



**Supplemental Form 1 – Waiver Request**  
**Replacement and Repower Projects**  
**Non-Road or Stationary Equipment, Marine Vessels, and Locomotives**  
**Emissions Reduction Incentive Grants Program (ERIG)**

**Texas Commission on Environmental Quality (TCEQ)**  
**Texas Emissions Reduction Plan (TERP)**  
**Solicitation No. 582-26-85005-ER**

**If you have questions about how to fill out this supplemental form for a waiver request, please contact us at 512-239-4950 or [TERP@tceq.texas.gov](mailto:TERP@tceq.texas.gov).**

Under Texas Health and Safety code (THSC), Section 386.104(j), TCEQ may consider a request to waive ownership, registration, and prior equipment operation requirements based on a finding of good cause.

- **Good cause 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 ERIG 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 third-party equipment, or who plan to purchase third-party equipment from another entity, for the purpose of replacing and disposing of the equipment under the ERIG Grant Program, must complete Parts A and B of this form.

Please complete a separate Supplemental Form 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.

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

**Part A: Good Cause Waiver of Ownership and Use Requirements**

**Please choose the waiver(s) that applies to the activity.**

<b>Waiver for the Ownership Requirement:</b> The applicant has not continuously owned the equipment for the two years immediately preceding the application signature date.	
<b>Waiver for the Usage Requirement:</b> The 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:

- Why the equipment being replaced does not meet the ownership and/or operation requirements; and
- How the replacement of the equipment will result in the projected NO<sub>x</sub> emissions reductions.

Please confirm the following.

If <b>not awarded</b> a grant, will the equipment you listed for replacement continue to be operated in Texas?	
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By signing this document, the applicant is certifying that all the information provided is complete and accurate.

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

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

## Part B: Good Cause Waiver for Ownership –Third-Party Equipment

Applicants requesting a waiver to purchase non-road or stationary equipment, locomotives, or marine vessels from another entity (third-party) for the purpose of replacing and disposing of the equipment under the ERIG program must complete this section.

### 1. Required Information and Documentation

The applicant must provide the equipment information requested in the Activity Section of the application and attach ownership documentation and color photographs of the third-party equipment (including engine) to the application.

### 2. Third-Party Equipment Certifications

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

- a. **Operation.** The equipment has been continuously operated in Texas for the two years immediately preceding the application signature date.
- b. **Condition.** The equipment is currently in operating condition and has a remaining useful life of five or more years.

### 3. Qualifying Equipment

The qualifying equipment must be of the same type as the equipment being replaced. The qualifying equipment must be configured and intended for use in the same manner or vocation as the equipment being replaced.

### 4. Current Equipment Owner Signature

The current vehicle or equipment owner or company representative must read and agree to the statement below. If the owner of the vehicle or equipment is a company, the company representative must have authority to provide this permission and bind the company.

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

<b>Printed Name of the Equipment Owner</b>	
<b>Name of Company Representative</b>	
<b>Signature of Equipment Owner/Company Representative*</b>	
<b>Date of Signature</b>	

## 5. Applicant Signature

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

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

## Contact Information

800-919-TERP (8377)

[TERP@tceq.texas.gov](mailto:TERP@tceq.texas.gov)