

# Replacement and Repower Project Application Form

## Seaport And Rail Yard Areas Emissions Reduction Program (SPRY)

### Texas Commission on Environmental Quality (TCEQ)

### Texas Emissions Reduction Plan (TERP)

**Solicitation No. 582-24-85385-DT**

Este documento es para el Programa de Reducción de Emisiones en Áreas de Patios Ferroviarios y Puertos Marítimos (SPRY, por sus siglas en inglés). Consultar [terprants.org](http://terprants.org) para ver si este documento está disponible en español. Comuníquese al 800-919-TERP (8377) para obtener ayuda con esta información.



### Eligible Activities

Applications may be submitted to replace or repower drayage trucks and cargo handling equipment at seaports and rail yards located within the air quality nonattainment areas or affected counties of Texas. The equipment and engine being purchased must be certified to the current federal emissions standards applicable to that vehicle or engine. (**Note:** TCEQ may refer to drayage trucks and cargo handling equipment collectively as “equipment” throughout this application.)

Applicants must commit to operating the grant-funded equipment at an eligible seaport or rail yard for a minimum of 200 days per year for the duration of the five-year activity life. Refer to Section 2.0 of the Request for Grant Applications (RFGA) for program requirements.

### 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 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 4.0 of the RFGA for detailed instructions for submitting an application.

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

Only one primary area, project type (replacement/repower), and/or emissions source (on-road/non-road) may be included per application.

<b>Important Dates</b>	<b>Date</b>
Program Opening Date	April 18, 2024
Application Submission Deadline	March 4, 2025

## Section 1: 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.

<b>Applicant/Entity Legal Name</b> (Must Match <a href="#">W-9 Form</a> )	
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### 2. Entity Information

Entities required to register with the Secretary of State must have an active registration by April 18, 2024, 5:00 p.m. CT and must maintain an active registration throughout the contract period.

<b>Ownership / Business Type</b>	
<b>Employer Identification Number (EIN)</b>	

### 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.

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

### 4. Designated Project Representative (DPR)

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

<b>Is the DPR the same person as the AO?</b> (If yes, select Yes and continue to Section 2. If no, select No and enter DPR information.)	(Yes/No Dropdown)
<b>DPR First Name</b>	
<b>DPR Middle Initial</b>	
<b>DPR Last Name</b>	
<b>DPR Suffix (If applicable)</b>	
<b>DPR Title</b>	
<b>DPR Primary Phone Number</b>	
<b>DPR Secondary Phone Number</b>	
<b>DPR Email Address</b>	
<b>DPR Mailing Address (Street or PO Box)</b>	
<b>DPR City, State, and Zip Code</b>	

## Section 2: 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 an application, select "No" from the dropdown list and proceed to Section 3.

<b>Was this application prepared by a third party?</b>	
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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.

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

\*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 3: Certification of Eligibility to Receive a State-Funded Grant

All applicants must complete this section to certify 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 rejection of the application.

#### ***Certification Regarding Child Support Obligations.***

Under [Section 231.006, Texas Family Code](#), 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 Section 231.006(c) and [Section 231.302\(c\)\(3\) of the Texas Family Code](#). The SSN will be used to identify persons that may owe child support. The SSN will be kept confidential to the fullest extent allowed under Section 231.302(e) of the Texas Family Code.

#### **Please Check One of the Following Applicant Options.**

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

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

<b>Name</b>		<b>Social Security Number</b>	
<b>Name</b>		<b>Social Security Number</b>	
<b>Name</b>		<b>Social Security Number</b>	
<b>Name</b>		<b>Social Security Number</b>	

#### ***Applicant Certification***

By signing this application in **Section 10: Project Summary Page**, under Section 231.006 of the Texas Family Code, 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 4: General Certifications

This section includes specific requirements and statements for funding under SPRY. These terms apply to any contract awarded by TCEQ from this application. The SPRY RFGA and the draft contract, located on the [SPRY 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 use of funds for this project. If any of these certifications change after 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 and/or 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 by the applicant for the two years immediately preceding the application signature date. For on-road equipment, the applicant has been listed on the front of the title document for the preceding two years.
2. **Operation and Registration.** The equipment has been continuously located and used in Texas for the two years immediately preceding the application signature date. In addition, on-road equipment has been continuously registered for operation in Texas 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 SPRY.
8. **Not to Exceed 100% of Equipment Cost.** The amount of the SPRY 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 request of TCEQ.
11. **Insurance Coverage.** The applicant will maintain, for the term of the activity life, property loss insurance or self-insurance (for governmental entities only) coverage on any equipment acquired, leased, repowered, retrofitted, or constructed using these funds, in an amount equal or greater than the grant award.

