



**Form 401**

**Application For Emission Reduction Credit (ERC)  
Certificate Of Title**

<b>Seller Information</b> (Change of Title and Inter-District Only)	Legal Name of Seller: _____ AQMD Facility ID: _____	
	Business Mailing Address: _____	
	Street Address _____	
	City _____	State _____ Zip _____
	Name(s) of Owner/Principal Partners _____	
Contact Person and Title _____ Phone No. _____ Ext. _____		
Do you claim confidentiality of data?      Yes      No		
If Yes, state nature of data: _____		
<b>Intended ERC Use</b>	<b>ERC Will Be Used For:</b>	
	Emission Offset (Rule 1303)	Variance/Order of Abatement
	Rideshare Program (Rule 2202)	AOC (Rule 518.2)
	Retire	Other: _____
<b>Sensitive Zone Requirements Rule 1303(b)(3)</b>	<b>Location of Emission Reduction:</b>	
	_____	
	Street Address _____	
	City _____	State _____ Zip _____
	<b>Location of ERC Use:</b>	
	_____	
Street Address _____		
City _____	State _____ Zip _____	
<b>Section B - Applicant/Seller Certification Statement</b>		
I hereby certify that all information contained herein and information submitted with this application is true and correct.		
<b>Applicant Signature:</b> _____		<b>Title:</b> _____
<b>Type or Print Name of Signer (Applicant):</b> _____	Phone #: _____ Fax#: _____	<b>Date Signed:</b> _____
Email: _____		
<b>Seller Signature:</b> _____		<b>Title:</b> _____
<b>Type or Print Name of Signer (Seller):</b> _____	Phone #: _____ Fax#: _____	<b>Date Signed:</b> _____
Email: _____		
THIS IS A PUBLIC DOCUMENT		
Pursuant to the California Public Records Act, your permit application and any supplemental documentation are public records and may be disclosed to a third party. If you wish to claim certain limited information as exempt from disclosure because it qualifies as a trade secret, as defined in the District's Guidelines for Implementing the California Public Records Act, you must make such claim at the time of submittal to the District.		
Check here if you claim that this form or its attachments contain confidential trade secret information.		

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**General Instructions**

1. **Form Uses** - The following ERC actions require use of Form 401:
  - New emission reduction credits (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))
  - Re-Issuance of a previously used ERC certificate (Rule 1309(g)) - One application per ERC certificate
2. **Fees** - Per District Rule 301(c)(4), every applicant filing an application for banking, change of title 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(j) (7). Fees for re-issuance of ERC are the same as Change of Title. Make 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 required seller's signature on Form 401. Furthermore, for applicants represented by a third party, a letter from the applicant authorizing such third party representation is required for all such applications.
4. **Agreement for Purchase/Sale** – A copy of the ERC title transfer agreement between buyer and seller is required for all ERC Change of Title applications. At a minimum, the agreement must disclose the ERC number, amount, pollutant and purchase/sale price in addition to the signature blocks identifying the parties and dates.
5. **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 313). The cancellation fee shall not apply when the application was filed based on an erroneous District request (see Rule 313).

**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 (i.e., 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 application for ERCs (i.e., copies of daily production logs - summary tables are not sufficient);
  - 5) Surrender of the permit for the equipment that is the subject of the ERC application; and
  - 6) The name of the legal owner of the emissions source.

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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 from the ERC owner 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.”
  - c) ERC Re-issuance—the owner of previously used ERC certificate shall file as the “Applicant.”
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/Re-Issuance	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 use 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** at (909) 396-2468.