

Waiver Request for Project Application Form Replacement, Repower, and Refueling Infrastructure Projects

Supplemental Form 1: Program Waiver Request

**Texas Volkswagen Environmental Mitigation Program (TxVEMP)
Texas Commission on Environmental Quality (TCEQ)
Solicitation No. 582-23-44687-VW**

Activity Number _____

An activity represents the individual replacement of a vehicle or piece of equipment.

If you have questions on how to fill out this project application, please contact us at (833) 215-TXVW or VWSettle@tceq.texas.gov.

TCEQ may consider a request to waive one or more of the program requirements based on a finding of good cause.

- **This may include short lapses in registration or operation due to economic conditions, seasonal work, or other circumstances.**
- **The burden is on the applicant to demonstrate why there is good cause to grant the waiver request.**

Refer to Appendix B of the TxVEMP Program Request for Grant Applications (RFGA) for TCEQ's basis for determining good cause.

Applicants requesting a waiver to one or more of the program requirements must complete Part A of this form. Applicants who have purchased or plan to purchase vehicles or equipment from another entity (a "third party") for the purpose of replacing and disposing of those vehicles under the TxVEMP Program must complete Parts A and B of this form.

Please complete a separate Supplemental Form 1 for each activity that includes a request to waive one or more of the program requirements and submit the completed form with the Project Application Form (TCEQ-20970).

Part A: Good Cause Waiver of Ownership, Registration, and Use Requirements

Please choose the waiver(s) that applies to the activity.	
Waiver for the Ownership Requirement: The applicant has not continuously owned the vehicle or piece of equipment for the two years immediately preceding the application signature date.	
Waiver for the Registration Requirement: The vehicle being replaced has not been continuously registered in Texas for the two years immediately preceding the application signature date.	
Waiver for the Usage Requirement: The vehicle or piece of equipment being replaced has not been operated in Texas for the two years immediately preceding the application signature date.	
In the space below, please provide a detailed explanation of good cause (see above) for the following: <ul style="list-style-type: none"> • Why the vehicle or piece of equipment being replaced does not meet the ownership, registration, and/or operation requirements. • How the replacement of the vehicle or piece of equipment will result in the projected NO_x emissions reductions. 	
Please confirm that the vehicle or piece of equipment being replaced will continue to be operated in Texas if a grant is not awarded by selecting yes or no from the dropdown menu.	
By signing this document, the applicant is certifying that all information provided is complete and accurate.	
Printed Name of Authorized Official:	
Signature of Authorized Official*:	
Date of Signature:	

*Please complete the entire form before signing electronically. The ability to add, edit, or remove information will not be available after the application is electronically signed.

Part B: Good Cause Waiver for Ownership – Replacement and Disposition of Third-Party Vehicles or Equipment.

Applicants requesting a waiver to purchase on-road diesel vehicles or diesel non-road equipment from another entity (third-party) for the purpose of replacing and disposing of those vehicles or that equipment under the TxVEMP program must complete this section.

1. Required Information & Documentation

The applicant must provide the vehicle or equipment information requested in Section 6 of the application and attach documentation and photographs of the third-party vehicle or equipment to the application including:

- color photographs of the vehicle or equipment, and engine;
- a copy of the vehicle title or lease agreement (on-road only) for the two years immediately preceding the application signature date; and
- registration receipts (on-road only) for the 12 months immediately preceding the application signature date. An apportioned registration for operation in multiple states including Texas may be considered as proof of continuous registration and operation in Texas.

2. Third-Party Vehicle or Equipment Certifications

By signing below, the applicant and current owner of the vehicle or equipment certifies that the vehicle or equipment meets the following requirements.

a. Registration (On-road only). The vehicle has been continuously registered in Texas for at least the two years immediately preceding the submission of this form.
b. Operation. The vehicle or equipment has been continuously operated at least 75% of its total annual usage (miles, hours, or gallons) in Texas for the two years immediately preceding the application signature date.
c. Condition. The vehicle is currently in operating condition and has a remaining useful life of at least five years.
d. Qualifying Vehicle. The vehicle will be replaced with a qualifying vehicle of the same weight classification and used in the same application or vocation.

3. Current Vehicle or Equipment Owner Signature

The information below must be completed and signed by the current vehicle or equipment owner or company representative of the owner to establish permission to include the vehicles or equipment in the application.

"I, the undersigned vehicle/equipment owner/company representative, consent to the applicant including the vehicle/equipment currently owned by me in this application. I understand that if awarded a grant, the applicant is obligated to own and destroy the vehicle/equipment being replaced."

Printed Name of the Vehicle/Equipment Owner:	
Name of Company Representative: If the owner of the vehicle or equipment is a company, please provide the name of the Company Representative with signature authority.	
Signature of Vehicle/Equipment Owner/Company Representative*:	
Date of Signature:	

4. Applicant Signature

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

*Please complete the entire form before signing electronically. The ability to add, edit, or remove information will not be available after the application is electronically signed.