travis, and Williamson Counties					
% of Annual Usage in Beaumont-Port Arthur Area Hardin, Jefferson, and Orange Counties					
% of Annual Usage in Corpus Christi Area Nueces and San Patricio Counties					
% of Annual Usage in Dallas-Fort Worth Area Collin, Dallas, Denton, Ellis, Henderson, Hood, Hunt, Johnson, Kaufman, Parker, Rockwall, Tarrant, and Wise Counties					
% of Annual Usage in El Paso Area El Paso County*					
% of Annual Usage in Houston-Galveston-Brazoria Area Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery, and Waller Counties					
% of Annual Usage in San Antonio Area Bexar, Comal, Guadalupe, and Wilson Counties					
% of Annual Usage in Tyler-Longview Area Gregg, Harrison, Rusk, Smith, and Upshur Counties					
% of Annual Usage in Other Counties Anderson, Freestone, Howard*, Hutchinson*, Navarro, Panola, and Titus Counties					
Total Annual Usage The total % of annual operation must be at least 55%, but not more than 95%. Enter the combined percentage of the eligible areas for each activity.					

*These counties use a different formulation of diesel fuel that we will consider in our NO_x reduction calculations. Refer to the applicable technical supplement for more information.

Counties Selected

Is the primary area of operation El Paso, Howard, or Hutchinson County?	
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Project Activity Life

Check here if the project life is the same for all activities.	
--	--

Projects involving different activity lives must be applied for on separate applications.

Activity Life Select the activity life from the drop-down list	
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Section 8: New Equipment Usage Area Continued

Activities 06-10

For replacement and repower projects, **at least 55%** of the grant-funded equipment's annual operation must occur in one or more of the nonattainment areas and affected counties for the duration of the Activity Life.

In the table below, identify the areas where the grant-funded equipment will operate, and provide the percent of annual operation in the space provided. Applicants may elect to increase their total annual commitment up to a maximum of 95%. Refer to Section 4.9 of the RFGA for usage requirements. A map of the eligible areas and counties can be found in Appendix A of the RFGA.

Nonattainment and Affected Counties	Activity				
	06	07	08	09	10
% of Annual Usage in Austin Area Bastrop, Caldwell, Hays, Travis, and Williamson Counties					
% of Annual Usage in Beaumont-Port Arthur Area Hardin, Jefferson, and Orange Counties					
% of Annual Usage in Corpus Christi Area Nueces and San Patricio Counties					
% of Annual Usage in Dallas-Fort Worth Area Collin, Dallas, Denton, Ellis, Henderson, Hood, Hunt, Johnson, Kaufman, Parker, Rockwall, Tarrant, and Wise Counties					
% of Annual Usage in El Paso Area El Paso County*					
% of Annual Usage in Houston-Galveston-Brazoria Area Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery, and Waller Counties					
% of Annual Usage in San Antonio Area Bexar, Comal, Guadalupe, and Wilson Counties					
% of Annual Usage in Tyler-Longview Area Gregg, Harrison, Rusk, Smith, and Upshur Counties					
% of Annual Usage in Other Counties Anderson, Freestone, Howard*, Hutchinson*, Navarro, Panola, and Titus Counties					
Total Annual Usage The total % of annual operation must be at least 55%, but not more than 95%. Enter the combined percentage of the eligible areas for each activity.					

*These counties use a different formulation of diesel fuel that we will consider in our NO_x reduction calculations. Refer to the applicable technical supplement for more information.

Section 9: Disposition of Old Equipment Being Replaced

Disposition requires that the old equipment and engine be destroyed and rendered permanently inoperable and non-repairable. Unless otherwise approved by TCEQ, a grant applicant must agree to dispose of the equipment replaced under this program by Standard Disposition. Anything other than standard disposition must be pre-approved by TCEQ and included in the contract as a Special Condition.

1. Method of Disposition

Mark the proposed method of disposition below.

Standard Disposition: Complete destruction or otherwise rendering permanently inoperable by crushing the equipment and engine or by making a 3-inch or larger hole in the engine block and cutting both frame rails in half. If you are proposing to use the Standard Method of Disposition, continue to Section 10 .	
Alternative Disposition: TCEQ will consider alternative methods of rendering the equipment permanently inoperable in lieu of the standard method of disposition. If you are proposing to use an Alternative Method of Disposition, continue to Item 2 below.	