## ***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.
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 [Chapter 552 of the Texas Government Code](#). In accordance with [Section 2252.907 of the Texas Government Code](#), 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 [SPRY 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 submission of this application. 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 SPRY webpage and the Electronic State Business Daily.
  - a. **Emission Reductions.** If awarded a grant, the applicant certifies that it 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.
  - b. **Texas Grant Management Standards.** In accordance with [Chapter 783, Texas Government Code](#), if the applicant is a local government, federal or state entity, or political subdivision, it 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. These documents are available at: [comptroller.texas.gov/purchasing/grant-management](http://comptroller.texas.gov/purchasing/grant-management).
  - c. **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.
  - d. **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.

- e. **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.
19. **Contracting with an Executive of a State Agency.** Under [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 other state agency, then the applicant shall provide the following information: name of former executive, name of state agency, date of separation from state agency, position with applicant, and date of employment with applicant.
20. **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 \(SAM\)](#) 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.
21. **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.
22. **COVID-19 Vaccine Passport Prohibition.** Under [Section 161.0085 of the Texas Health and Safety Code](#), the applicant certifies that it is not ineligible to receive funds.
23. **Disclosure Protections for Certain Charitable Organizations.** If the applicant is a governmental entity, it represents and warrants that it will comply with [Section 2252.906 of the Texas Government Code](#) relating to disclosure protections for certain charitable organizations, charitable trusts, and private foundation.

**Section 5: Equipment Information**

Only one project type (replacement/repower), and/or emissions source (on-road/non-road) may be included per application.

**1. Activity Number**

<b>Activity</b>	<b>001</b>	<b>002</b>	<b>003</b>	<b>004</b>	<b>005</b>
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**2. Old Equipment Information (i.e., the equipment proposed to be replaced or repowered.)**

<b>Equipment Description</b> (i.e., terminal tractor, rubber tire gantry crane, etc.)					
<b>Equipment Make</b>					
<b>Emission Source</b> On-Road or Non-Road	Dropdown		Dropdown	Dropdown	Dropdown
<b>Equipment Year</b>					
<b>Last 4 Digits of Vehicle ID (VIN) or full Equipment ID</b>					
<b>Gross Vehicle Weight Rating</b> On-Road Equipment only					
<b>Engine Make</b>					
<b>Engine Model</b>					
<b>Engine Model Year</b>					
<b>Engine Horsepower Rating(bhp/hr)</b> Non-Road Equipment Only					
<b>Engine ID/Serial Number</b>					
<b>Fuel Type</b>	Dropdown	Dropdown	Dropdown	Dropdown	Dropdown
<b>Engine Family Code</b> (12-digit emissions code for engines 2003 and newer)					

**3. New Equipment Information (i.e., the proposed new, grant-funded equipment – replacement projects only)**

<b>Equipment Description</b> (i.e., terminal tractor, rubber tire gantry crane, etc.)					
<b>Equipment Model Year</b>					
<b>Engine Model Year</b>					
<b>Fuel Type</b>	Dropdown	Dropdown	Dropdown	Dropdown	Dropdown

**4. Requested Grant Amount:** Applicants may be eligible for up to the maximum grant amount listed for the type of activity or 80% of the eligible costs, whichever is less.

<b>Maximum Eligible Grant Amount from the Table</b>					
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**Section 5 (cont.): Equipment Information**

Only one project type (replacement/repower), and/or emissions source (on-road/non-road) may be included per application.

