

BENEFICIARY ELIGIBLE MITIGATION ACTION CERTIFICATION

Beneficiary _____

Lead Agency Authorized to Act on Behalf of the Beneficiary Nevada Division of Environmental Protection
(Any authorized person with delegation of such authority to direct the Trustee delivered to the Trustee pursuant to a Delegation of Authority and Certificate of Incumbency)

Action Title:	
Beneficiary's Project ID:	
Funding Request No.	<i>(sequential)</i>
Request Type: (select one or more)	<input type="checkbox"/> Reimbursement <input type="checkbox"/> Advance <input type="checkbox"/> Other (specify): _____
Payment to be made to: (select one or more)	<input type="checkbox"/> Beneficiary <input type="checkbox"/> Other (specify): _____
Funding Request & Direction (Attachment A)	<input type="checkbox"/> Attached to this Certification <input type="checkbox"/> To be Provided Separately

SUMMARY

Eligible Mitigation Action	<input type="checkbox"/> Appendix D-2 item (specify): _____	
Action Type	<input type="checkbox"/> Item 10 - DERA Option (5.2.12) (specify and attach DERA Proposal): _____	
Explanation of how funding request fits into Beneficiary's Mitigation Plan (5.2.1): Detailed on pages 10-17 of Nevada's BMP, this funding request will support multiple AGSE replacements.		
Detailed Description of Mitigation Action Item Including Community and Air Quality Benefits (5.2.2): Please refer to attached pages 4-6 for this description.		
Estimate of Anticipated NOx Reductions (5.2.3): It is anticipated that this project will mitigate 3.81 tons NOx.		
Identification of Governmental Entity Responsible for Reviewing and Auditing Expenditures of Eligible Mitigation Action Funds to Ensure Compliance with Applicable Law (5.2.7.1): The Nevada Division of Environmental Protection		
Describe how the Beneficiary will make documentation publicly available (5.2.7.2). Please refer to attached pages 12-15 of this submittal for this description.		
Describe any cost share requirement to be placed on each NOx source proposed to be mitigated (5.2.8).		
Total Project Budget: \$231,276.20	Project Costs paid by Trust: Category 7 Funds \$127,308.00 Project Admin Costs \$19,096.20	Cost share requirement: \$84,872.00
Describe how the Beneficiary complied with subparagraph 4.2.8, related to notice to U.S. Government Agencies (5.2.9). NDEP sent emails to the representatives from the U.S. Department of the Interior and the U.S. Department of Agriculture listed in subparagraph 4.2.8 of the State Trust Agreement on February 23, 2018.		

If applicable, describe how the mitigation action will mitigate the impacts of NOx emissions on communities that have historically borne a disproportionate share of the adverse impacts of such emissions (5.2.10).

This airport ground support equipment replacement project will occur in Clark County, Nevada. Clark County is an area of Nevada that has historically borne a disproportionate share of the State's air pollution burden.

ATTACHMENTS
(CHECK BOX IF ATTACHED)

- Attachment A** **Funding Request and Direction.**
- Attachment B** **Eligible Mitigation Action Management Plan Including Detailed Budget and Implementation and Expenditures Timeline (5.2.4).**
- Attachment C** **Detailed Plan for Reporting on Eligible Mitigation Action Implementation (5.2.11).**
- Attachment D** **Detailed cost estimates from selected or potential vendors for each proposed expenditure exceeding \$25,000 (5.2.6). [Attach only if project involves vendor expenditures exceeding \$25,000.]**
- Attachment E** **DERA Option (5.2.12). [Attach only if using DERA option.]**
- Attachment F** **Attachment specifying amount of requested funding to be debited against each beneficiary's allocation (5.2.13). [Attach only if this is a joint application involving multiple beneficiaries.]**

CERTIFICATIONS

By submitting this application, the Lead Agency makes the following certifications:

- 1. This application is submitted on behalf of Beneficiary Nevada, and the person executing this certification has authority to make this certification on behalf of the Lead Agency and Beneficiary, pursuant to the Certification for Beneficiary Status filed with the Court.**
- 2. Beneficiary requests and directs that the Trustee make the payments described in this application and Attachment A to this Form.**
- 3. This application contains all information and certifications required by Paragraph 5.2 of the Trust Agreement, and the Trustee may rely on this application, Attachment A, and related certifications in making disbursements of trust funds for the aforementioned Project ID.**
- 4. Any vendors were or will be selected in accordance with a jurisdiction's public contracting law as applicable. (5.2.5)**
- 5. Beneficiary will maintain and make publicly available all documentation submitted in**

support of this funding request and all records supporting all expenditures of eligible mitigation action funds subject to applicable laws governing the publication of confidential business information and personally identifiable information. (5.2.7.2)

DATED: 6/22/2020

Danilo Dragoni, PhD

[NAME]


[SIGNATURE]

Chief, Bureau of Air Quality Planning

[TITLE]

Nevada Division of Environmental Protection

[LEAD AGENCY]

for

Nevada

[BENEFICIARY]

**DETAILED DESCRIPTION OF MITIGATION ACTION ITEM INCLUDING
COMMUNITY AND AIR QUALITY BENEFITS (5.2.2)**

This Eligible Mitigation Action Category 7 – Airport Ground Support Equipment replacement project will support the early retirement and replacement of 4 pieces of airport ground support equipment (AGSE) owned and operated by Allegiant Air and will be located at the McCarran International Airport in Clark County, Nevada. Upon completion of the project, the permanent scrapping of the gasoline-powered, Non-Government owned AGSE for brand new, all-electric replacements will provide a direct benefit to air quality.

