



State of Oregon Department of Environmental Quality

Conflict of Interest Form Instructions

Clean Fuels Program

Contact: 3PVerify@deq.oregon.gov

How to use this form

DEQ's CFP Conflict of Interest disclosure form is an embedded web form administered in Adobe Sign. The option to sign the form electronically appears once all required fields have been filled in. The form requires co-signature from the responsible entity. Once the lead verifier has signed, the form will prompt them to enter the contact information of the responsible entity representative for co-signature. Once the responsible entity representative has signed, Adobe Sign will ask them to authenticate the signature via email. Once fully submitted, each signer will receive an email from Adobe Sign confirming the submission and providing access to download and print the completed form for their records.

Please note that there is the potential for lost data if the page refreshes. If you would like a copy of the form sent to you directly, please contact us at 3PVerify@deq.oregon.gov.

General Information

Conflict of Interest and Notice of Verification Services information must be submitted and approved by DEQ prior to beginning verification services. The current version of these forms is provided on the Third Party Verification website for the Clean Fuels Program and may be used by verification bodies to provide the information for Oregon DEQ review. You may submit one COI form and one NOVS form with multiple applications/report types only when the legal entity (company) is the same for all applications/report types being verified.

Additional submittals of this COI form may be necessary if an individual person or company is hired by the applicant/regulated entity pursuant to OAR 340-272-0500. This form may also be used to assess and disclose emerging potential for COI during verification services and for a period of one year after the completion of verification services.

If the ownership and operational control structure of the regulated entity is not clear, DEQ staff may request additional information to assist in determining the required scope of COI evaluation. Conflict of Interest forms and Notice of Verification Services forms may be submitted jointly or sequentially. If both are submitted at the same time, verification services may begin only once DEQ has approved the Conflict of Interest form submittal.

Be aware that the five year period for assessing potential for high conflict of interest begins on the date the reporting entity first contracted for verification and ends on the date the final verification statement is submitted.

This form is required to be submitted once per year, unless changes occur which would require more frequent submittal. Requirements for conflict of interest determinations and ongoing monitoring of conflict of interest are contained in OAR 340-272-0500(7) and (8), respectively.

Legal entities and related entities:

For fuel pathway applications/reports, the legal entity is the fuel pathway applicant/holder. Note that a facility may be a separate company within a larger organization.

For quarterly fuel transactions reports, the legal entity is the fuel reporting entity. The relevant legal entity may extend to a parent company if the parent company selects or contracts with the verification body instead of at the facility/company level.

Part 1: Verification Body Information

Enter information for the verification body. “Data year” for a Fuel Pathway Application is the year in which the application was submitted to DEQ. “Data Year” for Annual Fuel Pathway Reports and Quarterly Fuel Transactions Reports is the calendar year before annual verification services must be completed. For example, fuel transactions occurring in 2021 must be verified by August 31, 2022 and the “Data Year” is 2021.

Part 2: Responsible Entity Information

Enter information for the responsible entity and the type(s) of reporting being verified:

Fuel Pathway Application
Annual Fuel Pathway Report
Quarterly Fuel Transactions Report

The CFP ID is a 3-digit number assigned to the company by the Clean Fuels Program. For Address, please enter the address associated with the company in the reporting system.

Part 3: Verification Team Information

List the individuals that will comprise the verification team. At minimum, this must consist of a lead verifier and an independent reviewer who is also approved as a lead verifier and employed by the verification body. The independent reviewer may not be involved in verification services for the responsible entity during that reporting year or for that fuel pathway application period.

In the case that a fuel pathway application/report will be verified, the verification team must contain at least one person who has earned DEQ approval for verification of fuel pathways; this person must also be present at the site visit in full verification years. In the case that quarterly transaction reports will be verified, the verification team must include at least one person who has earned DEQ approval for verification of quarterly transaction reports; this person must also be present at the site visit in full verification years. Use the “Oregon Approvals” field to note whether the individual is approved by DEQ as a Lead Verifier or Non-Lead Verifier and which

sector(s) they are approved to provide verification services for, as noted on the individual's Oregon approval documentation.

Verifiers-in-training may participate on a verification team, they but must be under the direct supervision of the lead verifier at all times. Verifiers-in-training are also subject to conflict of interest requirements. If verifiers-in-training will participate on the verification team and/or attend the site visit, they must be listed on this form. Oregon approval information is not required for these individuals.

It is best practice to include anyone who may be involved in the verification on the verification team list; this prevents the need for re-submission of the form should the composition of the verification team change during verification. A new form submission is required for new hires, mergers, acquisitions, and divestitures, but is not required in cases where an individual leaves the verification team.

Part 4: Conflict of Interest Checklist

Provide the information requested regarding the potential for high and medium conflict of interest. Respond fully and in detail to all questions. If the regulated entity and verification body have no prior relationship, you may answer "no", but answer every question. Attach extra sheets as necessary to demonstrate your COI evaluation and any mitigation required.

High conflicts of interest potential cannot be mitigated, and if any high potential conflicts of interest are identified, the responsible entity will need to engage a different verification body.

If any items representing a **medium** conflict of interest are checked "Yes", a conflict of interest mitigation plan must be submitted with this form. A mitigation plan is a demonstration that any individual who may be conflicted with the reporting entity to be verified is isolated from verification services. Medium conflict generally occurs between two individuals (one at the verification body and one at the facility) or between an individual and an organization. The mitigation plan must address OAR 340-272-0500 (5) including:

- A demonstration that any individuals with potential conflicts have been removed and insulated from working on or discussing the project.
- An explanation of any changes to the organizational structure or verification body to remove the potential conflict of interest. A demonstration that any unit with potential conflicts has been divested or moved into an independent entity or any subcontractor with potential conflicts has been removed
- Any other circumstance that specifically addresses other sources for potential conflict of interest.

Potential for conflict of interest is considered **low** only if:

1. No potential for high or medium COI is found, and
2. Verification services are provided within the allowable period (six consecutive years according to OAR 340-272-0100(5)).

Part 5: Other Conflict of Interest Circumstances

For any possible circumstances that could result in a COI between the verification body and the reporting entity not captured elsewhere on this form, check “Yes” and attach documentation indicating why this situation will not affect the verification.

Part 6: Conflict of Interest Self-Assessment

After reviewing this document, complete the self-evaluation. It is important to disclose all possible business or personal relationships that may introduce conflict. If the potential COI is medium, a mitigation plan must be attached to this COI form.

Part 7: Attestation

This section is required. The individual signing this form must be authorized to sign a legally binding document on behalf of the responsible entity.

Translation or other formats

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800-452-4011 | TTY: 711 | deqinfo@deq.oregon.gov

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