



FORM 401
APPLICATION FOR EMISSION REDUCTION CREDIT (ERC)
CERTIFICATE OF TITLE

Mail Application To:
 SCAQMD
 P.O. Box 4944
 Diamond Bar, CA 91765

Tel: (909) 396-3385

www.aqmd.gov

ERC Application Type	New	Change of Title	Alteration	Inter-District	Interpollutant
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New ERCs	Emission Reduction Achieved By:				
	Equipment Alteration	Equipment Removal	Facility Out of Business	Process Change	
	New APC Device	Other, Explain:			
	Equipment Description:				
	Permit/Application No.:		Date of Reduction (mo/day/year):		

Existing ERC Certificate Information	Name on Existing ERC Certificate:		ERC Certificate No:				
			ROG	NOx	SOx	CO	PM10
	All Applications	Existing Emission Amount (lbs/day)					
	For Alterations Only	Altered Amount (lbs/day)					
	For Alterations Only	Remaining Amount (lbs/day)					

Price Information (Change of Title and Inter-District Only)	Sale Price of ERC Certificate: _____ (Dollars per pound)
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Applicant Information (All Transactions)	Legal Name of Applicant:	
	SCAQMD ID No:	
	Business Mailing Address:	
	City: _____	State: _____
	Zip Code: _____	
	Name(s) of Owner/Principal Partners:	
	Contact Person and Title: _____	Telephone No.: _____
	Do you claim confidentiality of data? Yes No	
If Yes, state nature of data:		

South Coast Air Quality Management District
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Seller Information (Change of Title and Inter-District Only)	Legal Name of Seller:		
	SCAQMD ID No:		
	Business Mailing Address:		
	City:	State:	Zip Code:
	Name(s) of Owner/Principal Partners:		
	Contact Person and Title:		Telephone No.:
	Do you claim confidentiality of data? Yes No		
	If Yes, state nature of data:		

Intended ERC Use	ERC Will Be Used For:		
	Emission Offset (Rule 1303)	Variance/Order of Abatement	Broker/Auction
	Rideshare Program (Rule 2202)	AOC (Rule 518.2)	Investment
	Retire	Other	

Sensitive Zone requirements Rule 1303(b)(3)	Location of Emission Reduction:		
	Address & Street:		
	City:	State: CA	Zip Code:
	Location of ERC Use:		
	Address & Street:		
	City:	State: CA	Zip Code:

SECTION C: APPLICANT/SELLER CERTIFICATION STATEMENT			
I hereby certify that all information contained herein and information submitted with this application is true and correct.			
APPLICANT SIGNATURE		TITLE	
TYPE OR PRINT NAME OF SIGNER (APPLICANT):	APPLICANT'S TELEPHONE NUMBER:	DATE SIGNED:	
E-MAIL ADDRESS:	FAX NUMBER:		
SELLER SIGNATURE		TITLE	
TYPE OR PRINT NAME OF SIGNER (SELLER):	SELLER'S TELEPHONE NUMBER:	DATE SIGNED:	
E-MAIL ADDRESS:	FAX NUMBER:		

CONFIDENTIAL INFORMATION

Under the California Public Records Act, all information in your permit application will be considered a matter of public record and may be disclosed to a third party. If you wish to keep certain items as confidential, please complete the following steps:

- (a) Make a copy of any page containing confidential information blanked out. Label this page "public copy."
- (b) Label the original page "confidential." Circle all confidential items on the page.
- (c) Prepare a written justification for the confidentiality of each confidential item. Append this to the confidential copy.

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INSTRUCTIONS (FORM 401)

General Instructions

1. **Form Uses** - The following ERC actions require use of this form (Form 401):
 - A new emission reduction, (New ERC) - one application required per Permit Unit
 - A Change of Title of an existing ERC Certificate
 - An Alteration of an existing ERC Certificate (two certificates issued from, and totaling the amount of, the original)
 - An Inter-District Transfer request of an existing ERC Certificate (Rule 1309(i))
 - An Interpollutant Transfer request of an existing ERC Certificate (Rule 1309(h)).