2. Alternative Disposition

If the applicant is proposing an Alternative Method of Disposition in lieu of the standard method of disposition, provide a detailed explanation of the proposed method in the space provided below. See Section 11.11 of the RFGA for additional information regarding prior approval by TCEQ.

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3. Activities Included in the Alternative Disposition

Alternative Disposition: Does the method of alternative disposition apply to all equipment and engines listed in this application?	
If no, list the activity numbers to which the proposal applies:	

Section 10: Project Summary Page

1. Applicant Information

Applicant/Entity Legal Name (Must match Section 2)	
Applicant Type	
Does Applicant Qualify as a Small Business A Small Business is defined as a business owned by a person or entity that owns and operates no more than five vehicles or pieces of equipment, of which at least one runs on diesel. (For Reporting Purposes Only)	
Applicant Mailing Address (Street or PO Box)	
Applicant City, State, and Zip Code	

2. Project Information

Primary Project Area	
Emission Source	
Project Type	
Total Number of Activities in this Application (This number must match the number from Section 6)	
Total Requested Grant Amount (Total requested grant amount of all activities and infrastructure)	

3. Authorized Official

The applicant or an officer or employee of the applicant who has the legal authority to sign on behalf of the applicant.

I hereby certify to the best of my knowledge and belief that all information provided in this application and any attachments is true and correct, including any representations made by a third-party preparer. My signature also constitutes acceptance of all certifications in this application, the terms of the RFGA, and any other changes posted through addenda on the Electronic State Business Daily. **I understand that failure to sign the application will make it ineligible. I understand that any false statement may cause the submitted application to be ineligible, may make any resulting contracts voidable, and may subject me to criminal or civil penalties.**

Printed Name of Authorized Official	
Authorized Official Title	
Signature of Authorized Official*	
Date of Signature	

*If using an electronic signature instead of a typed signature, please complete the entire application before signing electronically. The ability to add, edit, or remove information will not be available after the application is electronically signed.

The application, signed by the Authorized Official, must be received by the application deadline or the application will not be accepted.

Upon submission, all proposals become the property of the State of Texas and as such become subject to the Texas Public Information Act, [Texas Government Code, Chapter 552](#).

Personal Information Policy: Individuals are entitled to request and review their personal information that the agency gathers on its forms. Individuals may request to have their provided personal information updated. To review such information, contact TERP program staff at TERP@tceq.texas.gov or 800-919-TERP (8377).

Section 11: Application Checklist

All applications for funding must be submitted within the application submission period listed on the cover page of the RFGA. A complete application must include:

- all pages of the application
- all required attachments
- applicant's contact information
- all required signatures
- any additional supporting documentation

Application Section Checklist

All sections of the application **must be completed entirely**.

Mark each box below to certify that you have **fully completed** the indicated section and that **you have signed all sections requiring a signature**.

Section 1: Project Type and Project Category	
Section 2: Applicant Information	
Section 3: Third-Party Preparer Signature Page Signature Required only if prepared by third-party.	
Section 4: Certification of Eligibility to Receive a State-Funded Grant	
Section 5: Program Certifications Read and include with the application.	
Section 6: Equipment Information	
Section 6.1: Stationary Equipment	
Section 7: Refueling Infrastructure (Optional) Signature Required only if requesting infrastructure and not the property owner.	
Section 8: New Equipment Usage Area	
Section 9: Disposition of Old Equipment Being Replaced	
Section 10: Project Summary Page Signature Required.	
Section 11: Application Checklist Read and include with application.	

Required Attachments Checklist

<u>IRS Form W-9</u> Download, fill out entirely, and include with the application. Signature Required.	
Copy of State or Federal Identification Card Include only if applying as an Individual or Sole Proprietor.	
Color Photographs of Old Equipment Attach color photographs of the front, right side, left side, and rear of the equipment; left and right side of the engine, including a close-up of the engine data plate. Photos of the equipment must include tires or tracks if applicable. Label each photo with the associated activity number.	
Scrap Value Documentation (Stationary Projects Only) Documentation to show the scrap value of the project must be submitted with the application.	
Ownership Documentation May include a copy of the bill of sale, maintenance records, or in some cases a title.	

Section 11: Application Checklist Continued

Required Refueling Infrastructure Attachments Checklist (Applications with Refueling Infrastructure)

Site Plan Include with the application.	
Site Property Rights or Ownership Documentation Include with the application.	

Supplemental Forms (if applicable)

Supplemental Form 1: Waiver Request Include with application. Signature Required.	
Supplemental Form 2: Non-Standard Usage Include with application.	