### Project Application Form Rebate Grants Program Electrification of On-Road Vehicles or Non-Road Equipment

Texas Emissions Reduction Plan (TERP) Texas Commission on Environmental Quality (TCEQ) Solicitation No. 582-23-40640-RG



If you have questions on how to fill out this project application, please contact us at 512-239-4950 or <a href="https://www.tea.gov">TERP@tceq.texas.gov</a>.

Esta es la aplicación de subvención para el Programa de Subsidios de Reembolsos (REBATE 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.

TCEQ invites applications for the Rebate Grants Program to encourage an entity to upgrade or replace older on-road heavy-duty diesel vehicles and non-road diesel equipment with newer, cleaner models.

**On-Vehicle / On-Equipment Electrification Projects:** This project application form should be completed by applicants seeking to purchase and install equipment that enables an on-road heavy-duty diesel vehicle or a non-road diesel piece of equipment to use electric power to reduce NO<sub>x</sub> emissions related to power normally supplied by the propulsion engine or another onboard internal combustion engine.

**Application Submission Limitations:** Please be aware that applicants will be subject to application submission limitations as defined in Section 4.1 of the RFGA. For the purposes of these limitations, 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 and may not request more than \$4 million in grant funds per calendar month the program is open.

**Application Completeness:** All applications for funding must be substantially complete and must be submitted by the application deadline. Submission of a grant application that is not substantially complete will be disqualified from consideration under this RFGA. TCEQ will not accept an application for consideration that is not substantially complete.

**Application Deadline:** So long as funding is available, applications will be accepted for consideration on a first-come, first-served basis during this grant period only if received by TCEQ via electronic mail at <u>REBATE-Apply@tceq.texas.gov</u> or via mail at one of TCEQ's addresses, no later than 5:00 p.m. Central Time December 19, 2022.

Key Events	Date	
Program Opening Date	October 21, 2022	
Application Submission Deadline	December 19, 2022	

#### Please see Section 10 of this application for application submission instructions.

# **Section 1: Applicant Information**

#### 1. Legal Name of Entity Applying for the Grant

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

Applicant Legal Name:	
(Must Match W-9 Form)	

#### 2. Business Information

All business entities such as corporations or partnerships must have an active registration with the Texas Secretary of State by October 21, 2022, 5:00 p.m. CST. Businesses must maintain an active registration for the contract period.

Ownership / Business Type:	
Federal Employer Identification Number (FEI):	
Social Security Number (SSN): Individuals and Sole Proprietors only	

#### 3. Small Business Information

Under this program, a Small Business is defined as a business owned by a person who owns and operates no more than five vehicles or pieces of equipment. At least one of those five vehicles must have been owned for more than two years and is:

- a) an on-road heavy-duty diesel vehicle; or
- b) a non-road diesel piece of equipment.

Does the applicant quality as a Small Business	oes the applicant qualify as a Small Busi	iness
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**4. Authorized Official (AO)** The applicant or an employee who has legal authority to sign for and speak on behalf of the entity.

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

**5. 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 the DPR is the same as the AO, select Yes and continue to Section 2. Otherwise, enter DPR information)	
DPR Prefix:	
DPR First Name:	
DPR Middle Initial:	
DPR Last Name:	
DPR Suffix (If applicable):	
DPR Title:	
DPR Primary Phone Number:	
DPR Cell Phone Number:	
DPR Email Address:	
DPR Mailing Address (Street or PO Box):	
DPR City, State, and Zip Code:	

# 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.

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 and 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 make the submitted application ineligible, may make any resulting contracts voidable, and may subject me to criminal and civil penalties.

#### 3. Third-Party Preparer Information

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

\*If using an electronic 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 of the form to certify eligibility to receive a grant under this program, even if child support obligations do not apply to the applicant. Failure to submit this form 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)(2) 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), Texas Family Code.

#### Please Check One of the Following Applicant Options (Check only one).

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 name(s) and social security number(s) (SSN) below.

Name	Social Security Number (SSN)	
Name	Social Security Number (SSN)	
Name	Social Security Number (SSN)	
Name	Social Security Number (SSN)	
Name	Social Security Number (SSN)	

#### **Applicant Certification**

By signing this application in Section 8: Project Summary Page, the applicant certifies that the individual or business entity named in this application is not ineligible to receive a grant under Section 231.006 of the Texas Family Code, and acknowledges that any contract may be terminated, and any payments withheld if this certification is inaccurate.