**1. Activity Number**

Activity	006	007	008	009	010
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**2. Old Equipment Information (i.e., the equipment proposed to be replaced or repowered.)**

<b>Equipment Description</b> (i.e., terminal tractor, rubber tire gantry crane, etc.)					
<b>Equipment Make</b>					
<b>Emission Source</b> On-Road or Non-Road	Dropdown	Dropdown	Dropdown	Dropdown	Dropdown
<b>Equipment Year</b>					
<b>Last 4 Digits of Vehicle ID (VIN) or full Equipment ID</b>					
<b>Gross Vehicle Weight Rating</b> On-Road Equipment only					
<b>Engine Make</b>					
<b>Engine Model</b>					
<b>Engine Model Year</b>					
<b>Engine Horsepower Rating(bhp/hr)</b> Non-Road Equipment Only					
<b>Engine ID/Serial Number</b>					
<b>Fuel Type</b>	Dropdown	Dropdown	Dropdown	Dropdown	Dropdown
<b>Engine Family Code</b> (12-digit emissions code for engines 2003 and newer)					

**3. New Equipment Information (i.e., the proposed new, grant-funded equipment – replacement projects only)**

<b>Equipment Description</b> (i.e., terminal tractor, rubber tire gantry crane, etc.)					
<b>Equipment Model Year</b>					
<b>Engine Model Year</b>					
<b>Fuel Type</b>	Dropdown	Dropdown	Dropdown	Dropdown	Dropdown

**4. Requested Grant Amount:** Applicants may be eligible for up to the maximum grant amount listed for the type of activity or 80% of the eligible costs, whichever is less.

<b>Maximum Eligible Grant Amount from the Table</b>					
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**Section 6: New Equipment Usage Area**

Check here if percent annual usage is the same for all activities and enter under activity 001.

Identify the percent of your total annual usage that you will be operating the grant-funded equipment within one or more of the following eligible areas. You must select either 50% or 80%. Separate applications must be submitted for activities that operate in different primary areas.

Activity	001	002	003	004	005
<b>Nonattainment and Affected Counties</b>					
<b>% of Annual Usage Austin Area</b> Bastrop, Caldwell, Hays, Travis, and Williamson Counties					
<b>% of Annual Usage Beaumont-Port Arthur Area</b> Hardin, Jefferson, and Orange Counties					
<b>% of Annual Usage Corpus Christi Area</b> Nueces and San Patricio Counties					
<b>% of Annual Usage Dallas-Fort Worth Area</b> Collin, Dallas, Denton, Ellis, Henderson, Hood, Hunt, Johnson, Kaufman, Parker, Rockwall, Tarrant, and Wise Counties					
<b>% of Annual Usage El Paso Area</b> El Paso County					
<b>% of Annual Usage Houston-Galveston-Brazoria Area</b> Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery, and Waller Counties					
<b>% of Annual Usage San Antonio Area</b> Bexar, Comal, Guadalupe, and Wilson Counties					
<b>% of Annual Usage Tyler-Longview Area</b> Gregg, Harrison, Rusk, Smith, and Upshur Counties					
<b>% of Annual Usage Other Counties</b> Anderson, Freestone, Howard, Hutchinson, Navarro, Panola, and Titus Counties					
<b>Total Annual Usage</b>					

**Business Description for New Equipment:**  
 Please provide a description of your business and how the equipment will be used in your routine operations. For **on-road equipment**, please include your typical driving route (including the cities traveled to and highways/roadways traveled on). For **non-road equipment**, please include where the equipment will be used in its routine operation.

**Section 6 (cont.): New Equipment Usage Area**

Identify the percent of your total annual usage that you will be operating the grant-funded equipment within one or more of the following eligible areas. You must select either 50% or 80%. Separate applications must be submitted for activities that operate in different primary areas.

