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Instructions for Form 8933

(Rev. December 2022)

Carbon Oxide Sequestration Credit



Department of the Treasury
Internal Revenue Service

Section references are to the Internal Revenue Code unless otherwise noted.

Future Developments

For the latest information about developments related to Form 8933 and its instructions, such as legislation enacted after they were published, go to [IRS.gov/Form8933](https://www.irs.gov/Form8933).

What's New

Inflation Reduction Act. A summary of major changes to section 45Q is as follows. Also see PL 117-169, sec. 13104 and sec. 13801.

- Extended the deadline to begin construction of qualified facility from 2026 to 2033.
- Changed base rate for section 45Q(b)(1)(A)(i)(I) and (II) rates to \$17 and \$12 (\$85 and \$60 if section 45Q(h)(2) requirements are met), respectively, for tax years beginning after 2022.
- Changed base rate for section 45Q(b)(1)(B)(i) and (ii) rates to \$36 and \$26 (\$180 and \$130 if section 45Q(h)(2) requirements are met), respectively, for direct air capture facilities, for tax years beginning after 2022.
- Reduced annual thresholds of capture carbon oxide for qualified electric generating facility, qualified direct air capture facility, and any other facility. See [Qualified facility](#).
- Changed credit reduction percentage to 15%. See [Coordination With Section 142 Bond Financing](#).
- Added definitions for new terms including [Applicable electric generating unit](#), [Baseline carbon oxide production](#), and [Capacity factor](#).
- Section 45Q(f)(9) election for carbon oxide captured and disposed of after 2021 for qualified facility located in a federally declared disaster area for carbon oxide captured and disposed of after 2021. See [Section 45Q\(f\)\(9\) Election](#).
- For prevailing wage and apprenticeship requirements, regulations and guidance are pending. See [Prevailing Wage Requirements](#) and [Apprenticeship Requirements](#).
- For additional payment options over credits, regulations and guidance are pending. See [Elective Payment of Applicable Credits](#) and [Transfer of Carbon Oxide Sequestration Credits](#).

Credit rates and applicable dollar amounts. The credit rates for lines 1b, 2b, and 3b are adjusted for inflation and increased, per Notice 2022-38. The applicable dollar amounts for lines 4b, 5b, and 6b are established by linear interpolation between statutory dollar amounts and increased, per Notice 2018-93. See [2022 credit rates and applicable dollar amounts](#).

Continuous-use form. Form 8933 will no longer be updated annually. Instead, it will only be updated when necessary.

Section 45Q(f)(3)(B) election. Line 13 and its instructions are expanded to include the individual listing of the three largest elections (in dollars) given to you by another person(s). See [Line 13. Section 45Q\(f\)\(3\)\(B\) Election](#), later.

Reminders

Proposed and final regulations, model certificates, and expanded Form 8933. Per the January 2021 Treasury Decision 9944 (TD) ([final regulations for section 45Q](#)) and the June 2020 Notice of Proposed Rulemaking (NPRM) ([REG-112339-19](#)) that preceded it, section 45Q projects may involve multiple legal contracts with multiple parties for the capture, utilization, or disposal of carbon oxides and, generally to claim the credit, the existence of each contract and the parties involved must be reported on Form 8933 annually. For this reporting, filers should use attachments substantially similar to the model certificates shown at the end of these instructions.

Note. For tax years beginning on or after January 13, 2021, you must follow the provisions of the TD. For all other 2021 tax years you may elect to apply either the provisions of the NPRM or of the TD, but you must apply them in their entirety and in a consistent manner.

Credit reduced for certain tax-exempt bonds. A qualified section 45Q facility can be financed with exempt facility bonds issued after December 31, 2021. The section 45Q credit is reduced for qualified section 45Q facilities financed with exempt facility bonds. See [Coordination With Section 142 Bond Financing](#), later.

General Instructions

Purpose of Form

Use Form 8933 to claim the section 45Q carbon oxide sequestration credit. See [Definitions](#), later.

For purposes of this form, a partner in a partnership that has made a valid section 761(a) election will be considered the taxpayer. Partnerships with valid section 761(a) elections aren't required to complete or file this form. Instead, the partner is required to complete and file this form in a manner commensurate with its undivided ownership interest in the qualified facility. Also, see Rev. Proc. 2020-12, 2020-11, I.R.B. 511, for allocation safe harbor. However, if you elect to use the TD, the section 761(a) election applies only in the case of qualified carbon oxide captured using carbon capture equipment that's originally placed in service at a qualified facility before

February 9, 2018. For qualified carbon oxide captured using carbon capture equipment that's originally placed in service at a qualified facility on or after February 9, 2018, for each single process train of carbon capture equipment (as described in Regulations section 1.45Q-2(c)(3)), only one taxpayer will be considered the person to whom the credit is attributable and only that person may claim the carbon oxide sequestration credit. See Regulations section 1.45Q-1(h)(1).

Taxpayers other than partnerships or S corporations whose only source of this credit is from those pass-through entities (other than a partnership with a valid 761(a) election) aren't required to complete or file this form. Instead, report this credit directly on line 1x in Part III of Form 3800, General Business Credit.

How To Figure the Credit

Subject to the section 45Q(f)(3)(B) election (discussed later), section 45Q(a)(1) allows a credit of \$20 per metric ton of qualified carbon oxide captured by you using carbon capture equipment that is (1) originally placed in service at a qualified facility before February 9, 2018, (2) disposed of by you in secure geological storage, and (3) not used by you as a tertiary injectant in a qualified enhanced oil recovery (EOR) or natural gas recovery project or utilized by you in a manner described in section 45Q(f)(5).

Section 45Q(a)(2) allows a credit of \$10 per metric ton of qualified carbon oxide (1) captured by you using carbon capture equipment that is originally placed in service at a qualified facility before February 9, 2018; and (2) either (a) used by you as a tertiary injectant in a qualified EOR or natural gas recovery project and disposed of by you in secure geological storage, or (b) utilized by you in a manner described in section 45Q(f)(5).

Section 45Q(a)(3) allows a credit of the applicable dollar amount (as determined under section 45Q(b)(1)) per metric ton of qualified carbon oxide (1) captured by you using carbon capture equipment that is originally placed in service at a qualified facility on or after February 9, 2018, during the 12-year period beginning on the date the equipment was originally placed in service, (2) disposed of by you in secure geological storage, and (3) neither used as a tertiary injectant in a qualified EOR or natural gas recovery project nor utilized in a manner described in section 45Q(f)(5).

Section 45Q(a)(4) allows a credit of the applicable dollar amount (as determined under section 45Q(b)(1)) per metric ton of qualified carbon oxide (1) captured by you using carbon capture equipment that is originally placed in service at a qualified facility on or after February 9, 2018, during the 12-year period beginning on the date the equipment was originally placed in service; and (2) either (a) used by you as a tertiary injectant in a qualified EOR or natural gas recovery project and disposed of by you in secure geological storage, or (b) utilized in a manner described in section 45Q(f)(5).

For purposes of determining the credit, you may elect under section 45Q(b)(3) to have the dollar amounts

applicable under section 45Q(a)(1) or (2) apply in lieu of the dollar amounts applicable under section 45Q(a)(3) or (4) for each metric ton of qualified carbon oxide that is captured by you using carbon capture equipment that is originally placed in service at a qualified facility on or after February 9, 2018.

For the purpose of calculating the credit, a metric ton of carbon oxide includes only the contained weight of the carbon oxide. The weight of any other substances, such as water or impurities, isn't included in the calculation.

2022 credit rates and applicable dollar amounts. The credit rates for lines 1b, 2b, and 3b are increased by the adjustment for inflation. The rates are as follows.

- Line 1b: \$25.07 per metric ton.
- Line 2b: \$12.53 per metric ton.
- Line 3b: \$12.53 per metric ton.

See Notice 2022-38, 2022-39 I.R.B. 239, available at [IRS.gov/irb/2022-39_IRB#NOT-2022-38](https://www.irs.gov/irb/2022-39_IRB#NOT-2022-38).

For any tax year beginning in a calendar year after 2016 and before 2027, the section 45Q(b)(1)(A) applicable dollar amounts for lines 4b, 5b, and 6b are established by linear interpolation between \$22.66 and \$50, and \$12.83 and \$35, respectively. The applicable dollar amounts are as follows.

- Line 4b: \$37.85 per metric ton.
- Line 5b: \$25.15 per metric ton.
- Line 6b: \$25.15 per metric ton.

See Notice 2018-93, 2018-51 I.R.B. 1041, available at [IRS.gov/irb/2018-51_IRB#NOT-2018-93](https://www.irs.gov/irb/2018-51_IRB#NOT-2018-93).

After 2022, the applicable dollar amounts are as follows.

- Line 4b: \$17 per metric ton (\$85 per metric ton if section 45Q(h)(2) requirements are met).
- Line 5b: \$12 per metric ton (\$60 per metric ton if section 45Q(h)(2) requirements are met).
- Line 6b: \$12 per metric ton (\$60 per metric ton if section 45Q(h)(2) requirements are met).

For direct air capture facilities placed in service after 2022, the section 45Q(b)(1)(B) applicable dollar amounts are as follows.

- Line 7b: \$36 per metric ton (\$180 per metric ton if section 45Q(h)(2) requirements are met).
- Line 8b: \$26 per metric ton (\$130 per metric ton if section 45Q(h)(2) requirements are met).
- Line 9b: \$26 per metric ton (\$130 per metric ton if section 45Q(h)(2) requirements are met).

Amount captured by additional carbon capture equipment on existing qualified facility.

For a qualified facility placed in service before February 9, 2018, for which additional carbon capture equipment is placed in service on or after February 9, 2018, the amount of qualified carbon oxide that is captured by you is the following.

- For purposes of lines 1, 2, and 3, equal to the lesser of (a) the total amount of qualified carbon oxide captured at such facility for the tax year, or (b) the total amount of the carbon dioxide capture capacity of the carbon capture

equipment in service at such facility on the day before February 9, 2018.

- For purposes of lines 4, 5, and 6, an amount (not less than zero) equal to the excess of (a) the total amount of qualified carbon oxide captured at such facility for the tax year, over (b) the total amount of the carbon dioxide capture capacity of the carbon capture equipment in service at such facility on the day before February 9, 2018.

Definitions

Qualified carbon oxide. This is (a) any carbon dioxide captured from an industrial source by carbon capture equipment originally placed in service before February 9, 2018, which would otherwise be released into the atmosphere as industrial emission of greenhouse gas or lead to such release, and is measured at the source of capture and verified at the point of disposal, injection, or utilization; (b) any carbon dioxide or other carbon oxide that is captured from an industrial source by carbon capture equipment originally placed in service on or after February 9, 2018, which would otherwise be released into the atmosphere as industrial emission of greenhouse gas or lead to such release, and is measured at the source of capture and verified at the point of disposal, injection, or utilization; or (c) in the case of a direct air capture facility, any carbon dioxide that is captured directly from the ambient air, and is measured at the source of capture and verified at the point of disposal, injection, or utilization.

Qualified carbon oxide includes the initial deposit of captured carbon oxide used as a tertiary injectant. It doesn't include carbon oxide that's recaptured, recycled, and re-injected as part of the EOR and natural gas recovery process.

Carbon capture equipment. This includes all components of property that are used to capture or process carbon oxide until the carbon oxide is transported for disposal, injection, or utilization. Carbon capture equipment is equipment used for the purpose of (1) separating, purifying, drying, and/or capturing carbon oxide that would otherwise be released into the atmosphere from an industrial facility; (2) removing carbon oxide from the atmosphere via direct air capture; or (3) compressing or otherwise increasing the pressure of carbon oxide.

All components that make up an independently functioning process train capable of capturing, processing, and preparing carbon oxide for transport will be treated as a single unit of carbon capture equipment (single process train). See Rev. Rul. 2021-13, 2021-30 I.R.B. 152, available at [IRS.gov/irb/2021-30_IRB#REV-RUL-2021-13](https://www.irs.gov/irb/2021-30_IRB#REV-RUL-2021-13).

Applicable electric generating unit. An applicable electric generating unit is the principal electric generating unit for which the carbon capture equipment is originally planned and designed.

Baseline carbon oxide production. A baseline carbon oxide production means either of the following.

- In the case of an applicable electric generating unit that was originally placed in service more than 1 year prior to the date on which construction of the carbon capture equipment begins, the average annual carbon oxide production, by mass, from such unit during (i) in the case of an applicable electric generating unit that was originally placed in service more than 1 year prior to the date on which construction of the carbon capture equipment begins and on or after the date that is 3 years prior to the date on which construction of such equipment begins, the period beginning on the date such unit was placed in service and ending on the date on which construction of such equipment began; and (ii) in the case of an applicable electric generating unit that was originally placed in service more than 3 years prior to the date on which construction of the carbon capture equipment begins, the 3 years with the highest annual carbon oxide production during the 12-year period preceding the date on which construction of such equipment began.

- In the case of an applicable electric generating unit that (i) as of the date on which construction of the carbon capture equipment begins, is not yet placed in service; or (ii) was placed in service during the 1-year period prior to the date on which construction of the carbon capture equipment begins, the designed annual carbon oxide production, by mass, as determined based on an assumed capacity factor of 60%.

Capacity factor. Capacity factor means the ratio (expressed as a percentage) of the actual electric output from the applicable electric generating unit to the potential electric output from such unit.

Industrial facility. An industrial facility is a facility that produces a carbon oxide stream from a fuel combustion source or fuel cell, a manufacturing process, or a fugitive carbon oxide emission source that, absent capture and disposal, would otherwise be released into the atmosphere as industrial emission of greenhouse gas or lead to such release. An industrial facility doesn't include a facility that produces carbon dioxide from carbon dioxide production wells at natural carbon dioxide-bearing formations or a naturally occurring subsurface spring. Depending on your election to use the NPRM or the TD, see section 3.02(b) of Notice 2009-83 or Proposed Regulations section 1.45Q-2(d)(1) or Regulations section 1.45Q-2(d)(1) and (d)(2). An **Industrial Source** is an emission of carbon oxide from an industrial facility. A **Manufacturing Process** is a process involving the manufacture of products, other than carbon oxide, that are intended to be sold at a profit, or are used for a commercial purpose. All facts and circumstances with respect to the process and products are to be taken into account.

Electricity generating facility. An electricity generating facility is a facility described in section 45Q(d)(2)(A) or (B) and is subject to depreciation under MACRS asset class 49.11 (Electric Utility Hydraulic Production Plant), 49.12 (Electric Utility Nuclear Production Plant), 49.13 (Electric Utility Steam Production Plant), or 49.15 (Electric Utility Combustion Turbine Production Plant).