# Section 4: General Certifications

This section includes specific requirements and statements for funding under Rebate Grants Program. These terms apply to any contract awarded by TCEQ from this application. The Rebate Grants Program RFGA and the draft contract, located on the Rebate Grants Program <u>webpage</u>, 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 materially change after submittal of the application, you will provide prompt written notification to TCEQ within three (3) 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.

**1. Legal Authority.** The applicant has the 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 person identified as the Authorized Official to act in connection with the application and to provide such additional information as may be required.

**2.** 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 vehicles 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.

**3. Texas Grant Management Standards.** In accordance with Chapter 783, Texas Government Code, if the applicant is a local government, state entity, or political subdivision, it will comply fully with the Texas Grant Management Standards (TxGMS). This includes compliance with the 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: <a href="https://www.comptroller.texas.gov/purchasing/grant-management/">https://www.comptroller.texas.gov/purchasing/grant-management/</a>.

**4. 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.

**5.** 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.

6. Nondiscrimination. The applicant will comply with all State and Federal statutes relating to nondiscrimination.

**7. Grant Administration.** The applicant will maintain an appropriate grant administration system to ensure that they meet all terms, conditions, and specifications of the grant, including these certifications and assurances.

**8.** Audit. Acceptance of funds under this program acts as acceptance of the authority of the State Auditor's Office, 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 state auditor with access to any information the state auditor considers relevant to the investigation or audit. Applicant will include this clause concerning the authority to audit funds received indirectly and the requirement to cooperate in any subcontract it awards.

**9. 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.

**10. Contract.** The applicant understands that a PDF of the draft contract may be viewed and downloaded from the <u>Rebate</u> <u>Grants Program webpage</u>. 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 <u>Rebate Grants Program webpage</u> and the Electronic State Business Daily.

**11. 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, 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 applicant employs or has used the services of a former executive head of TCEQ or other state agency, 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.

**12. Debarment.** 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 on 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.

**13. 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*.

**14. 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.

**15.** 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 foundations.

# Section 5: On-Vehicle Electrification Project Certifications

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

An on-road vehicle eligible for replacement or repower must:

- a) be a heavy-duty on-road vehicle with a gross vehicle weight rating (GVWR) greater than 8,500 pounds (lbs.) and is certified to or has a diesel engine certified to the United States (US) Environmental Protection Agency (EPA) heavy-duty engine emissions standards.
- b) have been owned, registered, and operated by the applicant in Texas for at least the two years immediately preceding the application signature date;
- c) 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; and
- d) be in operating condition with at least five years of useful life remaining.

Non-road equipment eligible for replacement or repower must:

- a) be powered by a diesel 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; and
- e) be in operating condition with at least five years of useful life remaining.

A waiver may be submitted for any ownership, registration, and use requirements pursuant to Appendix B in the RFGA.

An activity represents the upgrade of a single vehicle or piece of equipment.

#### Click here for additional pages \_

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

This application should be completed only by **applicants seeking to purchase and install equipment that enables an on-road heavy-duty diesel vehicle or a non-road diesel piece of equipment to use electric power to reduce idling and NO<sub>x</sub> emissions**. Applicants with multiple electrification projects should complete a separate Section 6.1 and Section 6.2 for each activity. Refer to Section 2.8 of the RFGA for electrification project requirements, and Section 3 regarding maximum grant amounts and eligible costs.

Applicants may receive up to the lesser of the following options: 1) The grant amounts shown in the Rebate Grant Tables; or 2) 80% of the incremental cost.

**1. Vehicle or Equipment Category:** Please indicate the category of the vehicle or equipment receiving the electrification equipment by checking the appropriate box.

On-Road Heavy-Duty Diesel Vehicle:		Non-Road Diesel Equipment:	
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2. On-Vehicle / On-Equipment Electrification Project Type: Select only one project type for this activity.