The details regarding the individual units being replaced through this project as well as the replacement units is included on pages 5 and 6 of this submission. The Nevada Division of Environmental Protection (NDEP) will work with Allegiant Air on the scrapping of the AGSE and will routinely coordinate with their staff for routine updates and possible site visits to ensure a timely and efficient completion of this project. The NDEP will not seek to have Allegiant Air reimbursed for this project until they have provided sufficient scrapping evidence to the NDEP.

The total, expected lifetime emissions reductions are provided in the table below. Emissions reductions were calculated based on the approach for alternative fuel/all-electric replacements that the NDEP identified on page 26 of our Beneficiary Mitigation Plan.¹ Emissions reductions for this project were quantified using a method based on the EPA’s NONROAD2008a Technical Reports²; the NDEP is including an explanation of this method of quantification with this submission beginning on page 7.

Pollutant	Emissions Reductions (tons)
NOx	3.810
PM _{2.5}	0.275
CO	46.228
HC	1.145
CO ₂	1,054.490

¹ Nevada’s Beneficiary Mitigation Plan can be found online at https://ndep.nv.gov/uploads/air-vw-bmp-docs/beneficiary_mitigation_plan.pdf.

² The EPA’s NONROAD2008a Technical Reports can be found online at <https://www.epa.gov/moves/nonroad-technical-reports>.

Existing Equipment/Engine Information		#16877	#16887	#16889	#16894
Instructions/Units	Fleet Information	Unit 1	Unit 2	Unit 3	Unit 4
Examples include baggage tug or tractor, belt loader, aircraft tug, etc.	What is the equipment's intended use?	Baggage tractor	Baggage tractor	Baggage tractor	Baggage tractor
	Equipment Manufacturer	S&S tug	S&S tug	S&S tug	S&S tug
	Equipment Model	MA 50	MA 50	MA 50	MA 50
	Equipment Model Year	1980	1981	1980	1980
	Engine Make	Ford	Ford	Ford	Ford
	Engine Model	300	300	300	300
	Engine Model Year	1980	1980	1980	1980
	Engine Serial Number	ID# 16925 T-18-TH	Tag missing	Tag missing	Tag missing
	Engine Horsepower	101	101	101	101
Include idling hours	Annual Hours of Operation	500	400	400	500
Include idling hours	Total Hours of Operation	11953	8621	9466	10262
	Fuel Type	Gasoline	Gasoline	Gasoline	Gasoline
(gallons)	Annual Fuel Used	1009	772	722	995
(years)	Remaining Equipment Life	10	10	10	10
Year in which Equipment would normally be retired/sold by the fleet owner if not for this grant.	Normal Attrition Year	2030	2030	2030	2030
Replacement/Repower Equipment/Engine Information					
Instructions/Units	Fleet Information	Unit 1	Unit 2	Unit 3	Unit 6
	Equipment GVWR	6000	6000	6000	6000
	Equipment Make	Charlotte	Charlotte	Charlotte	Charlotte
	Equipment Model	T137-V3	T137-V3	T137-V3	T137-V3
	Equipment Model Year	2019/20	2019/20	2019/20	2019/20
	Engine Make	40 HP 80V AC Motor	40 HP 80V AC Motor	40 HP 80V AC Motor	40 HP 80V AC Motor
	Engine Model	40 HP 80V AC Motor	40 HP 80V AC Motor	40 HP 80V AC Motor	40 HP 80V AC Motor
	Engine Model Year	2019/20	2019/20	2019/20	2019/20
	Fuel Type	Electric	Electric	Electric	Electric
	Unit Replacement/Repower Cost	\$ 53,045.00	\$ 53,045.00	\$ 53,045.00	\$ 53,045.00

Unit	Unit Cost	Requested Amount	AFLEET or DEQ or Gas	Emissions Reductions (tons)				
				NOx	PM2.5	CO	HC	CO2
Unit 1	\$ 53,045.00	\$ 31,827.00	GAS	1.0583	0.0763	12.8412	0.3182	304.1681
Unit 2	\$ 53,045.00	\$ 31,827.00	GAS	0.8466	0.0610	10.2730	0.2545	232.7233
Unit 3	\$ 53,045.00	\$ 31,827.00	GAS	0.8466	0.0610	10.2730	0.2545	217.6505
Unit 4	\$ 53,045.00	\$ 31,827.00	GAS	1.0583	0.0763	12.8412	0.3182	299.9477
Total	\$212,180.00	\$ 127,308.00		3.8098	0.2747	46.2285	1.1454	1,054.4896

**EPA's NONROAD Method of Quantifying Vehicle/Equipment Emissions and
How this Method is applied to the Volkswagen Environmental Mitigation Trust Agreement for State
Beneficiaries Eligible Mitigation Action Category 7: Airport Ground Support Equipment**

Overview

This document has been prepared to help with the quantification of emissions associated with gasoline-powered airport ground support equipment (AGSE). It was developed using the Environmental Protection Agency's (EPA) NONROAD2008a Technical Reports.¹ It provides a method for individuals not experienced with the EPA's Motor Vehicle Emission Simulator (MOVES) model to quantify emissions associated with individual pieces of gasoline-powered equipment.