Direct air capture facility. A direct air capture facility means any facility that uses carbon capture equipment to capture carbon oxide directly from the ambient air. It doesn't include any facility that captures carbon dioxide (1) that is deliberately released from naturally occurring subsurface springs, or (2) using natural photosynthesis.

Qualified facility. Any industrial facility or direct air capture facility (a) the construction of which begins before January 1, 2033, and the construction of carbon capture equipment begins before that date, or the original planning and design for the facility includes installation of carbon capture equipment; and (b) which captures:

1. In the case of a direct air capture facility, captures not less than 1,000 metric tons of qualified carbon oxide during the tax year;
2. In the case of an electricity generating facility that (i) captures not less than 18,750 metric tons of qualified carbon oxide during the tax year; and (ii) with respect to any carbon capture equipment for the applicable electric generating unit at such facility, has a capture design capacity of not less than 75% of the baseline carbon oxide production of such unit; or
3. In the case of any other facility, captures not less than 12,500 metric tons of qualified carbon oxide during the tax year.

Qualified EOR or natural gas recovery project. A qualified EOR or natural gas recovery project means any project located in the United States involving the application of one or more tertiary recovery methods defined in section 193(b)(3) that can reasonably be expected to result in more than an insignificant increase in the amount of crude oil or natural gas that will ultimately be recovered and with respect to which the first injection of liquids, gases, or other matter begins after 1990.

Natural gas. Natural gas means any product (other than crude oil) of an oil or gas well if a deduction for depletion is allowable under section 611 with respect to such product.

Tertiary injectant. An injectant (other than a hydrocarbon injectant that is recoverable) that is used as part of a tertiary recovery method. For more details, see section 193(b).

Secure geological storage. Secure geological storage includes, but isn't limited to, storage at deep saline formations, oil and gas reservoirs, and unminable coal seams.

If you are claiming a credit for a facility placed in service before February 9, 2018, the following applies.

- Secure geological storage requires approval by the U.S. Environmental Protection Agency (EPA) of a Monitoring, Reporting, and Verification Plan (MRV Plan) submitted by the operator of the storage facility or tertiary injection project.
- The annual amount of carbon oxide claimed for the credit must be consistent with amounts reported to the EPA under its Greenhouse Gas Reporting Program, subpart RR.

See sections 6 through 8 of Notice 2009-83, 2009-44 I.R.B. 588, available at [IRS.gov/irb/2009-44_IRB#NOT-2009-83](https://www.irs.gov/irb/2009-44_IRB#NOT-2009-83) for reporting and recordkeeping requirements associated with the limitation on credits available under former section 45Q(a) (as in effect before February 9, 2018) and sections 45Q(a)(1) and (2). Sections 1 through 5 of Notice 2009-83 were obsoleted by REG-112339-19, 85 F.R. 34050-34075. After the end of the calendar year in which the Secretary, in consultation with the Administrator of the EPA, certifies that a total of 75,000,000 metric tons of qualified carbon oxide have been taken into account under former section 45Q(a) (as in effect before February 9, 2018) and sections 45Q(a)(1) and (2), the remaining sections of Notice 2009-83 will be obsoleted. Also see Notice 2022-38.

If you are claiming a credit for a facility that was placed in service in tax years beginning on or after February 9, 2018, qualified carbon oxide is considered disposed of by you in secure geological storage such that the qualified carbon oxide doesn't escape into the atmosphere if the qualified carbon oxide is:

- Stored, and not used as a tertiary injectant in a qualified EOR or natural gas recovery project, in compliance with applicable requirements under 40 CFR Part 98 subpart RR;
- Used as a tertiary injectant in a qualified EOR or natural gas recovery project and stored in compliance with applicable requirements under 40 CFR Part 98 subpart RR, or the International Organization for Standardization (ISO) Standards endorsed by the American National Standards Institute (ANSI) under CSA/ANSI ISO 27916:19, Carbon dioxide capture, transportation and geological storage—Carbon dioxide storage using enhanced oil recovery (CO₂-EOR); and
- Injected into a well that complies with applicable Underground Injection Control regulations onshore or offshore under submerged lands within the territorial jurisdiction of the United States.

Utilization of qualified carbon oxide. Utilization of qualified carbon oxide means (1) the fixation of such qualified carbon oxide through photosynthesis or chemosynthesis, such as through the growing of algae or bacteria; (2) the chemical conversion of such qualified carbon oxide to a material or chemical compound in which such qualified carbon oxide is securely stored; or (3) the use of such qualified carbon oxide for any other purpose for which a commercial market exists (with the exception of use as a tertiary injectant in a qualified EOR or natural gas recovery project), as determined by the Secretary of the Treasury or his delegate.

United States and U.S. possessions. This includes the seabed and subsoil of those submarine areas that are adjacent to the territorial waters of the United States (or a U.S. possession) and over which the United States has exclusive rights, in accordance with international law, with respect to the exploration and exploitation of natural resources.

Who Can Claim the Credit

The credit is attributable to you in the case of qualified carbon oxide captured using carbon capture equipment that is originally placed in service at a qualified facility on or after February 9, 2018, if you're the person that owns the carbon capture equipment and physically or contractually ensures the disposal, utilization, or use as a tertiary injectant of this qualified carbon oxide.

Elections

Section 45Q(b)(3) Election

You can elect to have the credit rates applicable to lines 1b, 2b, and 3b apply instead of the applicable dollar amounts applicable to lines 4b, 5b, and 6b for each metric ton of qualified carbon oxide that is captured by you using carbon capture equipment that is originally placed in service at a qualified facility on or after February 9, 2018.

Section 45Q(f)(6) Election

For purposes of section 45Q, for any tax year in which such facility is an applicable facility (a facility placed in service before February 9, 2018, and for which no taxpayer claimed a carbon oxide sequestration credit for any tax year ending before February 9, 2018) that captures not less than 500,000 metric tons of qualified carbon oxide during the tax year, you can elect to have the facility, and any carbon capture equipment placed in service at the facility, treated as placed in service on February 9, 2018.

You make a section 45Q(f)(6) election by filing a statement of election with your income tax return for each tax year in which the credit arises. In addition to any information required on Form 8933, your statement of election must show your name, address, taxpayer identification number, location, and the identification number(s) assigned to the facility by the EPA's electronic Greenhouse Gas Reporting Tool (e-GGRT ID number(s)) (if available).

Note. EPA e-GGRT ID number(s) are identification number(s) assigned to the facility by the EPA's electronic Greenhouse Gas Reporting Tool.

Section 45Q(f)(3)(B) Election

In the case of qualified carbon oxide captured using carbon capture equipment that is originally placed in service at a qualified facility before February 9, 2018, if you're the person that captures and physically or contractually ensures the disposal, injection, or utilization of the qualified carbon oxide, the credit is attributable to you. You may claim the credit, or you may elect to allow the credit to the person that disposes of, injects, or utilizes the qualified carbon oxide. If you make this election, the amount you elect to allow won't be allowed to you. You can also elect to allow only part of the credit to the person that disposes of, injects, or utilizes the qualified carbon oxide in a tax year, and to claim the remainder yourself.

In the case of qualified carbon oxide captured using carbon capture equipment that is originally placed in

service at a qualified facility on or after February 9, 2018, if you're the person that owns the carbon capture equipment and physically or contractually ensures the capture and disposal, utilization, or use as a tertiary injectant of such carbon oxide, you may check the box to elect to allow the credit to another person that disposes of, injects, or utilizes the qualified carbon oxide. If you make this election, the amount you elect to allow won't be allowed to you. You can also elect to allow only part of the credit to the person that disposes of, injects, or utilizes the qualified carbon oxide in a tax year, and to claim the remainder yourself.

A new section 45Q(f)(3)(B) election must be made annually. You make a section 45Q(f)(3)(B) election by filing a statement of election (see [Model Certificate ELECT](#), later, and the information below) with the Form 8933 no later than the time prescribed by law (including extensions) for filing your federal income tax return or Form 1065 for the year in which the credit arises. You must make a separate election for each qualified facility.



The election may not be filed with an amended federal income tax return, an amended Form 1065, or an Administrative Adjustment Request (AAR), as applicable, after the prescribed date (including extensions) for filing the original federal income tax return or Form 1065 for the year, with the exception of amended federal income tax returns, amended Forms 1065, or AARs, as applicable, for any tax year ending after February 9, 2018, and beginning on or before January 13, 2021. The amended federal income tax return or the amended Form 1065 must be filed, in no event, later than the applicable period of limitations on assessment for the tax year for which the amended federal income tax return or Form 1065 is being filed.

Information required to be provided by electing taxpayer.

- Election statement of the electing taxpayer on Form 8933 must indicate that an election is being made under section 45Q(f)(3)(B);
- The electing taxpayer must provide each credit claimant with a copy of the electing taxpayer's Form 8933; and
- The electing taxpayer must, in addition to any information required on Form 8933, set forth the following information.

1. The electing taxpayer's name, address, taxpayer identification number, location, and e-GGRT ID number(s) (if available) of each qualified facility where carbon oxide was captured;
2. The full amount of credit attributable to the taxpayer prior to the election;
3. The name, address, and taxpayer identification number of each credit claimant, and the location and EPA e-GGRT ID number(s) (if available) of each secure geological storage facility where the qualified carbon oxide is disposed of or injected;

4. The dollar amount of credits the taxpayer is allowing each credit claimant to claim and the corresponding metric tons of qualified carbon oxide; and

5. The dollar amount of credits retained by the electing taxpayer and the corresponding metric tons of qualified carbon oxide.

Information required to be provided by credit claimant.

Credit claimant must include the following information on Form 8933 with its timely filed federal income tax return or Form 1065 (including extensions).

- The name, address, and taxpayer identification number of the credit claimant;
- The name, address, and taxpayer identification number of each taxpayer making an election under section 45Q(f)(3)(B) to allow the credit to the credit claimant;
- The location and EPA e-GGRT ID number(s) (if available) of each qualified facility where carbon oxide was captured;
- The location and EPA e-GGRT ID number(s) (if available) of each secure geological storage facility where the qualified carbon oxide is disposed of or injected;
- The full dollar amount of credits attributable to each electing taxpayer prior to the election and the corresponding metric tons of carbon oxide;
- The dollar amount of credits that each electing taxpayer is allowing the credit claimant to claim and the corresponding metric tons of carbon oxide; and
- A copy of the electing taxpayer's Form 8933.

Section 45Q(f)(9) Election

For purposes of section 45Q(a)(3) and (4), a person described in section 45Q(f)(3)(A)(ii) may elect, at such time and in such manner as the Secretary may prescribe, to have the 12-year period begin on the first day of the first tax year in which a credit under this section is claimed with respect to carbon capture equipment that is originally placed in service at a qualified facility on or after February 9, 2018, if:

- No one claimed a credit under this section with respect to such carbon capture equipment for any prior tax year;
- The qualified facility at which such carbon capture equipment is placed in service is located in an area affected by a federally declared disaster (as defined by section 165(i)(5)(A)) after the carbon capture equipment is originally placed in service; and
- Such federally declared disaster results in a cessation of the operation of the qualified facility or the carbon capture equipment after such equipment is originally placed in service.

Application of Section 45Q for Certain Carbon Capture Equipment

In the case of any carbon capture equipment placed in service before February 9, 2018, the credit will apply to qualified carbon oxide captured using such equipment before the end of the calendar year in which the Secretary, in consultation with the Administrator of the EPA, certifies that, during the period beginning after October 3, 2008, a total of 75,000,000 metric tons of

qualified carbon oxide have been taken into account in accordance with section 45Q(a), as in effect on the day before February 9, 2018, and section 45Q(a)(1) and (2).

Effective August 16, 2022, in the case of any carbon capture equipment placed in service before February 9, 2018, the credit will apply to qualified carbon oxide captured using such equipment before the earlier of January 1, 2023, and the end of the calendar year in which the Secretary, in consultation with the Administrator of the EPA, certifies that, during the period beginning after October 3, 2008, a total of 75,000,000 metric tons of qualified carbon oxide have been taken into account in accordance with section 45Q(a), as in effect on the day before February 9, 2018, and section 45Q(a)(1) and (2).

When Construction Begins

Two methods can be used to establish that construction of a qualified facility or carbon capture equipment has begun.

1. **Physical Work Test** is satisfied when physical work of a significant nature begins and other requirements provided in section 5 of Notice 2020-12, 2020-11 I.R.B. 495, available at [IRS.gov/irb/2020-11_IRB#NOT-2020-12](https://www.irs.gov/irb/2020-11_IRB#NOT-2020-12), are met.

2. **Five Percent Safe Harbor** is satisfied when you pay or incur (within the meaning of Regulations section 1.461-1(a)(1) and (2)) five percent or more of the total cost of a qualified facility or carbon capture equipment and meets other requirements provided in section 6 of Notice 2020-12.

Although both methods can be used, only one method is needed to establish that construction of a qualified facility or carbon capture equipment has begun. If you began construction on a qualified facility or carbon capture equipment by satisfying either the Physical Work Test or the Five Percent Safe Harbor Test, or both, before the effective date of Notice 2020-12 (March 9, 2020), you may use March 9, 2020, as the date that construction began on such qualified facility or carbon capture equipment. Additionally, if you began construction on a qualified facility or carbon capture equipment before March 9, 2020, under both the Physical Work Test and the Five Percent Safe Harbor, you may choose either method (but not both) for the purpose of applying the beginning of construction rules. If you began construction on a qualified facility or carbon capture equipment on or after March 9, 2020, construction will be deemed to have begun on the date you first satisfy either the Physical Work Test or the Five Percent Safe Harbor Test. If you fail to satisfy the Five Percent Safe Harbor Test in one year due to cost overruns (as defined in section 6.03 of Notice 2020-12), you won't be prevented from using the Physical Work Test in a later year to establish beginning of construction, provided that occurs before January 1, 2033.

Prevailing Wage Requirements

With respect to any qualified facility and any carbon capture equipment placed in service at such facility, you shall ensure that any laborers and mechanics employed

by the taxpayer or any contractor or subcontractor in (i) the construction of such facility or equipment, and (ii) with respect to any tax year, for any portion of such tax year that is within the period described in section 45Q(a)(3)(A) or (4)(A), the alteration or repair of such facility or such equipment, shall be paid wages at rates not less than the prevailing rates for construction, alteration, or repair of a similar character in the locality in which such facility and equipment are located as most recently determined by the Secretary of Labor, in accordance with subchapter IV of chapter 31 of title 40, United States Code. The new requirements will apply to projects the construction of which begins within 60 days on or after the date on which regulatory guidance is issued regarding the new requirements.