Battery-Powered Auxiliary Power Unit:	
(The battery-powered APU must be capable of offsetting a minimum of 4 continuous hours of engine idle operation)	
Battery-Powered Refrigeration Unit:	
(The battery-powered refrigeration unit for refrigeration trucks or trailers must be capable of accepting a direct plug-in	
connection while parked)	
Heavy-Duty Hybrid Electric Powertrain System:	
(The heavy-duty hybrid electric powertrain system must be capable of reducing fuel consumption by at least 5%)	

#### 3. Old Vehicle / Equipment Information: The vehicle or equipment that will receive the electrification equipment.

Vehicle / Equipment Type:	
(i.e., haul truck, agricultural tracto	
Vehicle / Equipment Identification Number:	
(For non-road, list the entire ID number; for on-road, enter only the last four digits of the VIN)	
Vehicle / Equipment Make:	
Vehicle / Equipment Model:	
Vehicle / Equipment Model Year:	
(Must not be more than 3 years older than the year the electrification equipment was purchased)	
Gross Vehicle Weight Rating (GVWR):	
(On-Road only)	
Engine Make:	
Engine Model:	
Engine Identification Number:	
Engine Model Year:	
Engine Horsepower Rating (bhp/hr):	
(Non-Road Equipment Only)	
<b>Fuel Type:</b> (The fuel type of the old vehicle must be diesel)	DIESEL
Engine Family Code:	
(12-digit EPA emissions code required)	
Federal NO <sub>X</sub> Emissions (g/bhp-hr):	
Requested Grant Amount:	
(The requested grant amount should match what is listed in the Rebate Grants Tables)	
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Section 7: Operation of Grant-Funded Equipment

Activity Number

An activity represents the upgrade of a single vehicle or piece of equipment.

#### Click here for additional pages \_

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

For on-vehicle electrification projects, **not less than 55%** of the grant-funded electrified vehicle or equipment's annual operation must occur in one or more of the nonattainment areas and affected counties for the duration of the five-year activity life. A **single unit of measurement (miles, hours, or fuel)** must be used for determining the total annual operation. If awarded a grant, the grantee will use this unit of measurement to report annual usage for the duration of the five-year activity life.

Activity Unit of Measurement: \_\_\_\_\_ (Select: Miles, Gallons, or Hours)

#### Is the Unit of Measurement and the Percent of Annual Operation the same for all activities?

If the unit of measurement and the percent of annual operation are the same for all activities in this application, complete only one copy of Section 7, and proceed to Section 8: Project Summary Page. Otherwise, complete one copy of Section 7 for each activity.

In the table below, identify the areas where the grant-funded vehicle or equipment will operate and provide the percent of annual operation in the space provided. Not less than 55% of the annual operation of each grant-funded vehicle or equipment must occur in the eligible counties. Applicants may elect to increase this commitment to 80% of their annual operation to receive additional grant funds. Refer to Section 2.11 of the RFGA for usage requirements. Refer to Appendix A of the RFGA to see a map of the eligible areas and counties.

Nonattainment Areas and Affected Counties	Percent of Operation
Austin Area: Bastrop, Caldwell, Hays, Travis, and Williamson Counties	
Beaumont-Port Arthur Area: Hardin, Jefferson, and Orange Counties	
<b>Corpus Christi Area:</b> Nueces and San Patricio Counties	
<b>Dallas-Fort Worth Area:</b> Collin, Dallas, Denton, Ellis, Henderson, Hood, Hunt, Johnson, Kaufman, Parker, Rockwall, Tarrant, and Wise Counties	
<b>El Paso Area:</b> El Paso County	
Houston-Galveston-Brazoria Area: Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery, and Waller Counties	
San Antonio Area: Bexar, Comal, Guadalupe, and Wilson Counties	
<b>Tyler-Longview Area:</b> Gregg, Harrison, Rusk, Smith, and Upshur Counties	
<b>Other Eligible Counties:</b> Anderson, Freestone, Howard, Hutchinson, Navarro, Panola, and Titus Counties	
<b>Total % of Annual Operation:</b> The total amount must be at least 55%, but cannot be more than 100%	

# Section 8: Project Summary Page

#### 1. Applicant Information

Applicant Legal Name:	
Applicant Type:	
<b>Does Applicant Qualify as a Small Business?</b> (If yes, the applicant certifies by signing below that it meets the small business criteria outlined in Section 2.3 of the RFGA)	
Applicant Mailing Address: (Street or PO Box)	
Applicant City:	
Applicant State:	
Applicant Zip Code:	

#### 2. Project Information

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

#### 3. Authorized Official

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

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 4 and 5 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 making a false statement may make the submitted application 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:

# 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 <u>TERP@tceq.texas.gov</u> or 1-800-919-TERP (8377).

\*If using an electronic 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.

