



KENTUCKY DEPARTMENT OF AGRICULTURE

DR, RYAN F. QUARLES, Commissioner • Division of Environmental Services
107 Corporate Drive, Frankfort, KY 40601 • kyagr.com

RENEWABLE CHEMICAL PRODUCTION PROGRAM TAX CREDIT APPLICATION

BUSINESS INFORMATION

Legal Business Name (As listed with Secretary of State) _____

Business Street Address _____

City _____ State _____ ZIP _____

Mailing Address (if Different) _____

City _____ State _____ ZIP _____

Applicant's Federal Employer ID Number (FEIN) _____

Has applicant's FEIN changed at any time within the last two (2) years? **YES** ____ **NO** ____

6 Digit NAICS Code _____

Legal Business Structure _____

Has applicant's legal business structure changed at any time within the last two (2) years?

YES ____ **NO** ____

Has applicant been involved in a merger or acquisition with another business within the last two (2) years?

YES ____ **NO** ____

State of Organization _____ Kentucky County location _____

Business Type _____

Business/Organization Start Date in Kentucky (MM/DD/YYYY) _____

Applicant Business Owner/Contact Name _____

Title _____ Phone _____ :

Email Address _____

Company Website _____

Please provide a brief description of the business: _____

EMPLOYEE INFORMATION

Current full-time employment (DO NOT INCLUDE TEMPORARY OR CONTRACT WORKERS) _____

Full-time employees are persons who are subject to Kentucky income tax and are employed by the applicant for at least 35 hours per week. Do not include part-time employees or contract workers. Include full-time W-2 applicant employees AT ALL LOCATIONS, both inside and outside Kentucky.

Current number of W-2 employees subject to Kentucky income tax and working an average of 35 (thirty-five) or more hours per week	
Current number of W-2 employees not subject to Kentucky income tax and working an average of 35 (thirty-five) or more hours per week	
Current number of full-time W-2 employees.	

NEW FULL-TIME EMPLOYEES

List below each eligible W-2 employee (minimum of two [2] per application) for which you are seeking a tax credit. For each individual listed, you are certifying that the employee meets ALL of the following criteria (must be able to answer yes to all three (3) criteria to qualify for a preliminary tax credit):

1. Employee started working in the production of renewable chemicals after July 1, 2020.
2. Employee works an average of 35 or more hours per week.
3. Employee is subject to Kentucky income taxes during employment.

Employee Name (Must be a W-2 paid employee to qualify)	Work Start Date (MM/DD/YYYY)

If an employee was hired but left before completing 48 consecutive months of employment, the position may still be eligible if a new employee began work to replace the departed employee within 45 days of his/her departure.

INVESTMENT OF NEW SUBSTANTIAL CAPITAL

List below all investment, after July 1, 2020, by the business of at least five thousand (\$5000) in tangible capital assets used directly in the production of renewable chemicals. Documentation of each entry must be attached for each investment listed.

Tangible Capital Asset Investment	Investment Amount in \$

RENEWABLE CHEMICAL INFORMATION

Information must be provided for renewable chemicals produced in Kentucky. Documentation of each entry must be attached for each renewable chemical listed.

Renewable Chemical Name	Amount Produced After Eligibility	Location of Production	Feedstock Type	Cost of Production	Gross Receipts from Sale of Production	Bio-based content %

CERTIFICATION

The business:

1. Has not applied for and will not receive economic development incentives under KRS Chapter 154 for the jobs created or capital investment made under the Renewable Chemical Production Program; and
2. Is in compliance with all agreements entered into under the Renewable Chemical Production Program or other programs administered by the department; and
3. Does not provide professional services, health care services, or medical treatments, or engage in retail operations; and
4. Has not relocated operations from another area of the state or reduced operations in another area of the state while seeking this incentive.

Date that the business first qualified as an eligible business

Organized	
Expanded	
Located	

Eligibility for certification of a preliminary tax credit under the Renewable Chemical Production Program is determined by the information presented in this application, the required attachments and any additional requested information provided. Submission of the application and all required attachments does not guarantee certification of a preliminary tax credit. Any changes in the facts presented herein, including but not limited to any material changes to the representations made in the documentation provided in accordance with the requirements set forth in this application, could jeopardize eligibility for certification of a preliminary tax credit.