Method

NONROAD2008a quantifies emissions for spark-ignition (gasoline-powered) engines using the following equation² (the equation is essentially the same for diesel-powered engines, but there are some small differences relating to the difference in the nature of diesel fuel):

$$Emissions = Pop * Power * LF * A * EF * TAF$$

Where Pop is defined as engine population

Power is defined as average engine horsepower (hp)

LF is defined as Load Factor (fraction of available power used)

A is defined as Activity, or cumulative hours of use per year (hrs/yr)

EF is defined as the Emission Factor (g/hp-hr)

TAF is defined as the Transient Adjustment Factor

The various technical papers used to describe NONROAD2008a provide Load Factors, Activity, and Emissions Factors for various engines (2-stroke gasoline, 4-stroke gasoline, and diesel), engine horsepowers, and pollutants (HC, CO, NO_x, and PM).

Emissions Factors³ are determined using the following equation:

$$EF_{aged} = EF_0 * DF$$

Where EF_{aged} is defined as the emission factor for an aged engine (g/hp-hr)

EF_0 is defined as the zero-hour emission factor of a new engine (g/hp-hr)

DF is defined as the Deterioration Factor

And the Deterioration Factor⁴ is determined using one of the two equations:

¹ EPA's Nonroad Technical Reports are available at <https://www.epa.gov/moves/nonroad-technical-reports>.

² EPA NR-005d. Median Life, Annual Activity, and Load Factor Values for Nonroad Engine Emissions Modeling Report No. NR-005d, July 2010. p. 1.

³ EPA NR-011d. Nonroad Spark-Ignition Engine Emission Deterioration Factors Report No. NR-011d, July 2010. p. 3.

⁴ Ibid 3.

$$DF = 1 + A * (Age\ Factor)^b \quad \text{for Age Factor} \leq 1$$

$$DF = 1 + A \quad \text{for Age Factor} > 1$$

$$\text{Where } Age\ Factor = \frac{(Cumulative\ Hours * Load\ Factor)}{Median\ Life\ at\ full\ load\ (hrs)}$$

A is defined as the Deterioration Factor for a given pollutant and technology type

b is defined as the Age Exponent for a given technology type

Once again, the EPA, in their NONROAD2008a technical papers, provide zero-hour emission factors for new engines (both unregulated and regulated), Age Factors, Deterioration Factors for various pollutants (HC, CO, NOx, and PM), and Age Exponents.

With the above equations and NONROAD2008a inputs, emissions can be quantified for both gasoline- and diesel-powered AGSE. The inputs are provided below for 4-stroke gasoline and diesel-powered AGSE for illustrative purposes. In the examples portion of this document there is also a case where the same diesel inputs are used in the EPA's Diesel Emission Quantifier (DEQ) to compare results and ensure that this is a sound method for quantifying emissions.⁵

Inputs

Table 1: Load Factor and Average Activity (EPA NR-005d)⁶

Description	Load Factor (fraction of power)	Activity (hrs/yr)
4-Stroke Gasoline Airport GSE	0.56	681
Diesel Airport GSE	0.59	732

Table 2: Median Life at full load for various horsepower and engine technology types (EPA NR-005d)⁷

Description	Horsepower Range	Median Life (hrs)
4-Stroke Gasoline	51-100	3,000
	101-175	3,000
Diesel	101-175	4,667
	176-300	4,667

⁵ The EPA's Diesel Emission Quantifier can be accessed at <https://cfpub.epa.gov/quantifier/index.cfm?action=main.home>.

⁶ Ibid 2. Table 10; p. 16. Appendix A; p. A4.

⁷ Ibid 2. Table 1 and Table 2; p. 3.

Table 3: Deterioration Factors and Age Exponents for 4-stroke gasoline-powered engines >25hp (EPA NR-011d)⁸

Emission Standard	A				b
	HC	CO	NOx	PM	
Uncontrolled	0.26	0.35	0.03	0.26	1
Phase 1	0.64	0.36	0.15	0.26	1
Phase 2	0.64	0.36	0.15	0.26	1

Table 4: Deterioration Factors and Age Exponents for diesel-powered engines (EPA NR-009d)⁹

Pollutant	Relative Deterioration Factor (A)			
	Base/Tier 0	Tier 1	Tier 2	Tier 3+
HC	0.047	0.036	0.034	0.027
CO	0.185	0.101	0.101	0.151
NOx	0.024	0.024	0.009	0.008
PM	0.473	0.473	0.473	0.473

b=1 for diesel nonroad engines

Table 5: Zero-hour Emissions Factors and Brake Specific Fuel Consumption (BSFC) for gasoline-powered engines >25hp (EPA NR-010f)¹⁰

Emission Standard	HC g/hp-hr	CO g/hp-hr	NOx g/hp-hr	PM g/hp-hr	BSFC lb/hp-hr
Uncontrolled	3.85	107.23	8.43	0.06	0.605
Phase 1	0.59	29.86	1.51	0.06	0.484
Phase 2	0.27	11.94	0.69	0.06	0.484

⁸ Ibid 3. Table 6; p. 9.

