

**Supporting Statement**  
**Internal Revenue Service**  
Qualifying Advanced Energy Project Credit  
OMB # 1545-2151

1. Circumstances necessitating the collection of information

Internal Revenue Service (IRS) Notice 2023-18 establishes the program under § 48C(e) (1) of the Internal Revenue Code to allocate \$10 billion of credits (\$4 billion of which may only be allocated to projects located in certain energy communities) for qualified investments in eligible qualifying advanced energy projects (§ 48C(e) program).

A qualifying advanced energy project (1) re-equips, expands or establishes an industrial or manufacturing facility for the production or recycling of certain clean energy technologies specified in Notice 2023-18; (2) re-equips any industrial or manufacturing facility with equipment designed to reduce greenhouse gas emissions by at least 20% through the installation of certain technologies specified in Notice 2023-18; or (3) re-equips, expands, or establishes an industrial facility for the processing, refining, or recycling of critical materials (as defined in section 7002(a) of the Energy Act of 2020 (30 U.S.C. 1606(a)).

A taxpayer must submit, for each qualifying advanced energy project: (1) a concept paper for Department of Energy (DOE) consideration and (2) a § 48C(e) application (consisting of (i) an application for DOE recommendation and (ii) an application for § 48C(e) certification). To be eligible to claim any § 48C credits allocated to a project under the § 48C(e) program, a taxpayer must also provide to DOE (1) evidence establishing that a project satisfies the certification requirements specified in Notice 2023-18 and (2) a notification that the project has been placed in service.

2. Use of the data

The information will be used by (1) the DOE to provide a recommendation to the IRS regarding the acceptance or rejection of each § 48C(e) application and a ranking of the applications, and (2) the IRS to determine which projects should be allocated § 48C credits under the § 48C(e) program and whether a taxpayer can claim the § 48C credits allocated to a project.

3. Use of information technology

Concept papers and § 48C(e) applications are submitted according to the requirements prescribed in Notice 2023-18. Concept papers and § 48C(e) applications are to be provided in electronic format through an electronic submission portal.

4. Efforts to identify duplication

The information obtained through this collection is unique and is not already available for use or adaptation from another source.

5. Impact on small entities

The collection of information requirement will not have a significant economic impact on a substantial number of small entities.

6. Consequences of less frequent collection and obstacles to burden reduction

As provided above, the information collected will be used to determine which projects should be allocated § 48C credits under the § 48C(e) program and whether a taxpayer can claim the § 48C credits allocated to a project. A less frequent collection will not enable the IRS to appropriately allocate § 48C credits under the § 48C(e) program as required by § 48C(e).

7. Circumstances requiring special information collection

There are no special circumstances requiring data collection to be inconsistent with guidelines in 5 CFR 1320.5(d)(2).

8. Solicitation of comments on information collection

Due to the extraordinary circumstances and statutory deadlines for implementing the Section 13501 of the Inflation Reduction Act of 2022, the Department of Treasury and IRS request emergency processing of this information collection. Given the inability to seek public comment during such a short timeframe, IRS also respectfully requests a waiver from the requirement to publish a notice in the Federal Register seeking public comment during the period of Office of Management and Budget review. However, public comment will be solicited in conjunction with the subsequent extension of the approval to collect this information.

The Treasury and the IRS consulted with the DOE on the qualifying advanced energy project definitions provided in Notice 2023-18 and the procedures applicable to submitting concept papers and applications for DOE recommendation.

9. Explanation of decision to provide any payment or gift to respondents

No payment or gift has been provided to any respondents.

10. Assurance of confidentiality

Generally, tax returns and tax return information are confidential as required by 26 USC 6103. Section 48C(e)(7) requires the Secretary to publicly disclose the identity of the applicant and the amount of the credit to the applicant.

11. Justification of sensitive questions

A privacy impact assessment (PIA) has been conducted for information collected under this request as part of the “Individual Master File (IMF)” system and a Privacy Act System of Records notice (SORN) has been issued for this system under IRS 24.030--Customer Account Data Engine Individual Master File, formerly Individual Master File, and IRS 34.037--IRS Audit Trail and Security Records System. The Department of Treasury PIAs can be found at <https://www.irs.gov/uac/Privacy-Impact-Assessments-PIA>.

Title 26 USC 6109 requires inclusion of identifying numbers in returns, statements, or other documents for securing proper identification of persons required to make such returns, statements, or documents and is the authority for social security numbers (SSNs) in IRS systems.

12. Estimated burden of information collection

It is estimated that there will be approximately 2,500 applicants for this program. It is estimated that it will take a total of 136 minutes for taxpayers to complete and submit the concept papers and 626 minutes for the application process. The estimated annual reporting burden is therefore 31,750 hours.

Authority	Description	Number of Respondents	Number of Responses per Respondent	Annual Responses	Hours per Response	Total Burden
IRC 48C	Concept Papers	2,500	1	2,500	136 minutes (2.2667 hours)	5,667
	Application Process	2,500	1	2,500	626 minutes (10.4333 hours)	26,083
Totals		2,500		5,000		31,750

13. Estimated total annual cost burden to respondents

There are no start-up costs associated with this collection.

14. Estimated cost to the federal government

There will be no costs for the government to receive this information.

15. Reasons for change in burden

Section 13501(a) of the Inflation Reduction Act of 2022 extends the 48C credit to provide an additional credit allocation of \$10 billion. Therefore, IRS is reinstating the OMB approval of 1545-2151 – Qualifying Advanced Energy Project Credit.

16. Plans for tabulation, statistical analysis and publication

Per IRC Section 48C(e)(7) and Section 11 of Notice 2023-18, the Secretary will disclose publicly the identity of the applicant and the amount of the credit certified with respect to such applicant. There are no other plans for tabulation, statistical analysis or publication of the information collected in accordance with Notice 2023-18.

17. Reasons why displaying the OMB expiration date is inappropriate

IRS believes that displaying the OMB expiration date is inappropriate because it could cause confusion by leading taxpayers to believe that the form sunsets as of the expiration date. Taxpayers are not likely to be aware that IRS intends to request renewal of the OMB approval and obtain a new expiration date before the old one expires.

18. Exceptions to certification

There are no exceptions to the certification statement.

Note: The following paragraph applies to all of the collections of information in this submission:

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information displays a valid OMB control number. Books or records relating to a collection of information must be retained as long as their contents may become material in the administration of any internal revenue law. Generally, tax returns and tax return information are confidential, as required by 26 U.S.C. 6103.