Correction and penalty related to failure to satisfy wage requirements. See section 45(b)(7)(B) for details.

Apprenticeship Requirements

The new requirements will apply to projects the construction of which begins within 60 days on or after the date on which regulatory guidance is issued regarding the new requirements. See section 45(b)(8) for details.

Correction and penalty related to failure to satisfy wage requirements. See section 45(b)(7)(B) for details.

Recapture

A recapture event occurs when qualified carbon oxide for which a carbon oxide sequestration credit has been claimed ceases to be captured, disposed of, or used as a tertiary injectant during the recapture period. Recapture events are determined separately for each project involving capture, disposal, or use of qualified carbon oxide as a tertiary injectant.

Qualified carbon oxide ceases to be captured, disposed of, or used as a tertiary injectant if the leaked amount of qualified carbon oxide in the tax year exceeds the amount of qualified carbon oxide disposed of in secure geological storage or used as a tertiary injectant in that same tax year.

If a recapture event occurs during a project's recapture period and you have claimed a credit for that project, you must report the following information on a Form 8933 filed with your federal income tax return or Form 1065 for the tax year for which the recapture event occurred.

- The recapture amount (as defined in Regulations section 1.45Q-5(e));
- The quantity of leaked qualified carbon oxide (in metric tons) (as defined in Regulations section 1.45Q-5(c));
- The statutory credit rate at which the credits were originally calculated; and
- A statement that describes how you became aware of the recapture event, how the leaked amount was determined, and the identity and involvement of any regulatory agencies.

Elective Payment of Applicable Credits

For tax years beginning after 2022, you can elect under section 6417 with respect to your carbon oxide sequestration credit to be treated as making a payment against the tax imposed by subtitle A (for the tax year with respect to which the carbon oxide sequestration credit was determined) equal to the amount of such credit. See section 6417.

Transfer of Carbon Oxide Sequestration Credits

For tax years beginning after 2022, you can elect under section 6418 to transfer all (or any portion specified in the election) of your carbon oxide sequestration credits to an unrelated third party (transferee) for cash. The cash payment received by you will not be treated as taxable income, and the third party transferee may not deduct the cash payment. Once a carbon oxide sequestration credit is transferred to a third party under section 6418, the third party may not transfer it again. See section 6418.

Coordination With Section 142 Bond Financing

The credit for any project for any tax year is reduced by the amount that is the product of the credit for such tax year and the lesser of 15%, or a fraction, the numerator of which is the sum, for the tax year and all prior tax years, of the proceeds from an issue described in section 142(a)(17) used to provide financing for the project the interest on which is exempt from tax under section 103, and the denominator of which is the aggregate amount of additions to the capital account for the project for the tax year and all prior tax years. The amounts under the preceding sentence for any tax year are determined as of the close of the tax year.

Note. For purposes of the above, there are no prior tax years before January 1, 2022.

Reporting Requirements

General Requirements

If you are claiming the carbon oxide sequestration credit, you must provide the name and location of the qualified facilities at which the qualified carbon oxide was captured.



If you are claiming the section 45Q credit on an amended federal income tax return, an amended Form 1065, or an AAR, as applicable, you must state "AMENDED RETURN FOR SECTION 45Q CREDIT" at the top of the amended federal income tax return, the amended Form 1065, or the AAR, as applicable. The amended federal income tax return or the amended Form 1065 must be filed, in no event, later than the applicable period of limitations on assessment for the tax year for which the amended federal income tax return or Form 1065 is being filed.

Contractually Ensuring Disposal, Injection, or Utilization of Qualified Carbon Oxide

If you enter into a contract with another party to ensure disposal, injection, or utilization of qualified carbon oxide, you must report the existence of each contract, and the parties involved annually on Form 8933 by each party to the contract, regardless of the party claiming the credit. In addition to any information stated as required on Form 8933, the report must include the following information.

- Your name and identifying number;
- The name and taxpayer identification number of each party with whom you have entered into a contract to ensure the disposal, injection, or utilization of qualified carbon oxide;
- The date on which each contract was executed;
- The number of metric tons of qualified carbon oxide each contracting party disposes of, injects, or utilizes on behalf of you each tax year for reporting to the IRS; and
- For contracts for the disposal of qualified carbon oxide in secure geological storage or the use of qualified carbon oxide as a tertiary injectant in EOR or natural gas recovery, identifying information (the name of the operator, field, unit, and reservoir), location by county and state, and EPA e-GGRT ID number(s) (if available) for submission of the facility's 40 CFR Part 98 (subpart RR) annual reports. For this reporting, use a statement substantially similar to [Model Certificate RECAPTURE](#).

Secure Geological Storage

Certifications must be made annually.

Reporting Based on 40 CFR Part 98 (Subpart RR)

For an EOR or natural gas recovery project in which you reported volumes to the EPA pursuant to 40 CFR Part 98 subpart RR, you may self-certify the volume of carbon oxide claimed for purposes of the credit.

Reporting Based on CSA/ANSI ISO 27916:19

For an EOR or natural gas recovery project in which you determined volumes pursuant to CSA/ANSI ISO 27916:19, you may prepare documentation as outlined in CSA/ANSI ISO 27916:19 internally, but such documentation must be provided to a qualified independent engineer or geologist, who then must certify that the documentation provided, including the mass balance calculations as well as information regarding monitoring and containment assurance, is accurate and complete. For any leaked amount of qualified carbon oxide that is determined pursuant to CSA/ANSI ISO 27916:19, the certification must also include a statement that the quantity was determined in accordance with sound engineering principles.

If you capture qualified carbon oxide giving rise to the credit, you must file Form 8933 with a timely filed federal income tax return or Form 1065, including extensions, or for the purpose of this rule, amendments to federal income tax returns, Forms 1065, or on AARs, as

applicable. Similarly, if you dispose of, inject, or utilize qualified carbon oxide, you must also file Form 8933 with a timely filed federal income tax return or Form 1065, including extensions, or for the purpose of this rule, amendments to federal income tax returns, Forms 1065, or on AARs, as applicable. If the volume of carbon oxide certified and reported is a negative amount, see Regulations section 1.45Q-5 for rules regarding recapture.



No credit is allowed for any tax year for which you (including credit claimants) have failed to timely submit complete documentation, including the required certifications. The credit will be allowed only for a tax year for which complete documentation and certification has been timely submitted. Certifications for each tax year must be submitted by the due date of the federal income tax return or Form 1065 on which the credit is claimed, including extensions. If a credit is claimed on an amended federal income tax return, an amended Form 1065, or an AAR, as applicable, certifications may also be submitted with such amended federal income tax return, amended Form 1065, or AAR. If a credit was claimed on a timely filed federal income tax return or Form 1065 for a tax year ending after February 9, 2018, and beginning on or before January 13, 2021, for which certifications weren't submitted, such certifications may be submitted with an amended federal income tax return, an amended Form 1065, or an AAR, as applicable, for the tax year in which the credit was claimed.

Qualified EOR or Natural Gas Recovery Project

Each qualified EOR or natural gas recovery project must be certified under Regulations section 1.43-3.

For purposes of a natural gas project, a petroleum engineer's certification as required under Regulations section 1.43-3(a)(3) and an operator's continued certification of a project as required under Regulations section 1.43-3(b)(3) must include an additional statement that the certification is for purposes of the credit.

Petroleum Engineer's Certification

The petroleum engineer's certification must be attached to a Form 8933 and filed no later than the last date prescribed by law (including extensions) for filing the operator's or designated owner's federal income tax return or Form 1065 for the first tax year in which qualified carbon oxide is injected into the reservoir.



If a credit is claimed on an amended federal income tax return, an amended Form 1065, or an AAR, as applicable, the petroleum engineer's certification will be treated as filed timely if it is attached to a Form 8933 that is submitted with such amended federal income tax return, amended Form 1065, or AAR. With respect to a credit that is claimed on a timely filed federal income tax return or Form 1065 for a tax year ending after February 9, 2018, and beginning on or before January 13, 2021, for which the petroleum engineer's certification wasn't submitted, the petroleum engineer's certification

will be treated as filed timely if it is attached to an amended Form 8933 for any tax year ending after February 9, 2018, but not for tax years beginning on or before January 13, 2021.

Operator's Continued Certification

The operator's continued certification of a project must be attached to a Form 8933 and filed no later than the last date prescribed by law (including extensions) for filing the operator's or designated owner's federal income tax return or Form 1065 for tax years after the tax year for which the petroleum engineer's certification is filed but not after the tax year in which injection activity ceases and all injection wells are plugged and abandoned.

Utilization

The amount of qualified carbon oxide utilized by you is equal to the metric tons of qualified carbon oxide that you demonstrate, based upon an analysis of lifecycle greenhouse gas emissions (LCA), that were captured and permanently isolated from the atmosphere (isolated), or displaced from being emitted into the atmosphere (displaced).

Lifecycle greenhouse gas emissions and lifecycle analysis. The term "lifecycle greenhouse gas emissions" means the aggregate quantity of greenhouse gas emissions (including direct emissions and significant indirect emissions such as significant emissions from land use changes) related to the full product lifecycle, including all stages of product and feedstock production and distribution, from feedstock generation or extraction through the distribution and delivery and use of the finished product to the ultimate consumer, where the mass values for all greenhouse gases are adjusted to account for their relative global warming potential according to Table A-1 of 40 CFR Part 98 subpart A. The amount of lifecycle greenhouse gas emissions measured by a lifecycle greenhouse gas analysis (LCA) is expressed in carbon dioxide equivalents (CO₂-e).

Measurement. The measurement and written LCA report must be performed by or verified by an independent third party. The LCA report must be prepared in conformance with, and contain documentation that conforms to, the *International Organization for Standardization (ISO) 14040:2006, Environmental Management—Life Cycle Assessment—Principles and Framework* and *ISO 14044:2006, Environmental Management—Life Cycle Assessment—Requirements and Guidelines*, as well as a statement documenting the qualifications of the independent third party, including proof of appropriate U.S. or foreign professional license, and an affidavit from the third party stating that it's independent from you.

Approval of the LCA. You must submit the written LCA report and independent third-party statement to the IRS and the Department of Energy (DOE). The LCA will be subject to a technical review by the DOE, and the IRS will determine whether to approve the LCA.

You should fax a copy of your LCA report, including the independent third-party statement specified in Regulations section 1.45Q-4(c)(4), to the IRS at 844-255-4817. The submission should include a cover letter with:

1. Name of the facility where the qualified carbon oxide is utilized ("utilization facility");
2. Name of the operator of the utilization facility, including operator's TIN/EIN;
3. Name of the taxpayer(s) claiming the credit based on the LCA, including each taxpayer's TIN/EIN;
4. Name of a corporate officer in charge of the LCA report submission (or a designated representative) with a written power of attorney (POA on Form 2848) and that person's contact information, including official corporate mailing address;
5. Tax year in which the credit is claimed; and
6. Reserved for future use.

You should also mail (1) the items above, and (2) the model, if the LCA wasn't verified by an independent third-party review, on a USB thumb drive, to:

Internal Revenue Service
Office of Associate Chief Counsel (PSI)
1111 Constitution Ave. NW
Branch 6 (CC:PSI:6), Room 5114
Washington, DC 20224

You should also send the DOE an email at LCA45Q@hq.doe.gov, and the DOE will respond with instructions for submitting the LCA application to the DOE.

Specific Instructions

To claim the credit for disposal of carbon oxide in secure geological storage or for use of carbon oxide as a tertiary injectant in an EOR or natural gas recovery project, prior to disposal in secure geological sequestration, the amount of carbon oxide must be measured at the source of capture and verified either at the point of disposal in secure geological storage or at the point of injection as a tertiary injectant in an EOR or natural gas recovery project. The amount of qualified carbon oxide is presumed to be the lesser of the amount measured at capture and the amount verified at disposal or injection unless it can be established to the satisfaction of the IRS that the greater amount is the correct amount.

To claim the credit for utilization of carbon oxide, the amount of qualified carbon oxide utilized by you is equal to the metric tons of qualified carbon oxide that you demonstrate, based upon an analysis of lifecycle greenhouse gas emissions (LCA), were (1) captured and permanently isolated from the atmosphere, or (2) displaced from being emitted into the atmosphere. The amount of qualified carbon oxide utilized by you for purposes of the carbon oxide sequestration credit can't exceed the amount of qualified carbon oxide measured at the source of capture.

Part I. Information About You

Check the applicable box(es).

Box 1. Check box 1 if you captured qualified carbon oxide during the tax year.

Box 2. Check box 2 if you physically disposed, used, or utilized captured qualified carbon oxide during the tax year.

Box 3. Check box 3 if you elected to allow another person to claim the carbon oxide sequestration credit that you would've otherwise been entitled to claim. See [Section 45Q\(f\)\(3\)\(B\) Election](#), earlier

Box 4. Check box 4 if another person elected to allow you to claim the carbon oxide sequestration credit that they would've otherwise been entitled to claim. See [Section 45Q\(f\)\(3\)\(B\) Election](#), earlier

Part II. Facilities at Which Qualified Carbon Oxide Qualifies for a Credit Under Section 45Q(a)(1) or (2), or for Which an Election Was Made Under Section 45Q(b)(3)

Line 1a

Enter the number of metric tons of qualified carbon oxide captured using carbon capture equipment originally placed in service at a qualified facility before February 9, 2018 (or, on or after February 9, 2018, for facilities for which an election was made under section 45Q(b)(3); see [Line 10. Section 45Q\(b\)\(3\) Election](#), later), disposed of in secure geological storage, and not used as a tertiary injectant in a qualified enhanced oil or natural gas recovery project, or utilized in a way described in section 45Q(f)(5).

Line 1b

Enter inflation-adjusted credit rate. See [2022 credit rates and applicable dollar amounts](#), earlier.

Line 2a

Enter the number of metric tons of qualified carbon oxide captured using carbon capture equipment originally placed in service at a qualified facility before February 9, 2018 (or, on or after February 9, 2018, for facilities for which an election was made under section 45Q(b)(3); see [Line 10. Section 45Q\(b\)\(3\) Election](#), later), disposed of in secure geological storage, and used as a tertiary injectant in a qualified enhanced oil or natural gas recovery project.

Line 2b

Enter inflation-adjusted credit rate. See [2022 credit rates and applicable dollar amounts](#), earlier.

Line 3a

Enter the number of metric tons of qualified carbon oxide captured using carbon capture equipment originally placed in service at a qualified facility before February 9,

2018 (or, on or after February 9, 2018, for facilities for which an election was made under section 45Q(b)(3); see [Line 10. Section 45Q\(b\)\(3\) Election](#), later), and utilized as described in section 45Q(f)(5).