⁹ EPA NR-009d. Exhaust and Crankcase Emission Factors for Nonroad Engine Modeling — Compression-Ignition Report No. NR-009d, July 2010. Table A6; p. A16.

¹⁰ EPA NR-010f. Exhaust Emission Factors for Nonroad Engine Modeling — Spark-Ignition Report No. NR-010f, July 2010. Table 6; p. 8.

Table 6: Zero-hour Emission Factors and BSFC for diesel-powered AGSE engines (EPA NR-009d)¹¹

Engine Power Hp	Technology Type	BSFC lb/hp-hr	Emission Factors (g/hp-hr)			
			HC	CO	NOx	PM
101-175	Base*	0.367	0.68	2.7	8.38	0.402
	Tier 0		0.68	2.7	8.38	0.402
	Tier 1		0.3384	0.8667	5.6523	0.2799
	Tier 2		0.3384	0.8667	4.1	0.18
	Tier 3		0.1836	0.8667	2.5	0.22
	Tier 4		0.1314	0.087	2.5	0.0092
	Tier 4N		0.1314	0.087	0.276	0.0092
176-300	Base*	0.367	0.68	2.7	8.38	0.402
	Tier 0		0.68	2.7	8.38	0.402
	Tier 1		0.3085	0.7475	5.5772	0.2521
	Tier 2		0.3085	0.7475	4	0.1316
	Tier 3		0.1836	0.7475	2.5	0.15
	Tier 4		0.1314	0.075	2.5	0.0092
	Tier 4N		0.1314	0.075	0.276	0.0092

*Note that NR-009d includes more specific emissions information for certain nonroad Base engines (Table C2 of document and begins on page 49 of pdf)

Table 7: Transient Adjustment Factors for gasoline-powered engines (EPA NR-010f)¹²

Emission Standard	HC g/hp-hr	CO g/hp-hr	NOx g/hp-hr	PM g/hp-hr	BSFC Lb/hp-hr
Uncontrolled	1.3	1.45	1	1	1
Phase 1	1.7	1.7	1.4	1	1
Phase 2	1	1	1	1	1

Table 8: Transient Adjustment Factors for diesel-powered AGSE engines (EPA NR-009d)¹³

Emission Standard	HC g/hp-hr	CO g/hp-hr	NOx g/hp-hr	PM g/hp-hr	BSFC Lb/hp-hr
Base	1.05	1.53	0.95	1.23	1.01
Tier 0	1.05	1.53	0.95	1.23	1.01
Tier 1	1.05	1.53	0.95	1.23	1.01
Tier 2	1.05	1.53	0.95	1.23	1.01
Tier 3	1.05	1.53	1.04	1.47	1.01

Examples

Assume a 1995 engine model year 107 hp gasoline-powered GSE engine with 13,415.7 cumulative hours and all EPA NONROAD2008a defaults for every other input. What are the estimated NOx emissions?

¹¹ Ibid 9. Table A4; p. A10.

¹² Ibid 10. Table 14; p. 16.

¹³ Ibid 9. Table A5; p. A15.

Test Age Factor:

$$Age\ Factor = \frac{(13,415.7 * 0.56)}{3,000} = 2.5$$

Because the Age Factor is greater than 1, we determine the Deterioration Factor like so:

$$DF = 1 + 0.03 = 1.03$$

Continuing on for NOx emissions,

$$EF_{aged} = 8.43 * 1.03 = 8.6829 \frac{g}{hp - hr}$$

$$Emissions = 1 * 107\ hp * 0.56 * 681 \frac{hrs}{yr} * 8.6829 \frac{g}{hp - hr} * 1 = 352,111 \frac{g}{yr}$$

Now we convert grams to tons

$$\frac{352,111\ g}{yr} * \frac{1\ lb}{453.592\ g} * \frac{1\ ton}{2000\ lb} = 0.388 \frac{ton\ NOx}{yr}$$

Now a diesel-powered example. What are the NOx emissions of a Tier 0, 120 hp diesel-powered AGSE engine with 13,415.7 cumulative hours and all EPA NONROAD2008a defaults for every other input?