I hereby give permission to the Kentucky Department of Agriculture (KDA) to research the business' history, make credit checks, contact the business' financial institutions, insurance carriers, and perform other related activities necessary for reasonable evaluation of this application. I also authorize the Kentucky Department of Revenue to provide KDA state tax information pertinent to the business' state income tax, sales and use tax, and state tax credits claimed.

I understand this application for a preliminary tax credit eligibility is subject to approval by KDA and the amount of tax credits allowed and applied is subject to approval by the Kentucky Department of Revenue. Furthermore, I am aware that tax credits will not be disbursed until an agreement has

been executed with KDA and the appropriate terms therein have been met.

I, the undersigned, a duly authorized representative of the applicant, hereby represent and certify that the foregoing application information, including all attachments, to the best of my knowledge, is (a) true, complete and accurate with respect to the information concerning the production of renewable chemicals for which certification of a preliminary tax credit are sought; and (b) does not contain any information for which any entity competing with the applicant may claim a proprietary interest.

I certify the applicant is not an ineligible business as per the requirements of KRS 246.700.

I certify that the position(s) listed in the application meets all three criteria for new job creation and can be verified by supporting documentation maintained by the applicant company. I agree to provide access to supporting employee documentation if requested by KDA or its agents.

I certify that the number of current full-time employees exceeds the base employment by at least the number of employees in the application.

I certify that the applicant business currently owns the qualifying tangible capital assets included in the application and that all listed equipment is located or based in Kentucky.

The undersigned, on behalf of the applicant, acknowledges that information contained within the application and its attachments may be subject to public disclosure to the extent required by law pursuant to any request made under the Kentucky Open Records Act contained in Chapter 61 of the Kentucky Revised Statutes. Notwithstanding the above, except as otherwise agreed to by the applicant in writing, no confidential or proprietary application information shall be disclosed if properly excluded from disclosure under KRS 61.878 (as determined by the Authority, the Kentucky Attorney General or court of competent jurisdiction). If approved, information reported to the KDA with regard to employment numbers, investment, eligible costs, approved costs and other information as required by the program shall be available for public disclosure.

In addition, the undersigned, on behalf of the applicant, acknowledges and grants permission to the KDA to share any and all information contained within the application and its attachments with appropriate state agencies, local jurisdiction(s) and consultants authorized by regulation to determine the eligibility of renewable chemical production for which preliminary tax credits are sought.

I understand that I am obligated to submit to KDA a non-refundable compliance cost fee in the amount of **\$500** (five hundred dollars) with each application.

Signature

Title

Printed Name

Date

In compliance with KRS 246.700 requiring an agreement for successful completion of all program requirements between _____ and the Kentucky Department of Agriculture, the terms listed below are agreed and enforceable upon the authorized signatures of the parties affixed below.

Terms of Agreement

- 1. _____ shall submit all information and reports necessary for the department to determine:
 - (a) The date of _____'s eligibility;
 - (b) The amount of preliminary tax credit for which _____ is eligible; and
 - (c) _____'s compliance for each year, including information on required creation or maintenance of new jobs or investment of a substantial amount of new capital.

- 2. _____ shall:
 - (a) Collect and provide all information required by the Kentucky Department Agriculture, allowing the department and the Department of Revenue to maintain the annual tax credit cap and to fulfill each of the reporting and compliance obligations under KRS 246.700 and KRS 141.4231; and
 - (b) Agree to allow information about the production of renewable chemicals and the related tax credit to be shared with the Legislative Research Commission and the Interim Joint Committee on Appropriations and Revenue.

- 3. The Kentucky Department of Agriculture shall:
 - (a) Review _____'s application;
 - (b) Confirm the applicant's eligibility; and
 - (c) Certify the amount of preliminary tax credits for the production of approved renewable chemicals.

AGREED:

	For Kentucky Department of Agriculture
Authorized Agent & Title	Date
Date	Examined:
	Legal Counsel