



State of Oregon Department of Environmental Quality

# Changes to Fuel Supply Equipment Registration

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## Information needed for the new fuel supply equipment registration requirements

DEQ's most recent rulemaking for the Clean Fuels Program has added new requirements for registering fuel supply equipment (FSE), which means additional data and documents will be needed for all registrations. This document provides an overview of how these changes will be implemented and provides responses to questions we received from stakeholders.

### The new rules

The new rules that impact FSE registration appear in two primary places – the credit generator rule for electricity at [OAR 340-253-0320](#) and the registration rule at [OAR 340-253-0500](#). An abbreviated version of these rules is included at the end of this document in an appendix, along with the definitions used for several types of electric vehicles. The official copy of the full rules is available on the [Secretary of State website](#).

### Updated forms

There are updated versions of the FSE Registration Form and the FSE Detail Sheet as well as an updated FSE Registration user guide.

- All entities must submit the FSE Registration Form when initially registering an FSE. Additionally, you must provide ongoing updates about FSE or vehicles that are replaced or retired, or if they have a maintenance outage that last for more than 90 days.
- Only entities that are registered for cargo handling equipment, ocean-going vessels, forklifts, transport refrigeration units, and ground service equipment must submit the FSE Detail Sheet. Additionally, you must provide ongoing updates about vehicles that are replaced or retired, or if they have a maintenance outage that last for more than 90 days.

### Processing new applications

New FSE registration applications submitted after Jan. 1, 2023, as well as those that were submitted before Jan. 1, 2023, for which decision has not been made by DEQ, shall be processed based on the new requirements until they receive an email from DEQ signaling the beginning of their call-in process (see below). Once the registered party receives this email, any new FSE registration application will be put on hold until after the call-in process is completed.

## The call-in process

DEQ will be calling in registered parties that currently have registered FSE. There are approximately 3,500 active FSEs registered so we are dividing them up into rounds to manage the workload. The rounds are organized by the number of FSEs registered to the registered party. Until the call-in occurs, Oregon Administrative Rule 340-253-0320(13) provides that the registered credit generator as of Dec. 31, 2022, remains the credit generator for that FSE. If another entity attempts to register for that same FSE, DEQ will not process that new registration until the FSE are called in.

Each registered party will receive an email that includes a table containing a list of the FSE IDs registered to them and listed as active in the OFRS. The information requested in the table or excel worksheet will be similar to the FSE Registration Form. The table or excel worksheet will include several blank columns for the registered party to add the newly required information. In addition to the table or excel worksheet provided by DEQ, the registered party must submit:

- updated FSE Detail Sheet, wherever applicable;
- for each piece of fueling equipment for Compressed Natural Gas (CNG), Liquefied Natural Gas (LNG), and propane, the registered party must provide an invoice demonstrating fuel delivery to the site or specific FSE;
- for each hydrogen fueling equipment, an invoice or other documentation demonstrating fuel delivery to the site or FSE or on-site fuel production; and
- for each piece of electrical fuel equipment, documentation that the registered electrical fueling equipment is active and operational; as well as documentation of whether the registering party is the owner or operator of the electrical fuel equipment.
  - Additionally, for each registered electric forklift, Transportation Refrigeration Unit (e-TRU), Cargo Handling Equipment (e-CHE), and airport ground support equipment (e-GSE), documentation that the equipment is active and operational; as well as documentation of whether the registering party is the owner or operator of the credit-generating equipment or vehicles.

Ideally, the registered party can submit data that is directly collected by the electrical fueling equipment that is being registered as proof that it is active and operational. However, if that is not available, here are some other options:

- A utility bill, if it can be shown through accompanying documentation that the bill is entirely for a charger or chargers, or if a submeter specifically shown on that bill is entirely for the charger or chargers.
- Completed electrical permits for the installation of the chargers.
- A certification from an electrician licensed by the Building Codes Division that the chargers are installed and connected to electrical service.
- Photographs showing that the chargers are operational.
- An affidavit from an officer of the company that owns or operates the chargers stating that the FSE is active and operational.

The registered party will have 30 calendar days to complete and submit the table to DEQ along with the supporting documents. DEQ will review the information and request further information if needed. DEQ will inform the registered party of the decisions made after the review is complete. DEQ will then deactivate the FSE IDs for non-operational FSEs or for FSEs that the registered party is no longer eligible to generate credits for. If DEQ and the registered party

determine that information needs to be updated in the registration of an FSE, DEQ will instruct the registered party to submit an updated registration for that FSE. DEQ will also process the new applications that were on hold, for that registered party.

## Call-in schedule

The call-in process will begin in January 2023 and is anticipated to last through at least the first half of the year. There are no specific dates when each round will begin but DEQ will keep everyone updated as progress is made.

