

INTRODUCTION

This package contains the form required for submittal of a rebate claim for approval under the "Oklahoma Emissions Reduction Technology Rebate Program." Please read all the directions carefully before you fill it out. Answer all questions by checking the appropriate box or filling in a response. In addition, assure that the additional required documentation is included with your submittal. Original signature from a responsible official is required on the form. Please note that delays in processing your application may occur if an incomplete application is submitted. To be eligible for a rebate, the statute requires that claim be submitted to DEQ no later than six (6) months after the end of the fiscal year in which the expenditures were made. The fiscal year ends on June 30 each year, making December 31st the deadline for submittal of the claim.

BACKGROUND

The Emissions Reduction Technology Rebate Program offers a rebate of up to 25% of documented expenditures made in this state that are directly related to the implementation of a qualified Oil and Gas (O&G) Industry "Emission Reduction Project." The Program is administered jointly by the Oklahoma Department of Environmental Quality (DEQ) and the Oklahoma Tax Commission (OTC) under 68 O.S. §§ 55006 through 55012. Claims are submitted to DEQ for review and approval or disapproval under Oklahoma Administrative Code (OAC) 252:100-49. DEQ will then notify OTC of its decision, and OTC will pay claims¹ for approved Emission Reduction Projects (ERPs) from funds available in the Oklahoma Emission Reduction Technology Incentive Revolving Fund². If the amount of approved claims for a fiscal year exceeds the annual statutory cap or the amount available in the Revolving Fund, OTC will pay claims proportionally, and any unpaid portion of the claim will carry over to the subsequent Fiscal Year(s). Note that DEQ anticipates that no additional submission would be required from the applicant to receive an unpaid portion of a claim that carried over from a previous fiscal year.

Note that this program is separate from DEQ's air quality (AQ) construction and operating permit system as delineated in OAC 252:100. Certain aspects of implementing an ERP may trigger the requirement to obtain an AQ construction permit prior to initiating the project, and/or a modification of an existing AQ operating permit. If the claimant is uncertain whether a permit is required, a separate request for an applicability determination may be submitted to DEQ and a written determination will be made based on the data submitted.

DEFINITION OF AN EMISSION REDUCTION PROJECT

OAC 252:100-49-3 defers to the statutory definition of "Emission Reduction Project." in Title 68, Section 55008 to describe the types of oil and gas facilities and activities eligible for the program:

"As used in the Oklahoma Emission Reduction Technology Incentive Act, "Emission Reduction Project" means and includes, but is not limited to:

1. Existing and new technology projects that reduce emissions of regulated pollutants from stationary sources; and
2. Existing and new technology projects that reduce emissions from upstream and midstream oil and gas exploration, production, completions, gathering, storage, processing, and transmission activities through the following:
 - a. the replacement, repair, or retrofit of stationary compressor engines,
 - b. the installation of systems and/or equipment to reduce or eliminate the loss of gas, venting of gas, flaring of gas, or burning of gas using other combustion control devices, or
 - c. the installation of emissions monitoring equipment or devices."

OAC 252:100-49-3 also states: "For the purposes of this [program], "Emission Reduction Projects" do not include projects that are required in order to address an enforcement action or are undertaken as a supplemental environmental project to offset an enforcement penalty."

DOCUMENTATION AND INFORMATION REQUIREMENTS

DEQ Form # 100-240 requests basic information, such as company mailing address, and facility address, legal description, and geographic location. Also requested is Project contact person information, and the applicable business Federal Employer Identification Number (FEIN) – for use in confirming tax status.

¹ See OTC- provided information under the **Vendor Registration** heading below, for procedures required to receive rebate payments.

² As of September 2023, no funds had been deposited in the Revolving Fund.

The applicant should list the facility's current AQ Operating Permit number, or mark the item as N/A (i.e., not applicable) if the ERP was implemented at a facility that is not subject to an operating permit requirement.

The applicant should begin the ERP description by marking whether the facility primarily handles oil, natural gas, or combined oil and gas, and which O&G category the facility falls into. Next, the applicant should select the SIC and NAICS codes that best describe facility activities, and indicate the type of ERP that was implemented. For each project component, the applicant should provide an item identifier, a corresponding invoice number, a brief item description, the date the construction and/or installation was completed, and the anticipated pollutant capture and removal efficiency improvements. The applicant should list the amount of the claimed expenditure for each project item, plus the total eligible costs claimed for the ERP. The applicant should list the AQ Construction Permit number that is associated with the ERP. The AQ Construction Permit number item should be marked as N/A if the ERP did not trigger the requirement to obtain a construction permit.

The applicant should provide a best estimate of the anticipated annual emission reductions resulting from the ERP for each of parameters listed on the form, and the sum of expected reductions. Mark the item as N/A for any pollutants that are unaffected by the project. The applicant should submit appropriate information regarding the basis used to estimate the resulting reduction in pollutant emissions, and improvements in the pollutant capture and removal efficiencies.

In addition to the information provided directly on the form, a project description that provides information in sufficient detail to determine that it qualifies as an Emission Reduction Project should be attached. The applicant should submit invoices for equipment purchases & other claimed project item costs, control technology manufacturer's data & guaranteed control levels, and additional documentation as appropriate.

