

Governor's Office

Energy Rebound Program

Chapter 1: General Provisions

Effective Date: 11/16/2020

Rule Type: Emergency Rules & Regulations

Reference Number: 001.0012.1.11162020

Chapter 1

General Provisions

Emergency rules are in effect no longer than 120 days after filing with the Registrar of Rules

Section 1. Authority. These emergency rules are promulgated by the Office of the Governor of the State of Wyoming pursuant to SEA 001, 2020 Special Session, Section 2(a). The program shall be executed by the Council.

Section 2. Purpose. These rules are promulgated for the purpose of providing a regulatory framework for the issuance of conditioned stipends to Oil and Gas Operators doing business in Wyoming who have been adversely affected by the COVID-19 pandemic to undertake certain Wyoming projects. These projects are intended to address the second-order effects of the COVID-19 public health emergency by providing economic support to those suffering from employment and business interruption in the oil and gas industry.

Section 3. Definitions.

- (a) As used in this program:
- (i) “Council” means the Wyoming Business Council staff.
 - (ii) “Eligible Business” means a business that:
 - (A) Was established on or before the date of enactment of any applicable health order issued by the State or any local government of Wyoming that required closures of businesses in response to the COVID-19 pandemic; and
 - (B) As of March 13, 2020, a business must have employed one (1) full-time employee or more; and
 - (I) As a result of the COVID-19 pandemic was unable to complete a drilled well owned or operated by the applicant, the re-completion or workover of a well owned or operated by the applicant or the plugging and abandonment of a well owned or operated by the applicant; or
 - (II) Has a legal obligation to plug and reclaim an idle or abandoned well but could not plug or conduct reclamation activities for the well due to the COVID-19 pandemic.
 - (iii) “Applicant” means an eligible business who applies for funding under the

Energy Rebound Program.

(iv) “Business Interruption” means any interruption to a business as a result of the COVID-19 health emergency and resulting closures. Interruptions may include those inside and outside Wyoming. These may include, but are not limited to:

- (A) Supply chain disruptions;
- (B) Decreased demand for products or services;
- (C) Required closures; and/or
- (D) Regulatory requirements that make operating unprofitable.

(v) “Wyoming Project” means work associated with:

- (A) The completion of a drilled well in the Wyoming, that was not performed because of the effects of the COVID-19 public health emergency; or
- (B) The re-completion or workover of a well in Wyoming that was not performed because of the effects of the COVID-19 public health emergency; or
- (C) The plugging and abandoning of an idle well, including surface reclamation, in Wyoming that was not performed because of the effects of the COVID-19 public health emergency.

Section 4. Certification.

(a) Applicants must certify that;

- (i) Applicant complied with all applicable state and local public health orders
- (ii) That stipend amounts will only be spent on Wyoming Project(s) as

allowed by the Energy Rebound Program, these rules, and any other requirements of the Council.

(iii) Applicant will expend stipend amounts on Wyoming Project(s) prior to December 30 and will further certify the full cost and date of completion of Wyoming Project(s).

Governor's Office

Energy Rebound Program

Chapter 2: Energy Rebound Program

Effective Date: 11/16/2020

Rule Type: Emergency Rules & Regulations

Reference Number: 001.0012.2.11162020

Chapter 2

Energy Rebound Program

Emergency rules are in effect no longer than 120 days after filing with the Registrar of Rules

Section 1. Authority. These emergency rules are promulgated by the Office of the Governor of the State of Wyoming pursuant to SEA 001, 2020 Special Session, Section 2(a). The program shall be executed by the Council.

Section 2. Purpose. These rules are promulgated for the purpose of providing a regulatory framework for the issuance of stipends to oil and natural gas operators doing business in Wyoming which have experienced business interruptions due to the COVID-19 pandemic.

Section 3. Application Process.

(a) Application.

(i) The Council shall provide an “Energy Rebound Program” application that includes a requirement to provide information relevant for funding decisions, including but not limited to:

(A) Information that establishes the applicant’s eligibility under the General Provisions in Chapter 1.

(B) A listing of Wyoming Projects to be performed with program funds including:

(I) A designation of Wyoming Project type pursuant to Chapter 1, Section 3(v);

(II) Relevant permitting and status information;

(III) As of March 13, 2020, was project planned to be completed;

(IV) Reason Wyoming Project was not performed as of March 13, 2020; and

(V) Any additional project information necessary to determine the adequacy of the applicant’s requested award.

(C) Estimated total cost of Wyoming project(s); and

(D) Unique Well Identifier Number of well(s) involved in Wyoming

project(s); and

(E) Certification that stipend amount will be expended prior to December 30, 2020; and

(F) Certification that Wyoming project(s) will be completed and estimate of the time to complete; and

(G) Any additional information necessary to determine the adequacy of the applicant's requested award.

(H) Certification that the work performed through this program will be in accordance with applicable Wyoming statutes, rules and regulations

(ii) Applicants must report the amount of federal loans, grants, business interruption stipend program funds, relief program funds, mitigation program funds, or any other aid provided for COVID-19 related purposes, including from the CARES Act, or other similarly purposed Federal act, including funds from the Wyoming Community Development Authority funded by the CARES Act for which the applicant:

(A) Believes they are eligible;

(B) Has applied; or

(C) Has received.

Section 4. Award Amount.

(a) The award amount shall be equal to whichever is less of the estimated total cost of proposed Wyoming project(s) and the estimated total amount that can be expended toward the completion of Wyoming project(s) by December 30, 2020.

(b) In no event shall an Applicant's award exceed five hundred thousand dollars (\$500,000.00) per Wyoming project.

(c) Receipt of stipends under this chapter shall not disqualify a business from receiving other COVID-19 related State or Federal grants or stipends.

Section 5. Review and Recommendation.

(a) Applications are received on a rolling basis within a time period designated by the Council until funds have been expended and will be reviewed in the following manner:

(i) Council reviews to ensure accuracy, eligibility, and completeness, with consideration to Section 3;

(ii) Monies will be expended based on criteria defined by the Council;

(A) Monies will be disbursed either via electronic funds transfer or by paper check from the Wyoming State Auditor's Office.

(b) The council may consult or contract with other experts and resources to review applications as needed.

(c) The approval or denial determination of the Council is final.

Section 6. Certification. Each applicant shall certify that:

(a) The statements contained in the application are true, complete and accurate to the best of the applicant's knowledge;

(b) The funds will only be used for the purposes allowed under the program;

(c) Any other certification required by the Council.

Section 7. Program Administration and Audit. The Council may conduct and contract for audits of eligible businesses receiving awards under this Chapter to ensure awarded funds are expended in compliance with state and federal law. By accepting an award under this Chapter, the applicant agrees to assist and provide the information requested by the auditors during any such audits.