Line 3b

Enter inflation-adjusted credit rate. See [2022 credit rates and applicable dollar amounts](#), earlier.

Part III. Qualified Facilities Under Section 45Q(a)(3) or (4) for Which No Election Was Made Under Section 45Q(b)(3)

Line 4a

Enter the number of metric tons of qualified carbon oxide captured using carbon capture equipment originally placed in service at a qualified facility on or after February 9, 2018, during the 12-year period beginning on the date the equipment was originally placed in service, disposed of in secure geological storage, and not used as a tertiary injectant in a qualified enhanced oil or natural gas recovery project, nor utilized as described in section 45Q(f)(5).

Line 4b

Enter section 45Q(a)(3) applicable dollar amount. See [2022 credit rates and applicable dollar amounts](#), earlier.

Line 5a

Enter the number of metric tons of qualified carbon oxide captured using carbon capture equipment originally placed in service at a qualified facility on or after February 9, 2018, during the 12-year period beginning on the date the equipment was originally placed in service, disposed of in secure geological storage, and used as a tertiary injectant in a qualified enhanced oil or natural gas recovery project.

Line 5b

Enter section 45Q(a)(4) applicable dollar amount. See [2022 credit rates and applicable dollar amounts](#), earlier.

Line 6a

Enter the number of metric tons of qualified carbon oxide captured using carbon capture equipment originally placed in service at a qualified facility on or after February 9, 2018, during the 12-year period beginning on the date the equipment was originally placed in service, and utilized as described in section 45Q(f)(5).

Line 6b

Enter section 45Q(a)(4) applicable dollar amount. See [2022 credit rates and applicable dollar amounts](#), earlier.

Part IV. Qualified Direct Air Capture Facilities Under Section 45Q(d)(2)(A) Placed in Service After 2022

Line 7a

Qualified carbon oxide captured using carbon capture equipment originally placed in service at a qualified direct air capture facility after 2022, during the 12-year period beginning on the date the equipment was originally placed in service, disposed of in secure geological storage, and not used as a tertiary injectant in a qualified enhanced oil or natural gas recovery project, nor utilized as described in section 45Q(f)(5).

Line 7b

Enter \$36 for the section 45Q(b)(1)(B)(i) applicable dollar amount (\$180 if section 45Q(h)(2) requirements are met).

Line 8a

Qualified carbon oxide captured using carbon capture equipment originally placed in service at a qualified direct air capture facility after 2022, during the 12-year period beginning on the date the equipment was originally placed in service, disposed of in secure geological storage, and used as a tertiary injectant in a qualified enhanced oil or natural gas recovery project.

Line 8b

Enter \$26 for the section 45Q(b)(1)(B)(ii) applicable dollar amount (\$130 if section 45Q(h)(2) requirements are met).

Line 9a

Qualified carbon oxide captured using carbon capture equipment originally placed in service at a qualified direct air capture facility after 2022, during the 12-year period beginning on the date the equipment was originally placed in service and utilized as described in section 45Q(f)(5).

Line 9b

Enter \$26 for the section 45Q(b)(1)(B)(ii) applicable dollar amount (\$130 if section 45Q(h)(2) requirements are met).

Part V. Other Information

Line 10. Section 45Q(b)(3) Election

You may check the box to elect having the dollar amounts applicable under section 45Q(a)(1) or (2) apply in lieu of the dollar amounts applicable under section 45Q(a)(3) or (4) for each metric ton of qualified carbon oxide that is captured by you using carbon capture equipment that is originally placed in service at a qualified facility on or after February 9, 2018. See the instructions for lines 1a, 2a, or 3a, earlier.

Line 11. Section 45Q(f)(6) Election

You may check the box to elect for applicable facilities under section 45Q(f)(6)(A). Section 45Q(f)(6)(A) provides that for any tax year in which an applicable facility captures not less than 500,000 metric tons of qualified

carbon oxide, the person described in section 45Q(f)(3)(A)(ii) may elect to have such applicable facility, and any carbon capture equipment placed in service at such applicable facility, deemed as having been placed in service on February 9, 2018. The term “applicable facility” means a qualified facility (i) that was placed in service before February 9, 2018, and (ii) for which no taxpayer claimed a carbon oxide sequestration credit in regards to such facility for any tax year ending before February 9, 2018.

Line 12. Section 45Q(f)(9) Election

You may check the box to elect to have the 12-year period begin on the first day of the first tax year in which a credit under section 45Q is claimed with respect to carbon capture equipment that is originally placed in service at a qualified facility on or after February 9, 2018, if you own the carbon capture equipment and physically or contractually ensure the capture and disposal, utilization, or use as a tertiary injectant of such qualified carbon oxide; and if (i) no one claimed a credit under this section with respect to such carbon capture equipment for any prior tax year, (ii) the qualified facility at which such carbon capture equipment is placed in service is located in an area affected by a federally declared disaster (as defined by section 165(i)(5)(A)) after the carbon capture equipment is originally placed in service, and (iii) such federally declared disaster results in a cessation of the operation of the qualified facility or the carbon capture equipment after such equipment is originally placed in service.

Line 13. Section 45Q(f)(3)(B) Election

If you checked box 4 in Part I, complete line 13 with information reported to you on a statement substantially similar to Model Certificate(s) ELECT by the electing person(s). See [Section 45Q\(f\)\(3\)\(B\) Election](#), earlier.

Lines 13a, 13b, and 13c. Complete lines 13a, 13b, and 13c with basic information reported to you on a statement substantially similar to Model Certificate(s) ELECT by the electing person(s), for the three largest elections (in dollars).

- (i) EIN of electing taxpayer.
- (ii) Metric tons elected.
- (iii) Credit rates.
- (iv) Credit elected.

Line 13e. Report all other carbon oxide sequestration credit that another person elected under section 45Q(f)(3)(B) to allow you to claim. Subtract line 13d from the total carbon oxide sequestration credit reported to you on a statement substantially similar to Model Certificate(s) ELECT, Part II, line 6; enter amount on line 13e.



Complete a statement substantially similar to Model Certificate ELECT if you elect under section 45Q(f)(3)(B) to allow another person to claim carbon oxide sequestration credit. See [Model Certificate ELECT](#), later.

Line 14

Enter the total qualified carbon oxide sequestration credits from:

- Schedule K-1 (Form 1065), Partner's Share of Income, Deductions, Credits, etc., box 15 (code P); and
- Schedule K-1 (Form 1120-S), Shareholder's Share of Income, Deductions, Credits, etc., box 13 (code P).

Partnerships and S corporations report the above credits on line 10 and their Schedule K. All others not using earlier lines to figure a separate credit can report the above credits directly on Form 3800, Part III, line 1x.

Line 16

Enter the carbon oxide sequestration credit recaptured. Attach a statement substantially similar to Model Certificate(s) RECAPTURE to Form 8933. Report the credit recapture amount on the appropriate line of your return.

Model Certificates

Per the TD and the NPRM that preceded it, if you're a large section 45Q project filer, you'll likely have to use multiple legal contracts with multiple parties for the capture, utilization, or disposal of carbon oxides and, generally to claim the credit, the existence of each contract and the parties involved must be reported on Form 8933 annually. For this reporting, filers should use attachments substantially similar to model certificates shown below.

Model Certificate CF. Use [Model Certificate CF](#) if you're the owner of a capture facility (may not be the same entity as the owner of the industrial facility) that emits carbon oxide. Model Certificate CF will help show your share of the carbon oxide sequestration credit.

Model Certificate DISP-Operator. Use [Model Certificate DISP-Operator](#) if you're the operator (or designated operator) of a geologic disposal site at which captured qualified carbon oxide was injected during the calendar year. Don't use this model certificate if carbon oxide was injected for enhanced oil or natural gas recovery. Provide a copy of your signed Model Certificate DISP-Operator to each owner of the disposal site project.

Model Certificate DISP-Owner. Use [Model Certificate DISP-Owner](#) if you're the owner (or one of the owners) of

the geologic disposal site at which captured carbon oxide was injected during the calendar year. The operator of the disposal site prepares Table 3 of Model Certificate DISP-Operator. Report the amounts from that Table 3 on lines 11, 12, and 14 through 16.

Model Certificate EOR-Operator. Use [Model Certificate EOR-Operator](#) if you're the operator (or designated operator) of an enhanced oil or gas recovery project (EOR project) at which captured qualified carbon oxide was injected during the calendar year. Provide a copy of your signed Model Certificate EOR-Operator to each owner of the EOR project.

Model Certificate EOR-Owner. Use [Model Certificate EOR-Owner](#) if you're the owner (or one of the owners) of the EOR project at which captured carbon oxide was injected during the calendar year. The operator of the EOR project prepares Table 3 of Model Certificate EOR-Operator. Report the amounts from that Table 3 on lines 11, 12, and 14 through 16.

Model Certificate UTZ. Use [Model Certificate UTZ](#) if you're the owner of the utilization facility who utilized qualified carbon oxide during the calendar year. Don't combine information from separate utilization facilities on the same Model Certificate UTZ. Provide a copy of your signed Model Certificate UTZ to each supplier that supplied qualified captured carbon oxide to inform the suppliers of the amount of their qualified carbon oxide that was utilized.

Model Certificate ELECT. Use [Model Certificate ELECT](#) if (1) you're the owner of the capture facility that supplied qualified carbon oxide to another person that was properly disposed of in geological storage, used in an EOR project, or utilized in a manner consistent with section 45Q(f), and (2) you elect under section 45Q(f)(3)(B) to allow the carbon oxide sequestration credit to that person. You must make a separate election for each qualified facility.

Model Certificate RECAPTURE. Use [Model Certificate RECAPTURE](#) if you're the operator or owner of the geologic disposal site or EOR project to report a recapture event.

Model Certificate CF

Capture Facility Certification		2022
Name(s) shown on return:		Identifying number:
Part I. Information About Industrial Facility, Carbon Capture Equipment, Carbon Oxide Sequestration Credit, and Elections		
		Yes No
Section 1—Industrial facility information:		
1	Name of facility	
2	Location (county and state)	
3	Facility's EPA e-GGRT ID number(s)*	
4	Is the facility an electricity-generating facility?	<input type="checkbox"/> <input type="checkbox"/>
5	Is the facility a direct air capture facility? If "Yes," skip to line 12	<input type="checkbox"/> <input type="checkbox"/>
6	If the facility isn't an electricity-generating or direct air capture facility, state the nature of the facility (for example, ethanol production, cement manufacturing, etc.)	
7	What is the placed-in-service date of the facility (MM/DD/YYYY)?	
8	Does the facility described above process carbon dioxide or any other gas from underground deposits?	<input type="checkbox"/> <input type="checkbox"/>
8a	If you answered "Yes" to line 8, was any gas obtained from a carbon dioxide production well at natural carbon dioxide-bearing formations or at a naturally occurring subsurface spring, which means a well that contains 90% or greater carbon dioxide by volume?	<input type="checkbox"/> <input type="checkbox"/>
8b	If you answered "Yes" to line 8a, you can't treat the facility as a qualified industrial facility to the extent that it processed gas described in line 8a during the tax year. See line 8c.	
8c	If you answered "Yes" to line 8a, do you attest that you meet the exception for a deposit that contains a product, other than carbon oxide, that is commercially viable to extract and sell without taking into account the availability of a commercial market for the carbon oxide that is extracted or any carbon oxide sequestration credit that might be available?	<input type="checkbox"/> <input type="checkbox"/>
8d	If you answered "Yes" to line 8c, have you attached an attestation letter from an independent registered engineer? Don't treat the facility as a qualified industrial facility unless you answered "Yes" to both lines 8c and 8d. See instructions	<input type="checkbox"/> <input type="checkbox"/>
9	What were the emissions of carbon oxide during the calendar year (amount released to the atmosphere plus amount captured)?	
9a	Of the amount listed on line 9, what amount was carbon dioxide?	
9b	Of the amount listed on line 9, what amount was carbon monoxide?	
10	Was annualization of first-year carbon oxide emissions required for this calendar year?	<input type="checkbox"/> <input type="checkbox"/>
10a	If you answered "Yes" to line 10, state the annualized carbon oxide emissions and attach a statement that shows how you determined the annualized carbon oxide emissions	
11	Was aggregation of multiple facilities required to achieve the requisite carbon capture thresholds?	<input type="checkbox"/> <input type="checkbox"/>
11a	If you answered "Yes" to line 11, attach a statement that lists the facilities and describes the appropriateness of their aggregation.	
Section 2—Carbon capture equipment and direct air capture facility information:		
12	Is carbon capture done by a direct air capture facility?	<input type="checkbox"/> <input type="checkbox"/>
13	State the location of the carbon capture equipment or direct air capture facility (county and state)	
14	Was any carbon capture equipment placed in service prior to February 9, 2018? See instructions	<input type="checkbox"/> <input type="checkbox"/>
15	What was the placed-in-service date (MM/DD/YYYY) of the carbon capture equipment or direct air capture facility described on line 13? See instructions	
16	Are you the owner of the carbon capture equipment described on line 13?	<input type="checkbox"/> <input type="checkbox"/>
16a	If you answered "No" to line 16, state your basis for claiming the credit	
17	For carbon capture equipment placed in service after February 9, 2018, do you attest that, to the best of your knowledge, you are the only person who will claim carbon oxide sequestration credit with respect to carbon oxide captured by each single train of carbon capture equipment during the tax year (irrespective of any election you make to allow a contracting disposer, injector, or utilizer to claim credit)? Don't claim the credit unless you can answer "Yes." See instructions	<input type="checkbox"/> <input type="checkbox"/>
18	For the carbon capture equipment described on line 13, what was the carbon capture capacity on or after February 8, 2018?	
* if available		

Model Certificate CF

Part I. Information About Industrial Facility, Carbon Capture Equipment, Carbon Oxide Sequestration Credit, and Elections
(continued)

Yes No

19 Was additional carbon capture equipment installed on or after February 9, 2018?	<input type="checkbox"/>	<input type="checkbox"/>
19a For equipment described on line 19, what was the beginning of construction date (MM/DD/YYYY)?		
19b For equipment described on line 19, what was the placed-in-service date (MM/DD/YYYY)?		
19c Is the placed-in-service date of the carbon capture equipment described on line 19 determined pursuant to the 80/20 rule?	<input type="checkbox"/>	<input type="checkbox"/>
19d If you answered "Yes" to line 19c, state your investment in new carbon capture equipment and the fair market value of pre-existing carbon capture equipment		
19e If the placed-in-service date of the carbon capture equipment was determined pursuant to the 80/20 rule, did you include its investment in a transportation pipeline as new carbon capture equipment?	<input type="checkbox"/>	<input type="checkbox"/>
19f If you answered "Yes" to line 19e, state your investment in a transportation pipeline		
20 What was the total amount of carbon oxide captured during the calendar year (in metric tons)?		
20a Of the amount listed on line 20, what amount was carbon dioxide?		
20b Of the amount listed on line 20, what amount was carbon monoxide?		
21 Was annualization of first-year captured carbon oxide required for this calendar year?	<input type="checkbox"/>	<input type="checkbox"/>
21a If you answered "Yes" to line 21, state the annualized carbon oxide emissions		
Section 3—Information about carbon oxide sequestration credit and your elections:		
22 During the calendar year, are other parties contractually ensuring disposal, injection, or utilization of qualified carbon oxide captured at this facility?	<input type="checkbox"/>	<input type="checkbox"/>
23 For this calendar year, do you elect to allow any of the parties described on line 22 to claim some or all of the carbon oxide sequestration credit?	<input type="checkbox"/>	<input type="checkbox"/>
24 If you answered "No" to line 14, do you elect to apply the \$10 and \$20 rates (adjusted for inflation) in lieu of the applicable dollar amounts?	<input type="checkbox"/>	<input type="checkbox"/>
25 If you answered "Yes" to line 24, determine the credit using lines 1, 2, or 3 in Part II.		
26 If you answered "No" to line 24, determine the credit using lines 4, 5, or 6 in Part III.		
27 Is the facility described in Part I an applicable facility and are you making the election under section 45Q(f)(6)? See instructions	<input type="checkbox"/>	<input type="checkbox"/>
27a If you answered "Yes" to both parts of line 27, determine the credit using lines 4, 5, or 6 in Part III. See instructions.		