The form provides several certifications to affirm that the applicant meets requirements of the statutes and rules. The applicant is required to submit the following additional documentation:

1. A certification from OTC that it has filed all Oklahoma tax returns and tax documents which are required by the laws of this state. Certification can be obtained by contacting OTC and providing the business Federal Employer Identification Number (FEIN) and business name: TaxAssist-Registration@tax.ok.gov
2. Evidence of a certificate of general liability insurance with a minimum coverage of One Million Dollars (\$1,000,000.00) and a workers' compensation policy pursuant to the laws of this state which shall include coverage of employer's liability.

REVIEW AND PROCESSING FEE

The fee for DEQ's technical review and processing of a rebate claim is \$1,000, and should be included when submitting your application form. [OAC 252:100-49-5(a)(9)]

VENDOR REGISTRATION (Per OTC):

Companies receiving rebates for the Oklahoma Emissions Reduction Act program will be requested to complete registration via the Oklahoma Supplier Portal prior to any payments being made, unless the business has already done so. For additional information regarding the Oklahoma Supplier Portal account or to register, please visit supplierportal.ok.gov. Registrants with questions or issues may email the following for assistance: Payee.Registration@omes.ok.gov

A COMPLETE APPLICATION MUST INCLUDE:

1. DEQ Form # 100-240 (Emission Reduction Project Rebate Claim & Approval Request)
2. Project Description, with invoices and additional project documentation as appropriate.
3. OTC certification
4. Evidence of liability insurance and workers' compensation policy coverage
5. Appropriate fee (check payable to DEQ AQD)

**EMISSION REDUCTION PROJECT
REBATE CLAIM & APPROVAL REQUEST**

AIR QUALITY DIVISION
OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ)
<https://www.deq.ok.gov/>



DETERMINATION NUMBER
(AQD USE ONLY)

2023 - __ - ERP

Please complete this form to request approval by DEQ of a rebate claim under OAC 252:100-49 and 68 O.S. § 55006, *et seq.* Per 252:100-49-5(a)(9), fee payment in the amount of \$1,000 must accompany the rebate claim.

Company Name				Phone			FEIN				
Mailing Address				City			State			Zip	
Facility Name				Phone			AQ Operating Permit Number				
Mailing Address				City			State			Zip	
Project Contact Person				Title			Phone			Email	
Legal Description	Sub Section			Section			Township			Range	
Geographic Coordinates	Latitude			Longitude			Reference Point:	<input type="checkbox"/>	Facility Entrance Point	<input type="checkbox"/>	Other (Specify):
<input type="checkbox"/>	The applicant hereby requests that the Oklahoma Department of Environmental Quality (DEQ) approve this rebate payment claim for the project described herein as an "Emission Reduction Project," in accordance with the definitions and requirements of OAC 252:100-49 and the "Oklahoma Emission Reduction Technology Incentive Act," 68 O.S. § 55007 <i>et seq.</i> , and that DEQ notify the Oklahoma Tax Commission (OTC) of such approval, in accordance with 68 O.S. §55009(D).										
Emission Reduction Project Description: Below, indicate the type of facility and project, and the total cost and emission reductions associated with the project. On page 2, list the components of any "Emission Reduction Project" for which the applicant requests approval of this rebate claim under the provisions of OAC 252:100-49 and 68 O.S. § 55006, <i>et seq.</i> Use additional copies of page 2 and attachments as appropriate.											
Type & Category of Oil & Gas Facility Activities:											
<input type="checkbox"/>	Oil	<input type="checkbox"/>	Upstream production	<input type="checkbox"/>	Gatherings	<input type="checkbox"/> Other (specify):					
<input type="checkbox"/>	Natural Gas	<input type="checkbox"/>	Midstream production	<input type="checkbox"/>	Storage						
<input type="checkbox"/>	Combined Oil & Gas	<input type="checkbox"/>	Exploration	<input type="checkbox"/>	Processing						
		<input type="checkbox"/>	Completions	<input type="checkbox"/>	Transmission						
SIC Code(s):	<input type="checkbox"/> 1311 <input type="checkbox"/> 1321 <input type="checkbox"/> 1381 <input type="checkbox"/> 4612 <input type="checkbox"/> 4613 <input type="checkbox"/> 4922 <input type="checkbox"/> 4923 <input type="checkbox"/> 4924 <input type="checkbox"/> 4925 <input type="checkbox"/> Other (specify):						NAICS Code:				
Type of Emission Reduction Project:											
Stationary compressor engine(s)		Installation of systems and/or equipment to reduce or eliminate:				<input type="checkbox"/> Installation of emissions monitoring equipment or devices					
<input type="checkbox"/>	Replacement	<input type="checkbox"/>	Loss of gas	<input type="checkbox"/> Other project that reduces emissions of regulated pollutants from stationary source(s) (specify):							
<input type="checkbox"/>	Repair	<input type="checkbox"/>	Venting of gas								
<input type="checkbox"/>	Retrofit	<input type="checkbox"/>	Flaring of gas								
		<input type="checkbox"/>	Burning of gas using other combustion control devices								