<b>Round</b>	<b>Registered Party</b>
1	Eugene Truck Haven, Inc.
1	Heiberg Garbage & Recycling
1	NextEra Energy Marketing, LLC
1	Northern Wasco PUD
1	Ogden Polar Group LLC
1	Opal Fuels Station Services LLC
1	Pride Disposal Company
1	Rogue Green Fuels
1	Salem Area Mass Transit
1	The Shuttle Inc
2	Bridge to Renewables, Inc.
2	Central Electric Cooperative, Inc.
2	Clatskanie PUD
2	Oregon Trail Electric Cooperative
2	WM Renewable Energy, LLC
2	Rogue Valley Transportation District
2	Clean Energy
2	3 Phases Renewables
2	City of Portland
2	PNGC Power
3	Beaverton School District
3	City of Forest Grove Light & Power
3	Ed Staub & Sons Petroleum, Inc.
3	Tillamook PUD
3	EV4 LLC
3	Columbia River PUD
3	Lane County Public Works
3	DAS Fleet and Parking Services
3	Eugene Water & Electric Board
3	Lane Community College
4	Charli Charging LLC
4	City of Eugene
4	Element Markets EV, LLC

4	Lane Transit District
4	U.S. Venture, Inc.
4	American Honda Motor Co., Inc
4	Tesla, Inc.
4	City of Ashland
4	City of Hillsboro
5	Oregon Dept of Transportation
5	Emerald PUD
5	Webasto Charging Systems, Inc.
5	Volta Charging
5	Clean Skies Oregon Corp
5	EVgo
6	Forth
6	PineSpire, LLC
6	Port of Portland
7	PacifiCorp
7	3Degrees Group, Inc.
8	Energy Mission Control
8	Portland General Electric
9	Smart Charging Technologies LLC
10	CleanFuture, Inc.
10	ChargePoint
10	SRECTrade, Inc.

## Aggregators

DEQ understands that Aggregators play a significant role and we will be working directly with them to make this process efficient and timely for them and their clients. DEQ will work with the aggregators to address many of the complexities raised during the webinar in December 2022 as we progress through the call-in process but prior to them being called in.

## Alternative methodology

In the 2022 rulemaking, DEQ modified its rules in order to require that all fuel quantities reported in the program must be temperature corrected for liquid fuels or accurately metered at the point of dispensation for other fuels. If the fuel cannot be accurately metered at the point of dispensation, then DEQ has the authority to approve an alternative methodology to use for reporting in that instance. This provision does not cover residential charging of electricity, which has a separate provision in the rules.

OAR 340-253-1000(2): Registered parties must express fuel quantities in the unit for each fuel according to the temperature correction requirements in OAR 340-253-0640(4) for liquid fuels, or according to accurate metering for all other fuels when they are dispensed into the vehicle or other qualifying equipment. **If the fuel cannot be accurately metered at the point of dispensation, DEQ may approve an alternative**

**methodology and all registered parties reporting in that circumstance must use that methodology.**

For details on the approved estimation methodology for reporting for electric forklifts, please see DEQ's [Registering Fuel Supply Equipment web page](#).

The FAQ portion of this document has been moved to another document titled "Frequently Asked Questions: Reporting for the Clean Fuels Program and Greenhouse Gas Reporting Program" located below.

## **Appendix**

### **OAR 340-253-0040**

"Aggregator" means a person who registers to participate in the Clean Fuels Program, described in OAR 340-253-0100(3), on behalf of one or more credit generators to facilitate credit generation and trade credits.

"Credit generator" means a person eligible to generate credits by providing clean fuels for use in Oregon and who voluntarily registers to participate in the Clean Fuels Program, described in OAR 340-253-0100(2), and specified by fuel type under OAR 340- 253-0320 through 340-253-0340.

"Fuel supply equipment" means equipment registered in the Oregon Fuels Reporting System that dispenses alternative fuel into vehicles, including but not limited to electric vehicle chargers, hydrogen fueling stations, and natural gas fueling equipment.

"Registered party" means a regulated party, credit generator, or aggregator, or an out-of-state fuel producer that has a DEQ-approved registration under OAR 340-253-0500(1) to participate in the Clean Fuels Program.

"Electric Cargo Handling Equipment" or "eCHE" means any off-road, self-propelled vehicle or equipment, other than yard trucks, used at a port or intermodal rail yard to lift or move container, bulk, or liquid cargo carried by ship, train, or another vehicle, or used to perform maintenance and repair activities that are routinely scheduled or that are due to predictable process upsets. This equipment uses electric batteries to store propulsion and functional energy and only has electric motors. Equipment includes, but is not limited to, rubber-tired gantry cranes, top handlers, side handlers, reach stackers, loaders, aerial lifts, excavators, tractors, and dozers.

"Electric Transport Refrigeration Units" or "eTRUs" means refrigeration systems powered by electricity designed to refrigerate or heat perishable products that are transported in various containers, including, but not limited to, semi-trailers, truck vans, shipping containers, and rail cars.

"Electric Forklift" or "eForklift" means a Class I, II, or III powered industrial truck as defined by the US Occupational Safety and Health Administration in the December 1, 1998 Powered Industrial Truck Operator Training final rule notice.

"Ocean-Going Vessel" or "OGV" means a commercial, government, or military watercraft meeting any one or more of the following criteria:

- (a) A vessel greater than or equal to 400 feet in length overall;
- (b) A vessel greater than or equal to 10,000 gross tons pursuant to the convention measurement (international system); or
- (c) A vessel propelled by a marine compression ignition engine with a per-cylinder displacement of greater than or equal to 30 liters.