Part II. Facilities at Which Qualified Carbon Oxide Qualifies for a Credit Under Section 45Q(a)(1) or (2), or for Which an Election Was Made Under Section 45Q(b)(3)

Qualified carbon oxide captured using carbon capture equipment originally placed in service at a qualified facility before February 9, 2018 (or, on or after February 9, 2018, for facilities for which an election was made under section 45Q(b)(3)), disposed of in secure geological storage, and not used as a tertiary injectant in a qualified enhanced oil or natural gas recovery project, nor utilized as described in section 45Q(f)(5).

	(a) Metric tons	(b) Rate	(c) Carbon oxide sequestration credit. Multiply column (a) by column (b).
1a Metric tons captured and delivered to point of disposal			
1b Metric tons captured and securely stored by you. Attach Model Certificates DISP-Operator and DISP-Owner for each disposal site			
1c Metric tons captured and securely stored (physically disposed) by another person. Attach Model Certificates DISP-Operator and DISP-Owner for each disposal site ..			
1d Add lines 1b and 1c		\$25.07	
1e Metric tons captured and securely stored (physically disposed) by another person and for which you allow that person to claim the resulting carbon oxide sequestration credit. Attach Model Certificate ELECT for each disposal site		\$25.07	
1f Your carbon oxide sequestration credit. Subtract line 1e from line 1d		\$25.07	

Model Certificate CF

Part II. Facilities at Which Qualified Carbon Oxide Qualifies for a Credit Under Section 45Q(a)(1) or (2), or for Which an Election Was Made Under Section 45Q(b)(3) (continued)

Qualified carbon oxide captured using carbon capture equipment originally placed in service at a qualified facility before February 9, 2018, disposed of in secure geological storage, and used as a tertiary injectant in a qualified enhanced oil or natural gas recovery project.

		(a) Metric tons	(b) Rate	(c) Carbon oxide sequestration credit. Multiply column (a) by column (b).
2a	Metric tons captured and delivered to point of injection			
2b	Metric tons captured and securely stored by you. Attach Model Certificates EOR-Operator and EOR-Owner for each recovery project			
2c	Metric tons captured and securely stored by another person. Attach Model Certificates EOR-Operator and EOR-Owner for each recovery project			
2d	Add lines 2b and 2c		\$12.53	
2e	Metric tons captured and securely stored by another person and for which you allow that person to claim the resulting carbon oxide sequestration credit. Attach Model Certificate ELECT for each recovery project		\$12.53	
2f	Your carbon oxide sequestration credit. Subtract line 2e from line 2d		\$12.53	

Qualified carbon oxide captured using carbon capture equipment originally placed in service at a qualified facility before February 9, 2018, and utilized as described in section 45Q(f)(5).

		(a) Metric tons	(b) Rate	(c) Carbon oxide sequestration credit. Multiply column (a) by column (b).
3a	Metric tons captured and delivered to point of utilization			
3b	Metric tons captured and physically utilized by you. Attach Model Certificate UTZ for each utilization facility. Expressed as carbon dioxide equivalents that were determined pursuant to an approved Life Cycle Assessment (LCA). See instructions			
3c	Metric tons captured and physically utilized by another person. Attach Model Certificate UTZ for each utilization facility. Expressed as carbon dioxide equivalents that were determined pursuant to an approved LCA. See instructions			
3d	Add lines 3b and 3c		\$12.53	
3e	Metric tons captured and physically utilized by another person and for which you elect to allow that person to claim the resulting carbon oxide sequestration credit. Expressed as carbon dioxide equivalents that were determined pursuant to an approved LCA. See instructions. Attach Model Certificate ELECT for each utilization facility		\$12.53	
3f	Your carbon oxide sequestration credit. Subtract line 3e from line 3d		\$12.53	

Model Certificate CF

Part III. Qualified Facilities Under Section 45Q(a)(3) or (4) for Which No Election Was Made Under Section 45Q(b)(3)

Qualified carbon oxide captured using carbon capture equipment originally placed in service at a qualified facility on or after February 9, 2018, during the 12-year period beginning on the date the equipment was originally placed in service, disposed of in secure geological storage, and not used as a tertiary injectant in a qualified enhanced oil or natural gas recovery project, nor utilized as described in section 45Q(f)(5).

		(a) Metric tons	(b) Rate	(c) Carbon oxide sequestration credit. Multiply column (a) by column (b).
4a	Metric tons captured and delivered to point of disposal			
4b	Metric tons captured and securely stored (physically disposed) by you. Attach Model Certificates DISP-Operator and DISP-Owner for each disposal site			
4c	Metric tons captured and securely stored (physically disposed) by another person. Attach Model Certificates DISP-Operator and DISP-Owner for each disposal site			
4d	Add lines 4b and 4c		\$37.85	
4e	Metric tons captured and securely stored (physically disposed) by another person and for which you allow that person to claim the resulting carbon oxide sequestration. Attach Model Certificate ELECT for each disposal site		\$37.85	
4f	Your carbon oxide sequestration credit. Subtract line 4e from line 4d		\$37.85	

Qualified carbon oxide captured using carbon capture equipment originally placed in service at a qualified facility on or after February 9, 2018, during the 12-year period beginning on the date the equipment was originally placed in service, disposed of in secure geological storage, and used as a tertiary injectant in a qualified enhanced oil or natural gas recovery project.

		(a) Metric tons	(b) Rate	(c) Carbon oxide sequestration credit. Multiply column (a) by column (b).
5a	Metric tons captured and delivered to point of injection			
5b	Metric tons captured and securely stored (physically disposed) by you. Attach Model Certificates EOR-Operator and EOR-Owner for each recovery project			
5c	Metric tons captured and securely stored (physically disposed) by another person. Attach Model Certificates EOR-Operator and EOR-Owner for each recovery project			
5d	Add lines 5b and 5c		\$25.15	
5e	Metric tons captured and securely stored (physically disposed) by another person and for which you allow that person to claim the resulting carbon oxide sequestration. Attach Model Certificate ELECT for each recovery project		\$25.15	
5f	Your carbon oxide sequestration credit. Subtract line 5e from line 5d		\$25.15	

Model Certificate CF

Part III. Qualified Facilities Under Section 45Q(a)(3) or (4) for Which No Election Was Made Under Section 45Q(b)(3) (continued)

Qualified carbon oxide captured using carbon capture equipment originally placed in service at a qualified facility on or after February 9, 2018, during the 12-year period beginning on the date the equipment was originally placed in service, and utilized as described in section 45Q(f)(5).

	(a) Metric tons	(b) Rate	(c) Carbon oxide sequestration credit. Multiply column (a) by column (b).
6a Metric tons captured and delivered to point of utilization			
6b Metric tons captured and physically utilized by you. Attach Model Certificate UTZ for each utilization facility. Expressed as carbon dioxide equivalents			
6c Metric tons captured and physically utilized by another person. Attach Model Certificate UTZ for each utilization facility. Expressed as carbon dioxide equivalents			
6d Add lines 6b and 6c		\$25.15	
6e Metric tons captured and physically utilized by another person and for which you elect to allow that person to claim the resulting carbon oxide sequestration credit. Expressed as carbon dioxide equivalents. Attach Model Certificate ELECT for each utilization project		\$25.15	
6f Your carbon oxide sequestration credit. Subtract line 6e from line 6d		\$25.15	

Part IV. Qualified Direct Air Capture Facilities Under Section 45Q(d) Placed in Service After 2022

Qualified carbon oxide captured using carbon capture equipment originally placed in service at a qualified direct air capture facility after 2022 during the 12-year period beginning on the date the equipment was originally placed in service, disposed of in secure geological storage, and not used as a tertiary injectant in a qualified enhanced oil or natural gas recovery project, nor utilized as described in section 45Q(f)(5).

	(a) Metric tons	(b) Rate	(c) Carbon oxide sequestration credit. Multiply column (a) by column (b).
7a Metric tons captured and delivered to point of disposal			
7b Metric tons captured and securely stored (physically disposed) by you. Attach Model Certificates DISP-Operator and DISP-Owner for each disposal site			
7c Metric tons captured and securely stored (physically disposed) by another person. Attach Model Certificates DISP-Operator and DISP-Owner for each disposal site			
7d Sum of 7b and 7c		\$36	
7e Metric tons captured and securely stored (physically disposed) by another person and for which you allow that person to claim the resulting carbon oxide sequestration. Attach Model Certificate ELECT for each disposal site		\$36	
7f Your carbon oxide sequestration credit. Subtract line 7e from line 7d		\$36	

Note. Enter \$180 in column (b) for lines 7d, 7e, and 7f if section 45Q(h)(2) requirements are met.

Model Certificate CF

Part IV. Qualified Direct Air Capture Facilities Under Section 45Q(d) Placed in Service After 2022 (continued)

Qualified carbon oxide captured using carbon capture equipment originally placed in service at a qualified direct air capture facility after 2022 during the 12-year period beginning on the date the equipment was originally placed in service, disposed of in secure geological storage, and used as a tertiary injectant in a qualified enhanced oil or natural gas recovery project.

		(a) Metric tons	(b) Rate	(c) Carbon oxide sequestration credit. Multiply column (a) by column (b).
8a	Metric tons captured and delivered to point of injection			
8b	Metric tons captured and securely stored (physically disposed) by you. Attach Model Certificates EOR-Operator and EOR-Owner for each recovery project			
8c	Metric tons captured and securely stored (physically disposed) by another person. Attach Model Certificates EOR-Operator and EOR-Owner for each recovery project			
8d	Add lines 8b and 8c		\$26	
8e	Metric tons captured and securely stored (physically disposed) by another person and for which you allow that person to claim the resulting carbon oxide sequestration. Attach Model Certificate ELECT for each recovery project		\$26	
8f	Your carbon oxide sequestration credit. Subtract line 8e from line 8d		\$26	

Note. Enter \$130 in column (b) for lines 8d, 8e, and 8f if section 45Q(h)(2) requirements are met.

Qualified carbon oxide captured using carbon capture equipment originally placed in service at a qualified direct air capture facility after 2022 during the 12-year period beginning on the date the equipment was originally placed in service, and utilized as described in section 45Q(f)(5).

		(a) Metric tons	(b) Rate	(c) Carbon oxide sequestration credit. Multiply column (a) by column (b).
9a	Metric tons captured and delivered to point of utilization			
9b	Metric tons captured and physically utilized by you. Attach Model Certificate UTZ for each utilization facility. Expressed as carbon dioxide equivalents			
9c	Metric tons captured and physically utilized by another person. Attach Model Certificate UTZ for each utilization facility. Expressed as carbon dioxide equivalents			
9d	Sum of 9b and 9c		\$26	
9e	Metric tons captured and physically utilized by another person and for which you elect to allow that person to claim the resulting carbon oxide sequestration credit. Expressed as carbon dioxide equivalents. Attach Model Certificate ELECT for each utilization project		\$26	
9f	Your carbon oxide sequestration credit. Subtract line 9e from line 9d		\$26	

Note. Enter \$130 in column (b) for lines 9d, 9e, and 9f if section 45Q(h)(2) requirements are met.

Model Certificate CF

Capture Facility Certification *(continued)*

Under penalties of perjury, I attest that I am an officer of the company that is the owner of the subject capture facility. I further attest that the above information is true and correct.