Test Age Factor:

$$Age\ Factor = \frac{(13,415.7 * 0.59)}{4,667} = 1.70$$

Because the Age Factor is greater than 1, we determine the Deterioration Factor like so:

$$DF = 1 + 0.024 = 1.024$$

Continuing on for NOx emissions,

$$EF_{aged} = 8.38 * 1.024 = 8.58112 \frac{g}{hp - hr}$$

$$Emissions = 1 * 120\ hp * 0.59 * 732 \frac{hrs}{yr} * 8.58112 \frac{g}{hp - hr} * 0.95 = 422,486 \frac{g}{yr}$$

Now we convert grams to tons

$$\frac{422,486\ g}{yr} * \frac{1\ lb}{453.592\ g} * \frac{1\ ton}{2000\ lb} = 0.466 \frac{ton\ NOx}{yr}$$

For comparison, the DEQ estimated 0.482 tons of NOx emitted from the same diesel-powered engine inputs; remember though, that the DEQ sees regular updates and the methodology employed for gasoline-powered AGSE has not.

ATTACHMENT FOR 5.2.7.2

Describe how the Beneficiary will make documentation publicly available

Subparagraph 5.2.7.2 of the Environmental Mitigation Trust Agreement for State Beneficiaries requires that Beneficiaries include in their funding requests:

A commitment by the Beneficiary to maintain and make publicly available all documentation submitted in support of the funding request and all records supporting all expenditures of Eligible Mitigation Action funds, subject to applicable laws governing the publication of confidential business information and personally identifiable information, together with an explanation of the procedures by which the Beneficiary shall make such documentation publicly available;

The Nevada Division of Environmental Protection (NDEP), the Lead Agency for the State of Nevada, is committed to maintaining and making publicly available all documentation submitted support of the funding requests and all records supporting all expenditures of Eligible Mitigation Action funds, subject to applicable laws governing the publication of confidential business information and personally identifiable information.

The public will be able to view these records on the NDEP's website (<https://ndep.nv.gov>). The NDEP will maintain these records on a Volkswagen (VW) Environmental Mitigation Trust Fund specific webpage that will be designed to support public access and limit burden for the general public. The NDEP's VW specific webpage can currently be found at <https://ndep.nv.gov/air/vw-settlement>.

The NDEP has created an electronic listserv, open to the public, used to communicate news, events, and information related the Environmental Mitigation Trust Fund (Mitigation Fund). The listserv, NevadaVWFund, is advertised through the NDEP website and at public events related to the Mitigation Fund.

Chapters 603A and 239B of the Nevada Revised Statutes (NRS) provide definitions and requirements for handling *personal information*.

NRS Section 603A.040 defines 'Personal Information' as:

1. *"Personal information" means a natural person's first name or first initial and last name in combination with any one or more of the following data elements, when the name and data elements are not encrypted:*
 - (a) *Social security number.*
 - (b) *Driver's license number, driver authorization card number or identification card number.*
 - (c) *Account number, credit card number or debit card number, in combination with any required security code, access code or password that would permit access to the person's financial account.*
 - (d) *A medical identification number or a health insurance identification number.*

- (e) A user name, unique identifier or electronic mail address in combination with a password, access code or security question and answer that would permit access to an online account.*
- 2. The term does not include the last four digits of a social security number, the last four digits of a driver's license number, the last four digits of a driver authorization card number or the last four digits of an identification card number or publicly available information that is lawfully made available to the general public from federal, state or local governmental records.*

NRS Section 239B.030 – *Recorded, filed or otherwise submitted documents* - states that:

- 1. Except as otherwise provided in subsections 2 and 6, a person shall not include and a governmental agency shall not require a person to include any personal information about a person on any document that is recorded, filed or otherwise submitted to the governmental agency on or after January 1, 2007.*
- 2. If personal information about a person is required to be included in a document that is recorded, filed or otherwise submitted to a governmental agency on or after January 1, 2007, pursuant to a specific state or federal law, for the administration of a public program or for an application for a federal or state grant, a governmental agency shall ensure that the personal information is maintained in a confidential manner and may only disclose the personal information as required:*
- (a) To carry out a specific state or federal law; or*
- (b) For the administration of a public program or an application for a federal or state grant.*
- ↪ Any action taken by a governmental agency pursuant to this subsection must not be construed as affecting the legality of the document.*
- 3. A governmental agency shall take necessary measures to ensure that notice of the provisions of this section is provided to persons with whom it conducts business. Such notice may include, without limitation, posting notice in a conspicuous place in each of its offices.*
- 4. A governmental agency may require a person who records, files or otherwise submits any document to the governmental agency to provide an affirmation that the document does not contain personal information about any person or, if the document contains any such personal information, identification of the specific law, public program or grant that requires the inclusion of the personal information. A governmental agency may refuse to record, file or otherwise accept a document which does not contain such an affirmation when required or any document which contains personal information about a person that is not required to be included in the document pursuant to a specific state or federal law, for the administration of a public program or for an application for a federal or state grant.*
- 5. Each governmental agency may ensure that any personal information contained in a document that has been recorded, filed or otherwise submitted to the governmental agency before January 1, 2007, which the governmental agency continues to hold is:*
- (a) Maintained in a confidential manner if the personal information is required to be included in the document pursuant to a specific state or federal law, for the administration of a public program or for an application for a federal or state grant; or*
- (b) Obliterated or otherwise removed from the document, by any method, including, without limitation, through the use of computer software, if the personal information is not required to be*

included in the document pursuant to a specific state or federal law, for the administration of a public program or for an application for a federal or state grant.

