

State Incentives for Achieving Clean and Renewable Energy Development on Contaminated Lands



The development of clean and renewable energy on formerly used land offers many economic and environmental benefits. Combining clean and renewable energy and contaminated land cleanup incentives can allow investors and communities to create economically viable clean and renewable energy redevelopment projects. This document provides information about incentives in your state that can be leveraged for clean and renewable energy and development of contaminated land.



Incentives for Clean and Renewable Energy

Tax Incentives (abatements, deductions, credits, etc.)

Zero-Emissions Facility Production Tax Credit

www.okcommerce.gov/index.php?option=com_content&task=category§ionid=4&id=164&Itemid=712

Provides a state income tax credit to producers of electric power using renewable energy resources from a zero-emission facility located in Oklahoma. The zero-emission facility must have a rated production capacity of 1 MW or greater. The facility must be placed in operation after June 4, 2001, and the electricity must be sold to an unrelated party. For facilities placed in service on or after January 1, 2007 and before January 1, 2016, the amount of the credit is \$0.0050/kWh.

Biodiesel Production Tax Credit

www.okcommerce.gov/index.php?option=com_content&task=view&id=1709&Itemid=759#incentives

Offers a biodiesel (B100) production facility a credit of \$0.20 per gallon of biodiesel produced for tax years beginning after December 31, 2004, and before January 1, 2013. An eligible biodiesel facility must produce at least 25% for at least six months after the first month for which it is eligible to receive the credit, on or before December 31, 2008. The credit is allowed for 60 months.

Ethanol Production Tax Credit

www.okcommerce.gov/index.php?option=com_content&task=view&id=1709&Itemid=759#incentives

Offers a tax credit in the amount of \$0.20 per gallon of ethanol produced at an ethanol production facility for tax years beginning after December 31, 2003, and before January 1, 2013. The credit may only be claimed if the ethanol facility maintains an average production rate of at least 25% for at least six months.

Net Metering

www.occ.state.ok.us

Requires investor-owned utilities and electric cooperatives under the commission's jurisdiction to file net metering tariffs for customer-owned renewable-energy systems and combined-heat-and-power (CHP) facilities up to 100 kW in capacity or up to 25,000 kWh per year. Net metering is available to all customer classes.

Quick Facts

Public Benefit Fund (PBF)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Renewable Portfolio Standard	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Net Metering	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Interconnection Standards	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

Electric Power Industry Generation by Primary Energy Source (EIA, 2006)

Petroleum-Fired	0.1%	Nuclear	-
Natural Gas-Fired	46.6%	Hydroelectric	0.9%
Coal-Fired	49.7%	Other Renewables	2.9%

Points of Contact

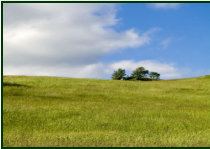
Zero-Emissions Facility Production Tax Credit, Biodiesel Production Tax Credit, Ethanol Production Tax Credit

Oklahoma Department of Commerce

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Incentives for Development of Contaminated Land

Oklahoma

Funding (grants, loans, bonds, etc.)

Oklahoma Quality Jobs Act

www.deq.state.ok.us/lpdnew/Brownfields/taxincennew2004.pdf

Provides incentive payments to eligible companies that locate their principal business activities on contaminated properties of at least ten acres in size that qualify as: 1) a federal Superfund removal site, 2) National Priorities List (NPL or Superfund) site, 3) a site formally deferred to the state in lieu of NPL listing, or 4) a site that was remediated pursuant to an order of the DEQ.

Brownfields Cleanup Revolving Loan Fund Program

www.deq.state.ok.us/pubs/lpd/bf2pages.pdf

Provides qualified applicants with funds to clean up contaminated properties through the state administered Brownfields Cleanup Revolving Loan Fund Program. The money is dispersed in the form of low interest loans.

Clean Water State Revolving Loan Fund Program

www.deq.state.ok.us/lpdnew/Brownfields/taxincennew2004.pdf

Provides loans to eligible brownfield sites located within permitted urban storm water areas. Proposed projects must participate in the Oklahoma Brownfields Program.

Tax Incentives (abatements, credits, etc.)

Oklahoma Sales Tax Code

www.deq.state.ok.us/lpdnew/Brownfields/taxincennew2004.pdf

Allows an exemption for machinery, equipment, fuels, and chemicals incorporated into the treatment process to substantially reduce the volume or harmful properties of hazardous waste at facilities approved by the DEQ for the cleanup of a site contamination.

Opportunity and Enterprise Zones

www.okcommerce.gov/index.php?option=content&task=view&id=300&Itemid=381

Offers eligible businesses that locate in one of Oklahoma's Opportunity or Enterprise Zones enhanced financial incentives for stimulating economic expansion in rural and disadvantaged communities. Businesses locating in an Opportunity Zone are not subject to the annualized average wage requirement in the standard Quality Jobs Program. Businesses located in an Enterprise Zone are eligible to receive double the Investment/New Jobs Tax Credit. Additionally, companies obtaining ad valorem exemptions from local taxing entities may be exempted for up to six years, rather than five.

Technical Assistance and Other Incentives

Brownfields Program

www.deq.state.ok.us/lpdnew/brownfindex.html

Offers technical assistance to private parties, government entities, and nonprofit organizations in the form of guidance, Phase I and Phase II assessments, and limited cleanup actions.

Limitations on Liability

Brownfields Program – Certificate of Completion; Certificate of No Action Necessary

www.deq.state.ok.us/lpdnew/brownfindex.html

Prohibits DEQ from assessing administrative penalties or pursuing civil actions associated with the contamination that was the subject of the consent order against any lender, lessee, or successor or assign if that person is in compliance with any post-certification conditions or requirements as specified in the consent order, Certificate of No Action Necessary, or Certificate of Completion.

Quick Facts

Limitations on Liability	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Number of State-Tracked Contaminated Properties:	28
Includes Brownfield Program sites that have completed or are currently in the program	
Number of EPA CERCLIS Sites:	232
Sites identified for potential investigation under the federal Superfund Program	
Number of EPA Brownfields Properties:	92
Properties being funded or addressed under the EPA Brownfields Program	

There may be some overlap among the categories listed and sites listed may not represent all potentially contaminated sites in Oklahoma

Points of Contact

Oklahoma Department of Environmental Quality
Oklahoma Quality Jobs Act, Brownfields Cleanup Revolving Loan Fund Program, Clean Water State Revolving Loan Fund Program
Brownfields Program, Oklahoma Sales Tax Code, Limitations on Liability
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