Signature and date signed

Printed or typed name of person signing this report

Title

Company's name and EIN

Model Certificate CF

DRAFT AS OF
November 23, 2022

Model Certificate DISP-Operator

Disposal Operator Certification				2022	
Name(s) shown on return:			Identifying number:		
Information about the owners of the geologic disposal site:					
<p>1 In Table 1 below, list information about each owner of the disposal site during the calendar year. If there are more than four owners, prepare a separate table with all the owner information and attach it to this model certificate.</p> <p>If one or more of the owners is a partnership or S corporation, provide information for the pass-through entity, not partners or shareholders.</p> <p>If one or more of the owners is part of a joint venture that has elected out of subchapter K of the Code, provide information for all such owners.</p>					
Table 1 — Information About the Owner(s) of the Disposal Site					
Disposal site owner	Name	Address	EIN	Operating interest (%)	
1					
2					
3					
4					
Information about the geologic disposal site:					
2 Name and location (county and state, or offshore tract) _____					
3 List the name and EIN of the operator of the site _____					
4 List any other companies that are identified as the operator of the project for any other purpose(s) and the nature of the purpose _____					
5 Geologic disposal site's EPA e-GGRT ID number(s)* _____					
6 When did injection of captured qualified carbon oxide begin (MM/YYYY)? _____					
7 Check here to declare that all figures of stored carbon oxide on this certificate are for carbon oxide consistent with figures reported to the EPA pursuant to the applicable MRV plan and subpart RR of the EPA's Greenhouse Gas Reporting Program _____ <input type="checkbox"/>					
8 Attach a copy of the approved MRV plan or provide the URL where it can be viewed on the EPA website.					
Information about the qualified carbon oxide supplied to the geologic disposal site and securely stored:					
9 In Table 2, provide information about all suppliers of qualified carbon oxide during the calendar year. "Qualified" carbon oxide means carbon oxide from a supplier who attests that the carbon oxide was captured at one of its qualified section 45Q facilities. For qualified carbon oxide, "supplier" means the person who captured the qualified carbon oxide, which may differ from the company that sold the qualified carbon oxide or physically delivered the qualified carbon oxide to the owner of the geologic disposal site.					
Table 2 — Information About Suppliers of Qualified Carbon Oxide					
Qualified carbon oxide supplier	Name	EIN	Name and location of capture facility (county, state)	EPA's e-GGRT ID*	Check if supplier supplied any nonqualified carbon oxide from any source
1					<input type="checkbox"/>
2					<input type="checkbox"/>
3					<input type="checkbox"/>
* if available					
Model Certificate DISP-Operator					

Disposal Operator Certification *(continued)*

- 10** Complete Table 3 below using information that is consistent with all applicable EPA filings. If there are more than four owners of the geologic disposal site or suppliers of qualified carbon oxide, prepare a separate table with all the supplier information and attach it to this model certificate.
- 11** Check here to attest that all figures in Table 3 conform to all applicable EPA filings

Table 3 — Information About Disposal

	Qualified carbon oxide supplier number 1			Qualified carbon oxide supplier number 2		Qualified carbon oxide supplier number 3		Total qualified carbon oxide from all suppliers		All other suppliers of nonqualified carbon oxide		Total metric tons for all carbon oxide suppliers	
	(A) Geologic disposal site owner	(B) Metric tons delivered	(C) Metric tons stored	(D) Metric tons delivered	(E) Metric tons stored	(F) Metric tons delivered	(G) Metric tons stored	(H) Metric tons delivered (add columns (B), (D), and (F))	(I) Metric tons stored (add columns (C), (E), and (G))	(J) Metric tons delivered	(K) Metric tons stored	(L) Metric tons delivered (add columns (H) and (J))	(M) Metric tons stored (add columns (I) and (K))
1													
2													
3													
4													
5	Total (add lines 1 through 4)												

Under penalties of perjury, I attest that I am an officer of the company that is the operator of the subject geologic disposal site or that I have been designated by the operating interest owners to prepare and submit this certificate to the IRS on their behalf. I further attest that the above information is true and correct.

Signature and date signed

Printed or typed name of person signing this report

Title

Company's name and EIN

Model Certificate DISP-Owner

Disposal Owner Certification		2022
Name(s) shown on return:		Identifying number:
Information about you, the owner of the geologic disposal site:		
1 Name	_____	
2 Address	_____	
3 EIN	_____	
Information about your suppliers of qualified carbon oxide. Complete a separate Model Certificate DISP-Owner for each of your suppliers of qualified carbon oxide:		
4 Name	_____	
5 EIN	_____	
6 Name and location of qualified carbon oxide capture facility (if supplier supplied any qualified carbon oxide)	_____	
7 Type of industrial facility at which the supplier captured its qualified carbon oxide	_____	
8 Check here if you were one of the suppliers. Don't check unless the EIN of the supplier of the qualified carbon oxide is the same as the EIN of the entity that is an owner of the geologic disposal site. If the EINs aren't the same, there must be a binding written contract between the entities	<input type="checkbox"/>	
9 Unless line 8 is checked, do you attest that a binding written contract between you and the supplier exists that ensures that you will securely store the qualified carbon oxide in the manner required under section 45Q and the underlying regulations? . . .	Yes	No
	<input type="checkbox"/>	<input type="checkbox"/>
10 Provide the date (MM/DD/YYYY) of the contract referenced in the line above or the date of the most recent amendment	_____	
11 Metric tons of qualified carbon oxide received from the supplier during the calendar year (metric tons should agree with the figure reported for you for this supplier by the project's operator in Model Certificate DISP-Operator, Table 3)	_____	
12 Metric tons of qualified carbon oxide received from the supplier and stored by you during the calendar year (metric tons should agree with the figure reported for you for this supplier by the disposal site's operator in Model Certificate DISP-Operator, Table 3)	_____	
13 Metric tons of nonqualified carbon oxide received by you during the calendar year	_____	
14 Metric tons of nonqualified carbon oxide stored by you during the calendar year (metric tons should be from Model Certificate DISP-Operator, Table 3)	_____	
15 Add lines 11 and 13. Total amount of qualified carbon oxide injected (amount should agree with the figure reported for you in Model Certificate DISP-Operator, Table 3)	_____	
16 Add lines 12 and 14. Total amount of qualified carbon oxide stored (amount should agree with the figure for you in Model Certificate DISP-Operator, Table 3)	_____	
17 Reserved for future use.		
18 Check here if you attest that the supplier of qualified carbon oxide elected to allow you to claim some or all of the carbon oxide sequestration credit attributable to their qualified carbon oxide. If you checked the box, attach a copy of Model Certificate ELECT signed by the supplier for this calendar year	<input type="checkbox"/>	
<p>Under penalties of perjury, I attest that I am an officer of the company that is the owner of the subject DISP project. I further attest that the above information is true and correct and that I have provided a signed copy of this completed certificate to each person who supplied qualified carbon oxide to my company for use at the subject DISP project during this calendar year.</p>		
_____ Signature and date signed		
_____ Printed or typed name of person signing this report		
_____ Title		
_____ Company's name and EIN		
Model Certificate DISP-Owner		

Model Certificate EOR-Operator

Enhanced Oil Recovery Operator Certification		2022																																	
Name(s) shown on return:		Identifying number:																																	
<p>Information about the owners of the EOR project:</p> <p>1 In Table 1 below, list information about each owner of the EOR project during the calendar year. If there are more than four owners, prepare a separate table with all the owner information and attach it to this model certificate. If one or more of the owners is a partnership or S corporation, provide information for the pass-through entity, not partners or shareholders. If one or more of the owners is part of a joint venture that has elected out of subchapter K of the Code, provide the information for all such owners.</p> <p>Table 1 — Information About the Owner(s) of the EOR Project</p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th align="center">EOR project owner</th> <th align="center">Name</th> <th align="center">Address</th> <th align="center">EIN</th> <th align="center">Operating interest (%)</th> </tr> </thead> <tbody> <tr><td align="center">1</td><td></td><td></td><td></td><td></td></tr> <tr><td align="center">2</td><td></td><td></td><td></td><td></td></tr> <tr><td align="center">3</td><td></td><td></td><td></td><td></td></tr> <tr><td align="center">4</td><td></td><td></td><td></td><td></td></tr> </tbody> </table>			EOR project owner	Name	Address	EIN	Operating interest (%)	1					2					3					4												
EOR project owner	Name	Address	EIN	Operating interest (%)																															
1																																			
2																																			
3																																			
4																																			
<p>Information about the EOR project:</p> <p>2 Name and location (county and state) _____</p> <p>3 List the name and EIN of the person who, for purposes of Regulations section 1.45Q-2(h), is the operator of the project _____</p> <p>4 List any other companies that are identified as the operator of the project for any other purpose(s) and the nature of the purpose _____</p> <p>5 EPA e-GGRT ID number(s)* _____</p> <p>6 Date (MM/YYYY) on which the injection of captured qualified carbon oxide began _____</p> <p>7 If the project was previously certified under section 43, state the name of the certified project and date (MM/DD/YYYY) of the petroleum engineer's certification _____</p> <p>8 If the project wasn't previously certified under section 43, attach a copy of a valid petroleum engineer's certification to this Model Certificate EOR-Operator.</p> <table style="width:100%;"> <thead> <tr> <th></th> <th align="center">Yes</th> <th align="center">No</th> </tr> </thead> <tbody> <tr> <td>9 Is this project an enhanced natural gas recovery project? _____</td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> <tr> <td>10 Are all injection wells appropriately permitted? See Secure geological storage, earlier _____</td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> <tr> <td>11 If you answered "No" to line 10, the carbon oxide sequestration credit can't be claimed.</td> <td></td> <td></td> </tr> <tr> <td>12 Are any of the wells in the project EPA Class VI? _____</td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> <tr> <td>13 If you answered "Yes" to line 12, check here to declare that all figures of stored qualified carbon oxide on this model certificate are consistent with figures reported to the EPA pursuant to the applicable MRV plan and subpart RR of EPA's Greenhouse Gas Reporting Program _____ <input type="checkbox"/></td> <td></td> <td></td> </tr> <tr> <td>14 If you answered "Yes" to line 12, provide the EPA approval date (MM/DD/YYYY) of the MRV plan, and attach a copy of the approved MRV plan or its URL on the EPA's website _____</td> <td></td> <td></td> </tr> <tr> <td>15 If you answered "Yes" to line 10 and "No" to line 12, are you relying on subpart RR of the Greenhouse Gas Reporting Program or ISO 27916 to demonstrate secure storage (check which one)? _____</td> <td align="center"><input type="checkbox"/> Subpart RR</td> <td align="center"><input type="checkbox"/> ISO 27916</td> </tr> <tr> <td>16 If line 15 is subpart RR, provide the EPA approval date (MM/DD/YYYY) of the MRV plan, and attach a copy of the approved MRV plan or its URL on the EPA's website _____</td> <td></td> <td></td> </tr> <tr> <td>17 If line 15 is ISO 27916, attach a copy of the ISO 27916 documentation for the year.</td> <td></td> <td></td> </tr> <tr> <td>18 If line 15 is ISO 27916, attach a copy of the certification completed by a qualified independent engineer or geologist.</td> <td></td> <td></td> </tr> </tbody> </table> <p>Information about the qualified carbon oxide supplied to the EOR project and securely stored:</p> <p>19 In Table 2, provide information about all suppliers of qualified carbon oxide during the calendar year. "Qualified" carbon oxide means carbon oxide from a supplier who attests that the carbon oxide was captured at one of its qualified 45Q facilities. For qualified carbon oxide, "supplier" means the person who captured the qualified carbon oxide, who may differ from the company that sold the carbon oxide or physically delivered the carbon oxide to the owner of the EOR utilization facility.</p> <p>* if available</p>				Yes	No	9 Is this project an enhanced natural gas recovery project? _____	<input type="checkbox"/>	<input type="checkbox"/>	10 Are all injection wells appropriately permitted? See Secure geological storage , earlier _____	<input type="checkbox"/>	<input type="checkbox"/>	11 If you answered "No" to line 10, the carbon oxide sequestration credit can't be claimed.			12 Are any of the wells in the project EPA Class VI? _____	<input type="checkbox"/>	<input type="checkbox"/>	13 If you answered "Yes" to line 12, check here to declare that all figures of stored qualified carbon oxide on this model certificate are consistent with figures reported to the EPA pursuant to the applicable MRV plan and subpart RR of EPA's Greenhouse Gas Reporting Program _____ <input type="checkbox"/>			14 If you answered "Yes" to line 12, provide the EPA approval date (MM/DD/YYYY) of the MRV plan, and attach a copy of the approved MRV plan or its URL on the EPA's website _____			15 If you answered "Yes" to line 10 and "No" to line 12, are you relying on subpart RR of the Greenhouse Gas Reporting Program or ISO 27916 to demonstrate secure storage (check which one)? _____	<input type="checkbox"/> Subpart RR	<input type="checkbox"/> ISO 27916	16 If line 15 is subpart RR, provide the EPA approval date (MM/DD/YYYY) of the MRV plan, and attach a copy of the approved MRV plan or its URL on the EPA's website _____			17 If line 15 is ISO 27916, attach a copy of the ISO 27916 documentation for the year.			18 If line 15 is ISO 27916, attach a copy of the certification completed by a qualified independent engineer or geologist.		
	Yes	No																																	
9 Is this project an enhanced natural gas recovery project? _____	<input type="checkbox"/>	<input type="checkbox"/>																																	
10 Are all injection wells appropriately permitted? See Secure geological storage , earlier _____	<input type="checkbox"/>	<input type="checkbox"/>																																	
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Model Certificate EOR-Operator																																			

Enhanced Oil Recovery Operator Certification (continued)

Table 2 — Information About Suppliers of Qualified Carbon Oxide

Qualified carbon oxide supplier	Name	EIN	Name of capture facility	Location of capture facility (county, state)	Check if supplier provided any qualified carbon oxide	Check if supplier provided any nonqualified carbon oxide
1					<input type="checkbox"/>	<input type="checkbox"/>
2					<input type="checkbox"/>	<input type="checkbox"/>
3					<input type="checkbox"/>	<input type="checkbox"/>

- 20 Complete Table 3 below using information that conforms to all applicable EPA filings and certified ISO 27916 documentation if it was used to demonstrate secure storage. If there are more than four owners of the EOR project or three suppliers of qualified carbon oxide, prepare a separate table that includes all relevant information and attach it to this model certificate.
- 21 Check here to attest that all figures in Table 3 conform to all applicable EPA filings and certified ISO 27916 documentation

Table 3 — Information About Enhanced Oil Recovery

	Qualified carbon oxide supplier number 1		Qualified carbon oxide supplier number 2		Qualified carbon oxide supplier number 3		Total qualified carbon oxide from all suppliers		All other suppliers of nonqualified carbon oxide		Total metric tons for all carbon oxide suppliers		
	(A) EOR project owner	(B) Metric tons delivered	(C) Metric tons stored	(D) Metric tons delivered	(E) Metric tons stored	(F) Metric tons delivered	(G) Metric tons stored	(H) Metric tons delivered (add columns (B), (D), and (F))	(I) Metric tons stored (add columns (C), (E), and (G))	(J) Metric tons delivered	(K) Metric tons stored	(L) Metric tons delivered (add columns (H) and (J))	(M) Metric tons stored (add columns (I) and (K))
1													
2													
3													
4													
5	Total (add lines 1 through 4)												

Under penalties of perjury, I attest that I am an officer of the company that is the operator of the subject EOR project or that I have been designated by the operating interest owners to prepare and submit this certificate to the IRS on their behalf. I further attest that the above information is true and correct.