↪ *Any action taken by a governmental agency pursuant to this subsection must not be construed as affecting the legality of the document.*

6. *A person may request that a governmental agency obliterate or otherwise remove from any document submitted by the person to the governmental agency before January 1, 2007, any personal information about the person contained in the document that is not required to be included in the document pursuant to a specific state or federal law, for the administration of a public program or for an application for a federal or state grant or, if the personal information is so required to be included in the document, the person may request that the governmental agency maintain the personal information in a confidential manner. If any documents that have been recorded, filed or otherwise submitted to a governmental agency:*

(a) Are maintained in an electronic format that allows the governmental agency to retrieve components of personal information through the use of computer software, a request pursuant to this subsection must identify the components of personal information to be retrieved. The provisions of this paragraph do not require a governmental agency to purchase computer software to perform the service requested pursuant to this subsection.

(b) Are not maintained in an electronic format or not maintained in an electronic format in the manner described in paragraph (a), a request pursuant to this subsection must describe the document with sufficient specificity to enable the governmental agency to identify the document.

↪ *The governmental agency shall not charge any fee to perform the service requested pursuant to this subsection.*

7. *As used in this section:*

(a) "Governmental agency" means an officer, board, commission, department, division, bureau, district or any other unit of government of the State or a local government.

(b) "Personal information" has the meaning ascribed to it in [NRS 603A.040](#).

Chapter 239 of the NRS provides general principles for the definition and the handling of public records. In particular, subsection 239.010.3 states that:

A governmental entity that has legal custody or control of a public book or record shall not deny a request made pursuant to subsection 1 to inspect or copy or receive a copy of a public book or record on the basis that the requested public book or record contains information that is confidential if the governmental entity can redact, delete, conceal or separate the confidential information from the information included in the public book or record that is not otherwise confidential.

Chapter 445B of the NRS (Air Controls) specifically provides further directions on what is confidential information and how such information must be handle in the context of the Air Program of the NDEP. In particular section 445B.570 – *Confidentiality and use of information obtained by Department*¹; penalty – states that (footnotes added for clarity):

¹ Nevada Department of Conservation and Natural Resources (DCNR)

1. *Any information which the Department obtains in the course of the performance of its duties pursuant to the provisions of this chapter is public information unless otherwise designated as confidential information pursuant to the provisions of this section.*
2. *The emission of an air contaminant which has an ambient air quality standard or emission standard or has been designated as a hazardous air pollutant by regulation of the Commission cannot be certified as being confidential.*
3. *Any confidential information received by the Commission², the Director³ or any local control authority which is certified in writing to the recipient as confidential by the owner or operator disclosing the information and verified and approved in writing as confidential by the recipient must, unless the owner expressly agrees to its publication or availability to the public, be used only:
 - (a) *In the administration or formulation of air pollution controls;*
 - (b) *In compiling or publishing analyses or summaries relating to the condition of the outdoor atmosphere which do not identify any owner or operator or reveal any confidential information;*or
 - (c) *In complying with federal statutes, rules and regulations.**
4. *This section does not prohibit the use of confidential information in a prosecution for the violation of any statute, ordinance or regulation for the control of air pollution.*
5. *A person who discloses or knowingly uses confidential information in violation of this section is guilty of a misdemeanor, and is liable in tort for any damages which may result from such disclosure or use.*
6. *As used in this section, "confidential information" means information or records which:
 - (a) *Relate to dollar amounts of production or sales;*
 - (b) *Relate to processes or production unique to the owner or operator; or*
 - (c) *If disclosed, would tend to affect adversely the competitive position of the owner or operator.**

² Nevada State Environmental Commission

³ Director of the Department of Conservation and Natural Resources

ATTACHMENT B

**ELIGIBLE MITIGATION ACTION MANAGEMENT PLAN INCLUDING DETAILED
BUDGET AND IMPLEMENTATION AND EXPENDITURES TIMELINE**

ATTACHMENT B

PROJECT MANAGEMENT PLAN PROJECT SCHEDULE AND MILESTONES

Milestone	Date
NDEP begins solicitation for projects through the competitive Diesel Emission Mitigation Fund	CY 2019, Q2
Allegiant Air submits application to NDEP	CY 2019, Q3
NDEP selects Allegiant Air for funding	CY 2019, Q4
NDEP enters into Subgrant Agreement with Allegiant Air	CY 2020, Q1
NDEP Submits and Trustee acknowledges receipt of project certification and funding direction	CY 2020, Q2
NDEP submits second "Advancement" payment request to Trustee	CY 2020, Q4
Project partner enters into Contracts, Purchase Orders, etc.	CY 2020, Q4
NDEP submits third "Advancement" payment request to Trustee	CY 2021, Q1
Allegiant Air begins receiving new equipment	CY 2021, Q1
Allegiant Air provides final invoice for equipment replacement to NDEP	CY 2021, Q1
NDEP completes review and certifies payment direction to Trustee (Reimbursement)	CY 2021, Q2
Trustee acknowledges receipt of direction for payment (Reimbursement)	CY 2021, Q2
NDEP reports project completion	CY 2021, Q2