**OAR 340-253-0320:**

[...]

(3) Non-residential charging. For electricity used to charge an electric vehicle at non-residential locations, such as in a public space, for a fleet, at a workplace, or at multi-family housing sites, subsections (a) through (c) determine the person who is eligible to generate credits.

(a) The owner of the electric-charging equipment may generate the credits. If the owner of charging equipment is not registered and that charging equipment is part of an electric vehicle supply equipment network, then the network service provider may register until and unless the owner registers.

[...]

(5) Electric Forklifts. For electricity used to power forklifts, the forklift owner may generate the credits. If the forklift is being operated by a person other than the owner, the owner may generate the credits if they have detailed data that enables them to accurately report the electricity used to operate the forklift as required by OAR 340-253-1000(2), otherwise the operator of the forklift may generate the credits.

(6) Electric Transportation Refrigeration Units. The owner of the electric transportation refrigeration unit may generate credits for electricity used in transport refrigeration units.

(7) Electric Cargo Handling Equipment. The owner of the electric charging equipment may generate the credits.

(8) Electric Ocean-Going Vessel. The owner of the equipment that provides electrical power from the shore to the vessel is eligible to generate credits.

(9) Electric Ground Support Equipment. The owner of the charging equipment for ground support equipment is eligible to generate credits.

[...]

(13) Credit Generator transition during 2023. For all electricity fuel supply equipment and facilities that has a current registration on January 1, 2023, each registered credit generator of such equipment as of December 31, 2022, may continue to generate credits based on the use of that equipment until DEQ calls in the registration to confirm that they may continue to generate credits under this rule. DEQ will call in the registrations in batches and will not act on another party's request to become the registered credit generator for such currently registered fuel supply equipment and facilities until that current registration is called in for review.

**OAR 340-253-0500:**

[...]

(3) Registering FSE and certain vehicles. Credit generators and aggregators reporting on behalf of credit generators for use of electricity, hydrogen, alternative jet fuel, and fossil and bio-based or renewable LPG, CNG, and LNG, must register their fuel supply equipment (FSE), certain vehicles, or both, to report fuel volumes used, as provided in section (5). An FSE registration is not valid until approved by DEQ.

(4) DEQ will not review or approve FSE and vehicle registrations submitted in the second 45 days of a calendar quarter until the following quarter.

(5) Fuel Supply Equipment. Registered parties may register their active and operational FSE, vehicles, or both to report fueling of vehicles with electricity, natural gas, renewable natural gas, propane, renewable propane, or hydrogen as follows:

(a) To register FSE and vehicles the following must be provided in OFRS:

(A) The entity registering the FSE and vehicles and, if they have been designated as an aggregator, the entity that designated them;

(B) The location of the FSE, including the name of the facility, the address, and latitude and longitude;

(C) For CNG fueling equipment, the utility meter number for a CNG station and an invoice from utility demonstrating fuel delivery to the site or FSE;

(D) For LNG fueling equipment, the fueling station identification number and the owner of the station, as well as the type of station and an invoice demonstrating fuel delivery to the site or FSE;

(E) For propane fueling equipment, the fueling station identification number and the fueling station owner, and an invoice or other documentation demonstrating service to the site or FSE;

(F) For hydrogen fueling equipment, the fueling station identification number, and an invoice or other documentation demonstrating service to the site or FSE; and

(G) For electrical fuel equipment, the type of charger, the serial number of the fueling equipment, the manufacturer of the fueling equipment, and documentation that the electrical fueling equipment being registered is active and operational;

(b) To register off-road electrical and hydrogen vehicles or their fueling equipment, the registered party must provide the following information:

(A) The quarter and year of the registration;

(B) The address where the vehicle or FSE is based;

(C) The category of FSE; (D) The type of equipment or vehicle;

(E) The name of the equipment manufacturer;

(F) The unique serial number assigned to by the manufacturer;

(G) The model year;

(H) The vehicle identification number, if applicable;

(I) The date that the information being submitted was collected or last updated; and

(J) Any other information that DEQ requests in order to reduce the likelihood of multiple entities registering the same equipment or reporting the same quantity of fuel, or to ensure that the correct fuel application and energy economy ratio is being used when credits or deficits are being calculated. Information must be provided to DEQ within 14 calendar days of such a request, or the registration will be rejected;

(c) DEQ may request additional documentation or evidence prior to approving a registration of FSE, and DEQ may deny the registration if the applicant fails to provide the requested documentation or evidence within 7 calendar days or another deadline set by DEQ;

(d) For electric vehicle chargers on a single dedicated circuit or panel, a single meter for that circuit or panel may be registered and used as the FSE so long as the registered party can

prove that no other electrical equipment is or will be connected to that circuit, so the meter is only recording EV charging; and

(e) Registrations will only be processed for active and operational FSE or vehicles.

Registered parties must inform DEQ if registered FSE or vehicles are replaced or retired, or if they have a maintenance outage that last for more than 90 days. Registered parties must note any maintenance outages in the FSE transaction description of each quarterly report.

## Translation or other formats

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