2. **Fees** - Per District Rule 301(c)(4), every applicant filing an application for banking emission reduction credits (ERC), change of title of ERCs, or alteration/modification of ERCs, shall pay a processing fee in accordance with Schedule I, Rule 301. Additionally, the applicant shall pay a fee for publication of public notice if required by Rule 1309(f)(3), Rule 1309.2(D), or Rule 1310(c). Fees for Inter-basin, Inter-district, or Interpollutant Transfers of Emission Reduction Credits are found in District Rule 301(i)(7).
Make the check payable and send completed application to:

South Coast AQMD - P.O. Box 4944 - Diamond Bar, CA 91765-0944

3. **Authorization** - A signed letter from the seller on company letterhead authorizing the transaction is required for all applications for change of title or inter-district transfer. This is in addition to the requirement that the seller sign the Form 401.

4. **Canceling the Application** – Cancellation of this application must be done in writing from the Applicant. If an application is canceled prior to commencing processing, the filing fee less the application cancellation fee shall be refunded (see Rule 301 (l)(2)). The cancellation fee shall not apply when the application was filed based on an erroneous District request (see Rule 301(l)(4)).

Form 401 Instructions

1. **New ERC** - one complete application (covering all pollutants) and filing fee is required per permit unit or source of emission reduction and shall be submitted no more than 180 days after the emission reduction occurs (Rule 1309(b)). ERCs are evaluated pursuant to Rules 1306 and 1309. ERC applications shall include the following information:
 - 1) How the emission reduction was achieved;
 - 2) When the reduction occurred (e.g. the last day a source was actually operated, this is not the day the decision was made to cease operation);
 - 3) The amount and method of quantifying each pollutant reduced;
 - 4) Two years of operating records immediately preceding the date of emission reduction for the permit unit (e.g. copies of daily production logs, summary tables are not sufficient);
 - 5) Surrender of the permit responsible for the emission reduction;
 - 6) The name of the legal owner of the emissions source.

2. **Existing ERC Certificates** – Any action performed on an existing ERC certificate must be authorized in writing by the owner of the ERC certificate. Any person acting on behalf of the owner of the ERC must provide written authorization to that effect. The Non-Negotiable Copy of the ERC certificate must be surrendered to perform an action with that ERC. One application is required per ERC certificate.
 - a) ERC Change of Title - the Buyer or recipient of an existing ERC shall file as the “Applicant” for a Change of Title. Rule 1309(e) - Transfer of ERCs by Registered Owner requires disclosing the sale price of the ERCs.

 - b) ERC Alteration - the owner of the existing ERC certificate shall file as the “Applicant.”

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3. **Price Information** – The price of the ERC transaction must be reported in dollars per pound for all changes of title and inter-district transfers.

4. **Applicant Information**

ERC Application Type	Applicant
New	Party responsible for emission reduction
Change of Title	Party acquiring ERC certificate
Alteration	Owner of existing ERC certificate
Inter-District	Party acquiring ERC certificate
Interpollutant	Owner of existing ERC certificate

5. **Seller Information**

ERC Application Type	Seller
New	Not applicable
Change of Title	Owner of existing ERC certificate
Alteration	Not applicable
Inter-District	Owner of existing ERC certificate
Interpollutant	Not applicable

6. **Sensitive Zone Requirement** – applies to applicants intending to apply the ERC to offset emission increases at their facility. See Rule 1303(b)(3).
7. **Signature Block** – Applicant’s signature, name, title, telephone number and date of signature are **required** for all applications. Seller’s signature, name, title, telephone number and date of signature are **required** for all change of title and inter-district applications.
8. For assistance in completing Form 401, please call **NSR Implementation** (909) 396-2468.