Guidelines for ETC-41 Renewable Fuels Property Credit

per Section 12-6-3610 (A), SC Code of Laws

Tax credit for equipment costs used for distribution/dispensing biofuel

- Applicant must provide an overview of what is being done (including an explanation of the facility and what equipment has been added for what purpose).
- Applicant must certify that equipment is used for new production at a new or existing facility and must certify when the equipment was placed in service.
- Applicant must provide documentation that equipment is directly and exclusively used for this purpose.
- Applicant must provide documentation that it is labeled for this purpose.
- Applicant must certify that they will notify us if the equipment is taken out of service.
- Applicant must provide documentation in the form of invoices, and each invoice must be accompanied by an explanation of how the items listed pertain to the eligible equipment, as defined under the law and further detailed below. *(Please use attached documentation spreadsheet.)*
- Applicant may not claim a tax credit for equipment for which another tax credit has been claimed.
- Applicant must certify under penalty of perjury that the applicant qualifies for the credit – in particular, has incurred expenses for equipment for either the distribution/dispensing or production renewable fuel as defined under Section 12-6-3610)

Definitions

As stated in Section 12-6-3610**(**A)(2), "*eligible property includes pumps, storage tanks, and related equipment that is directly and exclusively used for distribution, dispensing or storing renewable fuel*," and includes equipment physically in contact with renewable fuel such as hoses, dispensers, nozzles, or other equipment located on the property.

- For the purposes of Section 12-6-3610**(**A), **"related equipment**" **excludes**:
  - vessels or pipelines that transport fuel
  - real estate, buildings or facilities housing eligible property
  - infrastructure such as roads, rail, port or airport assets
  - earth moving or hard surfacing equipment
  - fencing or utility equipment
  - administrative equipment such as computers, servers, printers, phones, fax machines, administrative computer software, promotional equipment, medical equipment
  - utilities like water or electricity,
  - or any other equipment that does not come into physical contact with renewable fuel.