# **Section 9: Application Checklist**

All applications for funding must be substantially complete and must be submitted within the application submission period listed on the cover page of the RFGA. Submission of a grant application that is not substantially complete will disqualify the applicant from receiving a grant under this RFGA. A substantially complete application must include:

- all pages of the application;
- all required attachments;
- applicant contact information;
- all required signatures; and
- all information necessary for TCEQ to review the application for selection according to the program requirements listed in the RFGA.

#### **Application Section Checklist (All Applications)**

Section 1: Applicant Information	Please fill out entirely.	
Section 2: Third-Party Preparer Signature Page	Please fill out entirely if application was prepared by a third party. <b>Signature Required</b> .	
Section 3: Certification of Eligibility	Please fill out entirely.	
Section 4: General Certifications	Please read and include with application.	
Section 5: On-Vehicle Electrification Project Certifications	Please read and include with application.	
Section 6: Vehicle / Equipment Information	Please fill out entirely.	
Section 7: Operation of Grant-Funded Equipment (Percent Annual Usage)	Please fill out entirely.	
Section 8: Project Summary Page	Please fill out entirely. Signature Required.	
Section 9: Application Checklist	Please fill out entirely and include with application.	
Section 10: Application Submission Instructions	Please read important submission instructions.	

#### **Required Attachments Checklist (All Applications)**

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<u>W-9 Form</u>	Please download, fill out entirely, and include with application. <b>Signature Required</b> .
Copy of State or Federal Identification Card	Include only if applying as an Individual or Sole Proprietor.
Copy of Registration Documents for Vehicle(s) (On-road only)	Please include registration documents for the 12 months immediately preceding the application signature date.
Copy of Title for Vehicle(s) (On-road only)	Please include proof of ownership for the 2 years immediately preceding the application signature date.
Color Photographs of Vehicle or Equipment Receiving the On-Vehicle Electrification	Please attach color photographs of the front, right side, left side, rear, engine, and engine data plate of each vehicle being upgraded. All photographs of the vehicle should include tires.
Supplemental Forms (if applicable)	
Supplemental Form 1: Waivers of Program	Please fill out entirely (if applicable) and include with

Requirements and Special Ownership Preapproval	Please fill out entirely (if applicable) and include with application. <b>Signature Required</b> .	
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# **Section 10: Application Submission Instructions**

### **Electronic Application Submissions**

Applications may be submitted electronically using one of the methods listed below. It is preferable that the application and its attachments be submitted as a single PDF, but it is not required. If the attachments for an application will be submitted as separate files, each attachment must be grouped by activity and clearly labeled with the activity number at the top of each page.

- Submitting Applications via Email. For applications that are submitted via email to <u>REBATE-Apply@tceq.texas.gov</u>, please use the following naming convention for your application file in the subject line: 'FY23 Rebate and [your legal name].' Only one application may be submitted per email at a maximum total file size of 25MB.
- 2) Submitting Applications via <u>TCEQ's FTPS Server</u>. If the application is larger than 25MB, please submit by uploading the file to TCEQ's file transfer protocol secure (FTPS) server and selecting the share file(s) button. Enter <u>REBATE-Apply@tceq.texas.gov</u> as the email address. Detailed directions for using TCEQ's FTPS Server can be found at <u>https://ftps.tceq.texas.gov/help/</u>. Please note: Applications uploaded to TCEQ's FTPS server without completing the share file(s) step will not be considered as submitted. <u>Click here</u> for detailed instructions on how to share files via TCEQ's FTPS server.

#### **Physical Application Submissions**

Applications may also be submitted by mailing a physical copy to one of these addresses:

#### Standard Mail:

Texas Commission on Environmental Quality Air Grants Division MC-204 (REBATE) P.O. Box 13087 Austin, TX 78711-3087

#### **Express Mail:**

Texas Commission on Environmental Quality Air Grants Division MC-204 (REBATE) 12100 Park 35 Circle, Building F, 1st Floor, Suite 1301 Austin, TX 78753