<b>Activity</b>	<b>006</b>	<b>007</b>	<b>008</b>	<b>009</b>	<b>010</b>
<b>Nonattainment and Affected Counties</b>					
<b>% of Annual Usage Austin Area</b> Bastrop, Caldwell, Hays, Travis, and Williamson Counties					
<b>% of Annual Usage Beaumont-Port Arthur Area</b> Hardin, Jefferson, and Orange Counties					
<b>% of Annual Usage Corpus Christi Area</b> Nueces and San Patricio Counties					
<b>% of Annual Usage Dallas-Fort Worth Area</b> Collin, Dallas, Denton, Ellis, Henderson, Hood, Hunt, Johnson, Kaufman, Parker, Rockwall, Tarrant, and Wise Counties					
<b>% of Annual Usage El Paso Area</b> El Paso County					
<b>% of Annual Usage Houston-Galveston-Brazoria Area</b> Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery, and Waller Counties					
<b>% of Annual Usage San Antonio Area</b> Bexar, Comal, Guadalupe, and Wilson Counties					
<b>% of Annual Usage Tyler-Longview Area</b> Gregg, Harrison, Rusk, Smith, and Upshur Counties					
<b>% of Annual Usage Other Counties</b> Anderson, Freestone, Howard, Hutchinson, Navarro, Panola, and Titus Counties					
<b>Total Annual Usage</b>					

**Business Description for New Equipment:**  
 Please provide a description of your business and how the equipment will be used in your routine operations. For **on-road equipment**, please include your typical driving route (including the cities traveled to and highways/roadways traveled on). For **non-road equipment**, please include where the equipment will be used in its routine operation.

**Section 7: Annual Days of Operation at Eligible Seaports, Facilities, and Rail Yards**

Applicants must have operated the old equipment in one or more of the eligible seaports or rail yards for a minimum of 200 days per year (12-month period) for the two years (24-month period) immediately preceding the application signature date. **Total days of operation for the preceding two years must be at least 400 days to be eligible.** For each activity, list the number of days in the two years preceding the application signature date that the applicant has operated the equipment at one or more of the eligible seaport terminals, participating facilities of the Houston Ship Channel Security District (HSCSD), or rail yards. One day of operation may include one or more trips to and/or from eligible terminals, facilities, or rail yards.

Activity	001	002	003	004	005
<b>Year 1:</b> days of operation in an eligible terminal, facility, or rail yard preceding the application signature date (200 minimum to be eligible)					
<b>Year 2:</b> days of operation in an eligible terminal, facility, or rail yard preceding the application signature date (200 minimum to be eligible)					
<b>Total Days of Operation for Year 1 and Year 2:</b> (400 minimum to be eligible)					
<b>Terminals/Facilities/Rail Yards Visited:</b> (refer to Section 2.2 in the RFGA)					
<b>Terminal or Rail Yard Address:</b>					

**Section 7 (cont.): Annual Days of Operation at Eligible Seaports, Facilities, and Rail Yards**

Applicants must have operated the old equipment in one or more of the eligible seaports or rail yards for a minimum of 200 days per year (12-month period) for the two years (24-month period) immediately preceding the application signature date. **Total days of operation for the preceding two years must be at least 400 days to be eligible.** For each activity, list the number of days in the two years preceding the application signature date that the applicant has operated the equipment at one or more of the eligible seaport terminals, participating facilities of the Houston Ship Channel Security District (HSCSD), or rail yards. One day of operation may include one or more trips to and/or from eligible terminals, facilities, or rail yards.

Activity	006	007	008	009	010
<b>Year 1:</b> days of operation in an eligible terminal, facility, or rail yard preceding the application signature date (200 minimum to be eligible)					
<b>Year 2:</b> days of operation in an eligible terminal, facility, or rail yard preceding the application signature date (200 minimum to be eligible)					
<b>Total Days of Operation for Year 1 and Year 2:</b> (400 minimum to be eligible)					
<b>Terminals/Facilities/Rail Yards Visited:</b> (refer to Section 2.2 in the RFGA)					
<b>Terminal or Rail Yard Address:</b>					

**Section 8: Apportioned Registration Mileage Summary**

(On-Road Equipment with Apportioned Registration Only) For equipment with apportioned registration, this form is required to document mileage in Texas and out of state for the two years immediately preceding the application signature date. **Intentional falsification of this form will be prosecuted to the extent allowed under the law and may be used as an adverse factor in future grant selection decisions.**