PROJECT BUDGET

Budget Category	Admin Expenses	Share of Replacement Budget Funded by the Trust	Cost Share (Paid by Project Partner)	Subtotal
Admin Expenditures¹				
Initial Payment Request	\$4,243.00			\$4,243.00
Second Payment Request	\$4,243.00			\$4,243.00
Third Payment Request	\$4,243.00			\$4,243.00
Final Payment Request	\$6,367.20			\$6,367.20
Admin Expenditure Subtotal	\$19,096.20			\$19,096.20
Equipment Expenditures				
1 Charlotte T137-V3 Electric Baggage Tractor		\$31,827.00	\$21,218.00	\$53,045.00
Subtotal for 4 Electric Baggage Tractors		\$127,308.00	\$84,872.00	\$212,180.00
Subtotal for Equipment		\$127,308.00	\$84,872.00	\$212,180.00
Project Totals	\$19,096.20	\$127,308.00	\$84,872.00	\$231,276.20
Associated Percentages	15% of Total Trust Project Cost	60% of Replacement Cost	40% of Replacement Cost	

¹ The NDEP is planning to submit three “Advancement” payment requests to the Trustee to support the NDEP’s Administrative expenses associated with this project and one “Reimbursement” payment request to the Trustee that will include direction to provide funding to the NDEP for Administrative expenses and Allegiant Air for the replacement of the airport ground support equipment. The first “Advancement” request is included with this Beneficiary Eligible Mitigation Action Certification and the two that follow are expected to be submitted at the beginning of the next calendar quarters after Trustee approval — that is, October 1, 2020, January 1, 2021, etc.

PROJECTED TRUST ALLOCATIONS

ANNUAL PROJECTIONS	2020	2021
1. Anticipated annual project funding request to be paid through the Trust	\$8,486.00	\$137,918.20
2. Portion of anticipated project funding request to be paid through the Trust to cover Eligible Mitigation Action Administrative Expenditures	\$8,486.00	\$10,610.20
3. Portion of anticipated project funding request to be paid through the Trust to cover Eligible Mitigation Action Expenditures		\$127,308.00
4. Anticipated annual cost share		\$84,872.00
5. Anticipated total project funding by year (line 1 plus line 4)	\$8,486.00	\$222,790.20
CUMULATIVE PROJECTIONS		
6. Cumulative outstanding Trustee payments requested against cumulative approved Beneficiary allocation		\$7,197,433.60
7. Cumulative Trustee payments made to date against cumulative approved Beneficiary allocation		\$4,100,971.75
8. Beneficiary funding to be paid through the Trust for this project (sum of line 1)		\$146,404.20
9. Total funding approved for Beneficiary Eligible Mitigation Actions, inclusive of current Action (sum of lines 6, 7, and 8)		\$11,444,809.55
10. Beneficiary share of estimated funds remaining in Trust		\$21,417,541.87
11. Estimated Beneficiary funds remaining in Trust after project completion (line 10 minus lines 6 and 8)		\$14,073,704.07

ATTACHMENT C

**DETAILED PLAN FOR REPORTING ON ELIGIBLE MITIGATION ACTION
IMPLEMENTATION**

ATTACHMENT C

DETAILED PLAN FOR REPORTING ON ELIGIBLE MITIGATION ACTION IMPLEMENTATION

The Nevada Division of Environmental Protection (NDEP) will provide detailed reporting on this Volkswagen (VW) Environmental Mitigation Trust Fund for State Beneficiaries Eligible Mitigation Action project in two ways: 1, timely updates to NDEP's VW Environmental Mitigation Trust Fund webpage; and 2, Nevada's semiannual reporting obligation to Wilmington Trust (the "Trustee").

NDEP maintains a VW Environmental Mitigation Trust Fund specific webpage that has been designed to support public access and limit burden for the general public. The NDEP's VW specific webpage can currently be found at <https://ndep.nv.gov/air/vw-settlement>. Timely updates to the webpage will inform the general public on the project's status as well as when this Eligible Mitigation Action has been completed.

Subparagraph 5.3 of the Environmental Mitigation Trust Agreement for State Beneficiaries details Nevada's Reporting Obligations:

"For each Eligible Mitigation Action, no later than six months after receiving its first disbursement of Trust Assets, and thereafter no later than January 30 (for the preceding six-month period of July 1 to December 31) and July 30 (for the preceding six-month period of January 1 to June 30) of each year, each Beneficiary shall submit to the Trustee a semiannual report describing the progress implementing each Eligible Mitigation Action during the six-month period leading up to the reporting date (including a summary of all costs expended on the Eligible Mitigation Action through the reporting date). Such reports shall include a complete description of the status (including actual or projected termination date), development, implementation, and any modification of each approved Eligible Mitigation Action. Beneficiaries may group multiple Eligible Mitigation Actions and multiple sub-beneficiaries into a single report. These reports shall be signed by an official with the authority to submit the report for the Beneficiary and must contain an attestation that the information is true and correct and that the submission is made under penalty of perjury. To the extent a Beneficiary avails itself of the DERA Option described in Appendix D-2, that Beneficiary may submit its DERA Quarterly Programmatic Reports in satisfaction of its obligations under this Paragraph as to those Eligible Mitigation Actions funded through the DERA Option. The Trustee shall post each semiannual report on the State Trust's public-facing website upon receipt."