Signature and date signed

Printed or typed name of person signing this report

Title

Company's name and EIN

Model Certificate EOR-Operator

Model Certificate EOR-Owner

Enhanced Oil Recovery Owner Certification		2022				
Name(s) shown on return:		Identifying number:				
Information about you, the owner of the EOR project:						
1	Name	_____				
2	Address	_____				
3	EIN	_____				
Information about all suppliers of qualified carbon oxide to you. Complete multiple model certificates if you had more than one supplier of qualified carbon oxide:						
4	Name	_____				
5	EIN	_____				
6	Name and location (county, state) of qualified carbon oxide capture facility	_____				
7	Type of industrial facility at which the supplier captured its qualified carbon oxide	_____				
8	Check here if you were one of the suppliers. Don't check unless the EIN of the supplier of the qualified carbon oxide is the same as the EIN of the entity that is an owner of the geologic disposal site. If the EINs aren't the same, there must be a binding written contract between the entities	<input type="checkbox"/>				
9	Unless line 8 is checked, do you attest that a binding written contract between you and the supplier exists that ensures that you will securely store the qualified carbon oxide in the manner required under section 45Q and the underlying regulations?	<table border="0"> <tr> <td align="center">Yes</td> <td align="center">No</td> </tr> <tr> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> </table>	Yes	No	<input type="checkbox"/>	<input type="checkbox"/>
Yes	No					
<input type="checkbox"/>	<input type="checkbox"/>					
10	Provide the date (MM/DD/YYYY) of the contract referenced in the line above or the date of the most recent amendment	_____				
11	Metric tons of qualified carbon oxide received from the supplier during the calendar year (metric tons should agree with the figure reported for you for this supplier by the project's operator in Model Certificate EOR-Operator, Table 3)	_____				
12	Metric tons of qualified carbon oxide stored by you during the year (metric tons should agree with the figure reported for you for this supplier by the disposal site's operator in Model Certificate EOR-Operator, Table 3)	_____				
13	Metric tons of nonqualified carbon oxide received by you during the year	_____				
14	Metric tons of nonqualified carbon oxide utilized as a tertiary injectant stored by you during the calendar year (metric tons should be from Model Certificate EOR-Operator, Table 3)	_____				
15	Add lines 11 and 13. Total amount of qualified carbon oxide injected (amount should agree with the figure for you in Model Certificate EOR-Operator, Table 3)	_____				
16	Add lines 12 and 14. Total amount of qualified carbon oxide stored (amount should agree with the figure for you in Model Certificate EOR-Operator, Table 3)	_____				
17	Reserved for future use.					
18	Check here if you attest that the supplier of qualified carbon oxide elected to allow you to claim some or all of the carbon oxide sequestration credit attributable to their qualified carbon oxide. If you checked the box, attach a copy of Model Certificate ELECT signed by both you and the supplier for this calendar year	<input type="checkbox"/>				
<p>Under penalties of perjury, I attest that I am an officer of the company that is the owner of the subject EOR project. I further attest that the above information is true and correct and that I have provided a signed copy of this completed certificate to each person who supplied qualified carbon oxide to my company for use at the subject EOR project during this year.</p>						
Signature and date signed						
Printed or typed name and title of person signing this report						
Title						
Company's name and EIN						
Model Certificate EOR-Owner						

Model Certificate UTZ

Utilization Certification		2022																																				
Name(s) shown on return:		Identifying number:																																				
Part I. Information About the Qualified Carbon Utilization Facility and Utilization of Carbon Oxide																																						
Section 1—Information about owner or lessee(s) of the qualified carbon utilization facility and utilization of qualified carbon oxide at this facility:																																						
<p>1 In Table 1 below, list information about each owner or lessee of the qualified carbon oxide utilization facility during the calendar year. If there are more than four owners or lessees, prepare a separate table with all the owner or lessee information and attach it to this model certificate. Note. If one or more of the owners is a partnership or S corporation, provide information for the pass-through entity, not partners or shareholders.</p> <p>Table 1 — Information About the Owner(s) or Lessee(s) of the Qualified Carbon Utilization Facility</p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:5%;"></th> <th style="width:15%;">Owner/Lessee</th> <th style="width:25%;">Name</th> <th style="width:25%;">Address</th> <th style="width:10%;">EIN</th> <th style="width:20%;">Operating interest (%)</th> </tr> </thead> <tbody> <tr><td>1</td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td>2</td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td>3</td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td>4</td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td>Total</td><td></td><td></td><td></td><td></td><td></td></tr> </tbody> </table>				Owner/Lessee	Name	Address	EIN	Operating interest (%)	1						2						3						4						Total					
	Owner/Lessee	Name	Address	EIN	Operating interest (%)																																	
1																																						
2																																						
3																																						
4																																						
Total																																						
<p>2 Name of the utilization facility</p> <p>3 Location of the utilization facility (street, county, and state)</p> <p>4 Registered owner or operator</p> <p>5 Provide information about utilization of qualified carbon oxide at this facility below.</p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th colspan="3" style="text-align:center;">Check all that apply</th> <th style="text-align:center;">Describe in more detail how the qualified carbon oxide is utilized</th> </tr> </thead> <tbody> <tr> <td style="width:5%; text-align:center;">a</td> <td style="width:5%; text-align:center;"><input type="checkbox"/></td> <td style="width:40%;">Fixation through photosynthesis or chemosynthesis, such as through the growing of algae or bacteria.</td> <td></td> </tr> <tr> <td style="text-align:center;">b</td> <td style="text-align:center;"><input type="checkbox"/></td> <td>Chemical conversion to a material or chemical compound in which qualified carbon oxide is securely stored.</td> <td></td> </tr> <tr> <td style="text-align:center;">c</td> <td style="text-align:center;"><input type="checkbox"/></td> <td>For any other purpose for which a commercial market exists (with the exception of use as a tertiary injectant in a qualified enhanced oil or natural gas recovery project), as determined by regulations or other official guidance.</td> <td></td> </tr> </tbody> </table>			Check all that apply			Describe in more detail how the qualified carbon oxide is utilized	a	<input type="checkbox"/>	Fixation through photosynthesis or chemosynthesis, such as through the growing of algae or bacteria.		b	<input type="checkbox"/>	Chemical conversion to a material or chemical compound in which qualified carbon oxide is securely stored.		c	<input type="checkbox"/>	For any other purpose for which a commercial market exists (with the exception of use as a tertiary injectant in a qualified enhanced oil or natural gas recovery project), as determined by regulations or other official guidance.																					
Check all that apply			Describe in more detail how the qualified carbon oxide is utilized																																			
a	<input type="checkbox"/>	Fixation through photosynthesis or chemosynthesis, such as through the growing of algae or bacteria.																																				
b	<input type="checkbox"/>	Chemical conversion to a material or chemical compound in which qualified carbon oxide is securely stored.																																				
c	<input type="checkbox"/>	For any other purpose for which a commercial market exists (with the exception of use as a tertiary injectant in a qualified enhanced oil or natural gas recovery project), as determined by regulations or other official guidance.																																				
<p>5.1 Do you attest that a commercial market exists for your particular product, process, or service?</p> <p>5.2 Have you attached a statement substantiating that a commercial market exists? Don't complete this model certificate unless you answered "Yes" to the questions on lines 5.1 and 5.2. See instructions</p>		<p>Yes No</p> <p><input type="checkbox"/> <input type="checkbox"/></p> <p><input type="checkbox"/> <input type="checkbox"/></p>																																				
Model Certificate UTZ																																						

Part I. Information About the Qualified Carbon Utilization Facility and Utilization of Carbon Oxide *(continued)*

Section 2—Information about the qualified carbon oxide supplied to the utilization facility:

6 In Table 2, provide information about all suppliers of qualified carbon oxide during the calendar year. "Qualified" carbon oxide means carbon oxide from a supplier who attests that the carbon oxide was captured at one of its qualified 45Q facilities. "Supplier" means the person who captured the qualified carbon oxide, which may differ from the company that sold the carbon oxide or physically delivered the carbon oxide to the owner of the utilization facility. If there are more than three suppliers of qualified carbon oxide to the utilization facility, prepare a separate table with all information and attach it to this model certificate.

Table 2 — Information About Suppliers of Qualified Carbon Oxide

Qualified carbon oxide supplier	Name	EIN	Name of capture facility	Location of capture facility (county, state)	EPA e-GGRT ID number(s)*	Check if supplier supplied any nonqualified carbon oxide
1						<input type="checkbox"/>
2						<input type="checkbox"/>
3						<input type="checkbox"/>

- 7 List all suppliers of nonqualified carbon oxide
- 8 Complete Table 3 below using information that conforms to the Life Cycle Assessment (LCA) that was approved by the Department of Energy and the IRS. If there are more than four owners of the utilization facility or three suppliers of qualified carbon oxide, prepare a separate table with all information and attach it to this model certificate.
- 9 Check here to attest that all figures in Table 3 conform to the LCA that was subject to a technical review by the DOE, and approved by the IRS
- 10 Attach a copy of the LCA approval letter from the IRS. Don't file this model certificate if you haven't received the approval letter.

Table 3 — Information About Utilization

(A) Owner or lessee of utilization facility	Name of qualified carbon oxide supplier			Total qualified carbon oxide from all suppliers		Total nonqualified carbon oxide from all suppliers		Sum for all carbon oxide suppliers				
	(B) Metric tons of qualified carbon oxide delivered to utilization facility	(C) Metric tons of qualified carbon oxide utilized	(D) Metric tons of qualified carbon oxide delivered to utilization facility	(E) Metric tons of qualified carbon oxide utilized	(F) Metric tons of qualified carbon oxide delivered to utilization facility	(G) Metric tons of qualified carbon oxide utilized	(H) Metric tons of carbon oxide delivered to utilization facility (add columns (B), (D), and (F))	(I) Metric tons of carbon oxide utilized (add columns (C), (E), and (G))	(J) Metric tons of carbon oxide delivered to utilization facility (add columns (H) and (I))	(K) Metric tons of carbon oxide utilized (add columns (J) and (K))	(L) Metric tons of carbon oxide delivered to utilization facility (add columns (H) and (J))	(M) Metric tons of carbon oxide utilized (add columns (I) and (K))
1												
2												
3												
4												
Total												

* if available

Part I. Information About the Qualified Carbon Utilization Facility and Utilization of Carbon Oxide (continued)

Yes No

11 If the total for column (H) is less than 25,000 metric tons, have you verified with the supplier that its facility meets the minimum capture requirements?

Part II. Information About the Life Cycle Assessment (LCA) and This Claim

- 1 Title of the LCA submitted to the Department of Energy (DOE)
- 2 Date (MM/DD/YYYY) the LCA was submitted to the DOE
- 3 Project or LCA number assigned by the DOE
- 4 Date (MM/DD/YYYY) approval letter for the utilization facility was received from the IRS
- 5 Attach a copy of the approval letter from the IRS.
- 6 State if you are applying the TD or the NPRM

Model Certificate UTZ

DRAFT AS OF
November 23, 2022

Utilization Certification (continued)

Part III. Information About You and Each of Your Suppliers of Qualified Carbon Oxide

Section 1—Information about you, the owner or lessee of the utilization project:

- 1 Name
- 2 Address
- 3 EIN

Section 2—Information about all suppliers of qualified carbon oxide to you. Complete multiple model certificates if you had more than one supplier of qualified carbon oxide:

- 4 Supplier's name
- 5 Supplier's EIN
- 6 Name and location of qualified carbon oxide capture facility (if supplier supplied any qualified carbon oxide)
- 7 Type of industrial facility at which the supplier captured its qualified carbon oxide
- 8 Check here if you were one of the suppliers. Don't check unless the EIN of the supplier of the qualified carbon oxide is the same as your EIN. If the EINs aren't the same, there must be a binding written contract between the entities **Yes** **No**
- 9 Unless line 8 is checked, do you attest that a binding written contract between you and the supplier exists that ensures that you will utilize its qualified carbon oxide in the manner required under section 45Q(f)(5) and the underlying regulations? **Yes** **No**
- 10 Provide the date (MM/DD/YYYY) of the contract referenced in the line above or the date of the most recent contract amendment
- 11 Metric tons of qualified carbon oxide received from the supplier during the year and used in the process indicated on line 6 (metric tons should agree with the figure reported in Table 3)
- 12 Metric tons of the supplier's qualified carbon oxide, expressed as carbon dioxide equivalent, utilized in your facility and determined by an LCA (metric tons should agree with the figure reported in Table 3)
- 13 Metric tons of the supplier's nonqualified carbon oxide, expressed as carbon dioxide equivalent, utilized in your facility and determined by an LCA (metric tons should be part of the figure in Table 3)
- 14 Check here if you attest that the supplier of qualified carbon oxide elected to allow you to claim some or all of the carbon oxide sequestration credit attributable to their qualified carbon oxide. Attach a copy of Model Certificate ELECT signed by both you and the supplier for this year

DRAFT AS OF November 23, 2022

Utilization Certification (continued)

Under penalties of perjury, I attest that I am an officer of the company that is the owner of the subject utilization project. I further attest that the above information is true and correct and that I have provided a signed copy of this completed certificate to each person who supplied qualified carbon oxide to my company for use at the subject utilization facility during this year.