<b>Activity 1</b>	Texas:	Outside Texas:	Total Miles:
Year 1			
Year 2			
<b>Activity 2</b>	Texas:	Outside Texas:	Total Miles:
Year 1			
Year 2			
<b>Activity 3</b>	Texas:	Outside Texas:	Total Miles:
Year 1			
Year 2			
<b>Activity 4</b>	Texas:	Outside Texas:	Total Miles:
Year 1			
Year 2			
<b>Activity 5</b>	Texas:	Outside Texas:	Total Miles:
Year 1			
Year 2			
<b>Activity 6</b>	Texas:	Outside Texas:	Total Miles:
Year 1			
Year 2			
<b>Activity 7</b>	Texas:	Outside Texas:	Total Miles:
Year 1			
Year 2			
<b>Activity 8</b>	Texas:	Outside Texas:	Total Miles:
Year 1			
Year 2			
<b>Activity 9</b>	Texas:	Outside Texas:	Total Miles:
Year 1			
Year 2			
<b>Activity 10</b>	Texas:	Outside Texas:	Total Miles:
Year 1			
Year 2			

By signing this document, I hereby certify that this information is true and correct.

<b>Authorized Official Signature</b>		<b>Date of Signature</b>	
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## 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 preapproved by TCEQ and included in the contract as a Special Condition.

### 1. Method of Disposition

Mark the proposed method of disposition below.

<b>Standard Disposition:</b> Completely crushing the equipment and engine or making a 3-inch or larger hole in the engine block on both sides and cutting the frame rails or other main structural components of the equipment in half. If you are proposing to use the Standard Method of Disposition, continue to <b>Section 10: Project Summary Page.</b>	
<b>Alternative Disposition:</b> 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 subsection 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 in the space provided below. See Section 4.7.2 of the RFGA for additional information regarding prior approval by TCEQ.

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## Section 10: Project Summary Page

### 1. Applicant Information

<b>Applicant/Entity Legal Name</b> (Must match Section 1)	
<b>Applicant Type</b>	(Dropdown)
<b>Applicant Mailing Address</b> (Street or PO Box)	
<b>Applicant City, State, and Zip Code</b>	

### 2. Project Information

<b>Primary Project Area</b>	(Dropdown)
<b>Emission Source</b>	(Dropdown) On-Road or Non-Road
<b>Project Type</b>	(Dropdown) Replacement or Repower
<b>Total Number of Activities in this Application</b> (This number should match the number from Section 5)	
<b>Total Requested Grant Amount</b> (Total requested grant amount of all activities from Section 5)	

### 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 the certifications in Sections 3 & 4 of 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 this application 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.**

<b>Printed Name of Authorized Official</b>	
<b>Authorized Official Title</b>	
<b>Signature of Authorized Official*</b>	
<b>Date of Signature</b>	

\*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](mailto: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**.

<b>Section 1: Applicant Information</b>		
<b>Section 2: Third-Party Preparer Signature Page</b> (only required if application was prepared by a third party)	<b>Signature Required.</b>	
<b>Section 3: Certification of Eligibility to Receive a State-Funded Grant</b>		
<b>Section 4: General Certifications</b>	Review and include with the application.	
<b>Section 5: Equipment Information</b>		
<b>Section 6: New Equipment Usage Area</b>		
<b>Section 7: Annual Days of Operation at an Eligible Seaport, Facility, or Rail Yard</b>		
<b>Section 8: Apportioned Registration Mileage Summary (On-Road Only)</b>	<b>Signature Required.</b>	
<b>Section 9: Disposition Of Old Equipment Being Replaced</b>		
<b>Section 10: Project Summary Page</b>	<b>Signature Required.</b>	
<b>Section 11: Application Checklist</b>	Complete and include with application.	

### ***Required Attachments Checklist***

<a href="#"><u>IRS Form W-9</u></a>	Download, fill out entirely, and include with application. <b>Signature Required.</b>	
<b>Copy of State or Federal Identification Card</b>	Include only if applying as an Individual or Sole Proprietor.	
<b>Color Photographs of Old Equipment</b>	Attach color photographs of the front, right side, left side, rear, engine, and engine plate of the old equipment. Label each photo with the associated activity number.	
<b>Copy of Current Title for Old Equipment</b>	Include documentation of ownership for the 2 years immediately preceding the application signature date.	
<b>Copy of Registration Documents for Old Equipment</b>	Include documentation of continuous registration for the 12 months immediately preceding the application signature date.	