NDEP shall, in the next semiannual report following the Trustee's approval of this project, describe the progress implementing this Eligible Mitigation Action that will include a summary of all costs expended on the Eligible Mitigation Action through the reporting date. The report will also include a complete description of the status, development, implementation (including project schedule and milestone updates), and any modification to this Eligible Mitigation Action.

ATTACHMENT D

**DETAILED COST ESTIMATES FROM SELECTED OR POTENTIAL VENDORS FOR
EACH PROPOSED EXPENDITURE EXCEEDING \$25,000**



Quotation

Quote Number
ALG01/08/01/19

600 MOUNTAIN LANE • P. O. BOX 968 • BLUEFIELD, VA 24605
 TELEPHONE (276) 326-1510 • FAX (276) 326-1602
 E-MAIL: CHARLATTEUS@CHARLATTEUS.COM

Quote Date:
8-1-19

Page:
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Quoted to: **Allegiant Air**
 Attention: **Leandra Guglielmo**

Customer ID	Good Thru	Payment Terms	Sales Rep
ALG	60 Days	30 Days Net FOB Bluefield, VA.	TP
Quantity	Description	Unit Price	Extension
One (1) Each	Charlatte AC Electric Tow Tractor Model T137-V3 Complete with the following features: <ul style="list-style-type: none"> • New Front Axle Design – Larger Disc Brakes – Improved Steering Cylinder Location • New All-Steel Dash – Easier Maintenance • New Braced Front Chassis Structure • Improved Hydraulic Braking With Larger Master Cylinder • Charlatte Trusted Design Rear Drive Axle With New Rear Disc Brakes • 40 HP 80V AC Motor • 80V Curtis AC Controller • Dash Display / Hour Meter • LED Headlights / Taillights • DC/DC Converter provides 12V power • Keyless Power ON/OFF Switch • Power Steering w/Accumulator (\$1,300 Value) – Not offered as standard by competitors • Wheels: Front/Rear 6.00x9/7.00x12 • Seat Switch (Lock Out) • Front Rubber Bumper • Railing Around The Rear Deck Surface • “E” Type Hitch With 1” Pin • Passenger Side Hip Restraint • Inching Controls (Eases Hitch Hook-up and Release) • Standard Chassis Paint Color – White / Wheels Painted Black • Standard Overnight Charge Plug – Anderson SBX-350 Gray • Over 10,000 Of This Model Sold – 4X More Than Any Competitor <p>Note: Price does not include battery, charger, freight or any applicable local sales tax.</p>	\$ 27,000.00	\$ 27,000.00
		No Charge	No Charge
UNLESS OTHERWISE QUOTED PRICE IS F.O.B. CHARLATTE PLANT, BLUEFIELD, VA. STANDARD PAINT COLOR IS WHITE		Subtotal Sales Tax Total	\$ 27,000.00 TBD \$ 27,000.00

T-137-V3 Optional Items: (To be selected at time of order)

• Complete Cab Assembly: Heater/Defroster, Windshield Wiper, Vinyl Doors, Outside Mirrors, Dome Light	\$ 3,050.00
• Front Window Guard	\$ 125.00
• Rear Window Guard	\$ 150.00
• Backup Alarm	\$ 150.00
• Flashing Beacon Light (On Cab)	\$ 150.00
• Rotating Amber Beacon Light (On Cab)	\$ 250.00
• Turn Signals (LED)	\$ 350.00
• Rear Work Lights	\$ 200.00
• Retractable Seat Belts	\$ 130.00
• Driver Side Hip Restraint	\$ 55.00
• Battery Drip Tray	\$ 200.00
• Curtis Handheld Diagnostic Tool	\$ 590.00

Note: Additional Options available on request.

Lithium Ion Batteries: (Can only be charged by Posichargers)

• Averest Flux Power model 24-300-03 80V (300 Ah) Lithium Battery	\$ 23,155.00
• Averest Flux Power model 24-400-03 80V (400Ah) Lithium Battery	\$ 28,375.00

Note: Battery Pricing is current as of the time of this quotation and may change dependent upon supplier increases.

Availability/Delivery:

Typical lead time for equipment FOB Ex-Works Bluefield Virginia is eight (8) weeks from receipt of Purchase Order (PO). Unit delivery can be affected by production schedule and battery lead time.

Warranty:

Our Standard Warranty covers a period of two (2) years from putting into service & or 2,400 hours of operation whichever comes first. Original Equipment Manufacture (OEM) Parts/Components warranties are passed through to buyer.