Signature and date signed

Printed or typed name of person signing this report

Title

Company's name and EIN

DRAFT AS OF
November 23, 2022

Model Certificate ELECT

Election Certification		2022				
Name(s) shown on return:		Identifying number:				
Part I. Information About Electing Taxpayer and Credit Claimant						
Section 1—Electing taxpayer's information from Model Certificate CF:						
1	Name	_____				
2	Address	_____				
3	TIN	_____				
4	Location of capture facility	_____				
5	Placed-in-service date of carbon capture equipment. See Rev. Rul. 2021-13, 2021-30 I.R.B. 152	_____				
6	Type of industrial facility	_____				
7	EPA e-GGRT ID number(s)* of each qualified facility where carbon oxide was captured	_____				
Section 2—Information about the credit claimant. Complete a separate Model Certificate ELECT for each credit claimant (see instructions):						
8	Name	_____				
9	Address	_____				
10	TIN	_____				
11	Do you attest that the credit claimant isn't a subcontractor? If you can't answer "Yes," you can't elect to allow the credit claimant to claim any of your credit	<table border="0"> <tr> <td align="right">Yes</td> <td align="right">No</td> </tr> <tr> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> </table>	Yes	No	<input type="checkbox"/>	<input type="checkbox"/>
Yes	No					
<input type="checkbox"/>	<input type="checkbox"/>					
12	Check which statement applies:					
a	<input type="checkbox"/> Credit claimant disposed of qualified carbon oxide in secure geological storage and didn't use it as a tertiary injectant in a qualified enhanced oil or natural gas recovery project, nor utilized it in a way described in section 45Q(f)(5).					
b	<input type="checkbox"/> Credit claimant disposed of qualified carbon oxide in secure geological storage and used it as a tertiary injectant in a qualified enhanced oil or natural gas recovery project.					
c	<input type="checkbox"/> Credit claimant utilized qualified carbon oxide in a way described in section 45Q(f)(5).					
13	Location of disposal site if box 12a or 12b was checked _____					
14	EPA e-GGRT ID number(s)* of each disposal site if box 12a or 12b was checked _____					
15	Check which statement applies:					
a	<input type="checkbox"/> Qualified carbon oxide captured using carbon capture equipment originally placed in service at a qualified facility before February 9, 2018, disposed of in secure geological storage, and not used as a tertiary injectant in a qualified enhanced oil or natural gas recovery project, nor utilized in a way described in section 45Q(f)(5).					
b	<input type="checkbox"/> Qualified carbon oxide captured using carbon capture equipment originally placed in service at a qualified facility before February 9, 2018, disposed of in secure geological storage, and used as a tertiary injectant in a qualified enhanced oil or natural gas recovery project.					
c	<input type="checkbox"/> Qualified carbon oxide captured using carbon capture equipment originally placed in service at a qualified facility before February 9, 2018, and utilized as described in section 45Q(f)(5).					
d	<input type="checkbox"/> Qualified carbon oxide captured using carbon capture equipment originally placed in service at a qualified facility on or after February 9, 2018, during the 12-year period beginning on the date the equipment was originally placed in service, disposed of in secure geological storage, and not used as a tertiary injectant in a qualified enhanced oil or natural gas recovery project, nor utilized as described in section 45Q(f)(5).					
e	<input type="checkbox"/> Qualified carbon oxide captured using carbon capture equipment originally placed in service at a qualified facility on or after February 9, 2018, during the 12-year period beginning on the date the equipment was originally placed in service, disposed of in secure geological storage, and used as a tertiary injectant in a qualified enhanced oil or natural gas recovery project.					
f	<input type="checkbox"/> Qualified carbon oxide captured using carbon capture equipment originally placed in service at a qualified facility on or after February 9, 2018, during the 12-year period beginning on the date the equipment was originally placed in service, and utilized as described in section 45Q(f)(5).					
16	<input type="checkbox"/> If box 15a, 15b, or 15c was checked, check here if you elect to claim the credit rates for equipment placed in service prior to the enactment of the Bipartisan Budget Act of 2018.					
17	Check the correct credit rate that applies for 2022 based on the boxes checked for lines 12, 15, and 16.					
a	<input type="checkbox"/> \$25.07 (\$20 plus inflation for old equipment)					
b	<input type="checkbox"/> \$12.53 (\$10 plus inflation for old equipment)					
c	<input type="checkbox"/> \$37.85 for new equipment and qualified carbon oxide disposed of in secure storage and not used in EOR					
d	<input type="checkbox"/> \$25.15 for new equipment and qualified carbon oxide disposed of in secure storage and used in EOR or utilized in a manner described in section 45Q(f)(5)					
* if available						

Election Certification (continued)

Part II. Election Information

- 1 If box 12a was checked, metric tons of qualified carbon oxide captured by the Electing Taxpayer and disposed of in secure geological storage by the Credit Claimant and not used as a tertiary injectant in a qualified enhanced oil or natural gas recovery project, nor utilized in a way described in section 45Q(f) (5) (metric tons should agree with the amount on Model Certificate DISP-Owner, line 12)
- 2 If box 12b was checked, metric tons of qualified carbon oxide captured by the Electing Taxpayer and disposed of in secure geological storage by the Credit Claimant and used as a tertiary injectant in a qualified enhanced oil or natural gas recovery project (metric tons should agree with the amount on Model Certificate EOR-Owner, line 12)
- 3 If box 12c was checked, metric tons of the Electing Taxpayer's qualified carbon oxide, expressed as carbon dioxide equivalent, utilized in the Credit Claimant's facility and determined by an LCA (metric tons should agree with the amount in Model Certificate UTZ, Part III, line 12)
- 4 Metric tons of qualified carbon oxide listed on line 1, 2, or 3, allowed by electing taxpayer to be claimed by the credit claimant. Based upon the box checked in Part I, line 15, electing taxpayer adds this amount to Model Certificate CF, Part II, column (a) of line 1e, 2e, or 3e, or Part III, column (a) of line 4e, 5e, or 6e
- 5 2022 credit rate from line 17 of Part I
- 6 Multiply line 4 by line 5. Carbon oxide sequestration credit allowed by electing taxpayer to be claimed by the credit claimant. Credit claimant adds this amount to its Form 8933, line 13
- 7 Subtract line 4 from amount listed on lines 1, 2, or 3. Metric tons of qualified carbon oxide not allowed by electing taxpayer to be claimed by the credit claimant
- 8 Multiply line 7 by line 5. Carbon oxide sequestration credit retained by the electing taxpayer

Under penalties of perjury, I attest that I am an officer of the company that is the owner of carbon capture equipment described in Part I, lines 1 through 7. I further attest that the above information is true and correct.

Signature and date signed

Printed or typed name of person signing this report

Title

Company's name and EIN

Under penalties of perjury, I attest that I am an officer of the company that is the owner of the carbon oxide disposal, use, or utilization site described in Part I, lines 8 through 12. I further attest that the above information is true and correct.

Signature and date signed

Printed or typed name of person signing this report

Title

Company's name and EIN

Model Certificate RECAPTURE

Recapture Certification								2022
Name(s) shown on return:							Identifying number:	
Part I. Information About the Geologic Disposal Site								
Section 1—Information about the owner(s) of the geologic disposal site:								
1 Table 1 — Information About the Owner(s) of the Geologic Disposal Site								
	2022		2021		2020		2019	
	Name, EIN, and address	Operating interest (%)	Name, EIN, and address	Operating interest (%)	Name, EIN, and address	Operating interest (%)	Name, EIN, and address	Operating interest (%)
Owner A								
Owner B								
Owner C								
Owner D								
All other owners. Attach a complete table on a separate sheet.								
Section 2—Information about the geologic disposal site or EOR project for 2022:								
2 Indicate if the project is a geologic disposal site (without EOR) or an EOR project								
3 Name and location (county and state)								
4 List the name and EIN of the person who, for purposes of Regulations section 1.45Q-2(h), is the operator of the project								
5 List any other companies that are identified as the operator of the project for any other purpose(s) and the nature of the purpose(s)								
6 EPA e-GGRT ID number(s)*								
7 When did injection of captured carbon oxide begin (MM/YYYY)?								
8 If the EOR project was previously certified under section 43, state the name of the certified project and the date (MM/DD/YYYY) of the petroleum engineer's certification								
9 If the EOR project wasn't previously certified under section 43, attach a copy of a valid petroleum engineer's certification to this Model Certificate RECAPTURE.								
Yes No								
10 Is this EOR project an enhanced natural gas recovery project? <input type="checkbox"/> <input type="checkbox"/>								
11–15 Reserved for future use.								
16 If the amount of sequestered carbon oxide has been determined pursuant to 40 CFR Part 98 subpart RR, attach a copy of the approved MRV plan or provide the URL of it on the EPA's website.								
17 If the amount of sequestered carbon oxide has been determined pursuant to ISO 27916, attach a copy of the ISO 27916 documentation for the calendar year. Also attach a copy of the certification by a qualified independent engineer or geologist.								
* if available								
								Model Certificate RECAPTURE

Part II. Determination of Recaptured Qualified Carbon Oxide

- 1 List the total metric tons of qualified carbon oxide securely stored in the geologic disposal site or EOR project during 2022 _____
- 2 Metric tons of qualified carbon oxide that, during 2022, the owner, operator, or regulatory agency determined has leaked from the containment area of the reservoir during 2022 or previous calendar years if not previously accounted for _____
- 3 Metric tons of qualified carbon oxide that, during 2022, the owner, operator, or regulatory agency determined has leaked from the containment area of the reservoir during 2022 or previous calendar years if not previously accounted for, and will eventually migrate to the atmosphere _____
- 4 If line 3 is less than line 2, attach a statement explaining how you determined that the qualified carbon oxide won't eventually migrate to the atmosphere.
- 5 Subtract line 1 from line 3. If greater than zero, a recapture event has occurred. This is the qualified carbon oxide subject to recapture. See Regulations section 1.45Q-5(d). Complete the remainder of Part II. Don't complete this model certificate if a recapture event didn't occur _____
- 6 Attach a statement describing the cause of the leakage of qualified carbon oxide.
- 7 Which regulatory agencies were made aware of the leakage of qualified carbon oxide? _____
- 8 Attach a copy of Model Certificate DISP-Operator or Model Certificate EOR-Operator for this disposal site for each of the previous THREE calendar years.
- 9 Complete Table 2 below.
- 10 In column (C), list the amount of total carbon oxide stored in each of the THREE calendar years prior to the current calendar year. This would be from Model Certificate EOR-Operator, Table 3, column (M), row (5), for each year.
- 11 In columns (E), (F), (G), (H), and (I), allocate the amount in column (D) to each owner of the geologic disposal site or EOR project for each year. Check the box if the carbon oxide was qualified. Use two columns for any owner that stored both qualified and nonqualified carbon oxide. If more columns are needed, attach a separate table that shows the allocation for all owners. You should allocate the amount of stored carbon oxide on a pro rata basis, using figures from Model Certificate EOR-Operator, Table 3, of each year, unless there is a sound engineering basis to do otherwise.
- 12 Check here if the allocation of the amounts in column (D) were done in a manner other than pro rata and attach an explanatory statement _____

Table 2 — Information About Stored Carbon Oxide Subject to Recapture

	(A) Year prior	(B) Year	(C) Metric tons of stored carbon oxide from Table 3 of the applicable Operator Certificate for the indicated year	(D) Stored carbon oxide subject to recapture*	Allocation of stored carbon oxide subject to recapture							
					Owner name and EIN	(E)	(F)	(G)	(H)	(I)	(J)	(K)
						Check if carbon oxide was qualified carbon oxide					Reserved for future use	Total. Add columns (E) through (I)
(1)	1st	2021										
(2)	2nd	2020										
(3)	3rd	2019										
(4)	Total. Add rows (1) through (3).											
(5)	Subtract Part II, line 5, from column (D), row (4). Metric tons of carbon oxide not subject to recapture due to look-back being limited to THREE calendar years.											

- 13 Provide a copy of Parts I and II to each owner of the disposal site or EOR project during the current and THREE previous calendar years.

Recapture Certification (continued)

Under penalties of perjury, I attest that I am an officer of the company that is the operator of the subject geologic disposal site or the subject EOR project or have been designated by the operating interest owners to prepare and submit this certificate to the IRS on their behalf. I further attest that the above qualified carbon oxide sequestration credit recapture information is true and correct.

Signature and date signed

Printed or typed name of person signing this report

Title

Company's name and EIN

Part III. Determination of Recaptured Qualified Carbon Oxide for Supplier

Part III will be prepared by each owner of the disposal site or EOR project during the current and THREE previous calendar years. Part III will be used to determine the amount of qualified carbon oxide sequestration credit that needs to be recaptured. A separate Part III should be completed for each supplier of qualified carbon oxide during the current and THREE previous calendar years and a copy should be given to each supplier.

Information about you, the owner of the EOR project:

- 1 Name
- 2 Address
- 3 EIN

Information about suppliers who supplied carbon oxide during any of the THREE previous calendar years. COMPLETE A PART III FOR EACH SUPPLIER:

- 4 Name
- 5 EIN
- 6 Name and location of carbon oxide capture facility (if supplier supplied any qualified carbon oxide)
- 7 Type of industrial facility at which the supplier captured its qualified carbon oxide
- 8 Complete Table 5 using information from Table 3 of Model Certificate EOR for the previous THREE calendar years. Complete a separate Table 5 for each supplier of qualified carbon oxide during the previous THREE calendar years. If one supplier supplied qualified carbon oxide from multiple facilities, complete a Table 5 for each facility.

Recapture Certification (continued)

Table 5 — Information About Carbon Oxide Sequestration Credit Subject to Recapture by Supplier

			Supplier Name:						
(A) Year prior	(B) Year	(C) Total metric tons of stored carbon oxide from Table 2	(D) Total metric tons of stored carbon oxide subject to recapture	(E) Your amount of qualified carbon oxide subject to recapture	(F) Rate of carbon oxide sequestration credit for the year (\$/MT)	(G) Metric tons of carbon oxide for which the supplier elected to allow you to claim the carbon oxide sequestration credit (MT)	(H) Amount of carbon oxide sequestration credit for which the supplier elected to allow you to claim the carbon oxide sequestration credit (\$). Multiply column (G) by column (F).	(I) Metric tons of carbon oxide for which the supplier didn't elect to allow you to claim the carbon oxide sequestration credit (MT). Subtract column (G) from column (E).	(J) Amount of carbon oxide sequestration credit for which the supplier didn't elect to allow you to claim the carbon oxide sequestration credit (\$). Multiply column (I) by column (F).
(1)	1st	2021							
(2)	2nd	2020							
(3)	3rd	2019							
(4)	Total metric tons. Add rows (1) through (3)								
(5)	Amount of carbon oxide sequestration credit you must recapture this year for carbon oxide supplied by this supplier. Add rows (1) through (3). Add to your Form 8933, Part V, line 16								
(6)	Total metric tons. Add rows (1) through (3)								
(7)	Amount of carbon oxide sequestration credit the supplier of carbon oxide must recapture this year. Add rows (1) through (3). The supplier must add this amount to its Form 8933, Part V, line 16								

Under penalties of perjury, I attest that I am an officer of the company that is the owner of the subject geologic disposal site or the subject EOR project. I further attest that the above information is true and correct and that I have provided a signed copy of this completed recapture certificate to each person.

Signature and date signed _____

Printed or typed name of person signing this report _____

Title _____

Company's name and EIN _____

Paperwork Reduction Act Notice. We ask for the information on this form to carry out the Internal Revenue laws of the United States. You are required to give us the information. We need it to ensure that you are complying with these laws and to allow us to figure and collect the right amount of tax.

You are not required to provide the information requested on a form that is subject to the Paperwork Reduction Act unless the form displays a valid OMB control number. Books or records relating to a form or its instructions must be retained as long as their contents may become material in the administration of any Internal Revenue law. Generally, tax returns and return information are confidential, as required by section 6103.

The time needed to complete and file this form will vary depending on individual circumstances. The estimated burden for individual and business taxpayers filing this form is approved under OMB control number 1545-0074 and 1545-0123 and is included in the estimates shown in the instructions for their individual and business income tax return. The estimated burden for all other taxpayers who file this form is shown below.

Recordkeeping	11 hr., 43 min.
Learning about the law or the form	2 hr., 9 min.
Preparing and sending the form to the IRS	3 hr., 39 min.

If you have comments concerning the accuracy of these time estimates or suggestions for making this form simpler, we would be happy to hear from you. See the instructions for the tax return with which this form is filed.
