

APPENDIX D-4
Beneficiary Eligible Mitigation Action Certification

BENEFICIARY ELIGIBLE MITIGATION ACTION CERTIFICATION

Beneficiary _____

Lead Agency Authorized to Act on Behalf of the Beneficiary _____
(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 Description of Mitigation Action Item Including Community and Air Quality Benefits (5.2.2):
Estimate of Anticipated NOx Reductions (5.2.3):
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):
Describe how the Beneficiary will make documentation publicly available (5.2.7.2).
Describe any cost share requirement to be placed on each NOx source proposed to be mitigated (5.2.8).
Describe how the Beneficiary complied with subparagraph 4.2.8, related to notice to U.S. Government Agencies (5.2.9).

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).

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 _____, 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: _____

[NAME]

[TITLE]

[LEAD AGENCY]

for

[BENEFICIARY]

Beneficiary Eligible

**Mitigation Action
Summary**

How Funding Request Fits into WDEQ's Mitigation Plan (5.2.1)

Wyoming Department of Environmental quality is focusing efforts on seven of the ten Eligible Mitigation Actions. Details on the seven Eligible Mitigation Actions that WDEQ continues to pursue can be found in Wyoming's Beneficiary Mitigation Plan (attached). This funding request falls under Eligible Mitigation Option 10 (DERA Option) which allows beneficiaries to use Trust funds for their non-federal match or overmatch pursuant to Title VII, Subtitle G, Section 793 of the DERA program in the Energy Policy Act of 2005 (codified at 42 U.S.C. 16133). Beneficiaries may therefore use such Trust Funds for actions not specifically enumerated in Appendix D-2, but are otherwise eligible under DERA pursuant to all DERA guidance documents available through the EPA. Any matching DERA funds must be used following the DERA requirements.

The DERA option allows states to fund projects that would be ineligible under VW EMAs 1 through 9. Wyoming anticipates using Option 10 as a way to fund diesel emission reduction projects that are not engine or vehicle replacements, but will nonetheless result in significant NOx reductions. Funding requirements under DERA include a mandatory cost share that is the responsibility of the grantee. States and territories that match the base amount dollar for dollar receive an additional amount of EPA DERA funding to add to the grant (50% of the base amount). This non-federal voluntary match can be state or territorial funds, private funds, or settlement funds such as those from the beneficiary's allocation under the mitigation trust. Under the DERA option, beneficiaries may draw funds from the trust for their non-federal match on a 1:1 basis or greater than 1:1 basis.

Wyoming's DERA base allocation for the 2019 and 2020 Grants are \$963,384 and the State plans to match these funds with Trust funds. The State has identified a number of potential projects that would qualify under Option 10, and the Wyoming Department of Environmental Quality is currently coordinating with other state agencies as well as industry groups in the state to select projects likely to achieve the greatest amount of emissions reductions.

DERA grant recipients must file quarterly and final reports and any beneficiary using the DERA Option may fulfil reporting requirements by submitting reports to the trustee. Wyoming anticipates using this option to fulfil the reporting requirements of its DERA grants.

Community and Air Quality Benefits (5.2.2)

The Emissions Reduction Program works towards WDEQ's mission to keep Wyoming skies clean and clear. Under this program, WDEQ has been working with stakeholders to use multiple funding sources, including Diesel Emissions Reduction Act (DERA) funds, to reduce emissions by replacing older diesel powered equipment with newer, cleaner burning equipment. WDEQ selects projects with the priorities to reduce ozone precursor emissions in the Upper Green River Basin (UGBR) ozone nonattainment area, achieve the greatest amount of emissions reductions possible, reduce emissions among areas of high population density and sensitive populations, and to maximize health benefits with greatest reductions per dollar. In SFY19, SFY20, SFY21, and SFY22, WDEQ worked with school districts to purchase and replace old diesel powered school busses to reduce emissions and community impacts. During this funding period, school districts of Albany, Bighorn, Campbell, Carbon, Fremont, Goshen, Johnson, Laramie, Natrona, Platte Sheridan, Sublette, Sweetwater, Teton, Uinta, Washakie, and Weston counties used DERA and VW Mitigation funds to help purchase 88 new school buses and 3 diesel vehicles.

The Upper Green River Basin ozone nonattainment area is located in Lincoln, Sublette, and Sweetwater counties. WDEQ worked with these counties in order to reduce ozone precursor emissions in and surrounding the UGBR. Sweetwater County School District #1 used DERA funds to help fund 13 new school buses Sweetwater County School District #2 used DERA funds to help fund 1 new school bus, and Sublette County School District #1 used VW Mitigation funds to help fund 1 new school bus. WDEQ also considered areas of high population density when funding DERA projects. These areas include

Cheyenne and Casper, the only two Metropolitan Statistical Areas (MSA's) in Wyoming. In 2019, air quality monitors in Cheyenne and Casper recorded annual PM_{2.5} concentrations of 3.2 micrograms per cubic meter (µg/m³) and 3.1 µg/m³, respectively. The annual National Ambient Air Quality Standard (NAAQS) for PM_{2.5} is 12.0 µg/m³. That places Cheyenne and Casper at lower than one-third of the allowable federal standard for PM_{2.5}. From SFY19 -SFY22, WDEQ was able to fund five buses in Natrona County and two school buses in Laramie County, which contain the MSA of Casper and Cheyenne respectively. During future years, WDEQ will continue to work with school districts in areas of dense populations to meet priorities.

In order to consider sensitive populations within Wyoming, WDEQ uses [EPA's Environmental Justice Screening and Mapping Tool](#)). In comparison to the population of Wyoming as a whole, all of counties that WDEQ worked with to purchase new school busses contain areas of sensitive populations including minority, low income, less than high school education, and linguistically isolated populations. Additionally, the cities of Lovell (within Big Horn County), and Casper (within Natrona County) contain a large population over the age 64, and Afton (within Lincoln County) contains a large population under the age of 5. WDEQ successfully worked with school districts that have areas of sensitive populations and will continue to consider these populations when funding future emissions reduction projects.

Estimate of Anticipated NOx Reductions

Estimated 30.128 tons of NOx based on the Diesel Emissions Quantifier. DERA emission reductions are further detailed on attached School Bus Replacement Program spreadsheet.

Making 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 Wyoming Department of Environmental Quality (WDEQ), the Lead Agency for the State of Wyoming, is committed to maintaining and making publicly available all documentation submitted in 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 project summaries and reporting outcomes information on the WDEQ website (<https://deq.wyoming.gov/>). The WDEQ will maintain these records on the Emission Reduction Program specific webpage, which can be accessed at the following link:

<https://deq.wyoming.gov/aqd/emission-reduction-program/> .

Additionally, WDEQ will publish its reporting obligations, as in accordance with the VW Environmental Mitigation Trust, on the aforementioned webpage. WDEQ will also publish project summaries and reporting outcomes for DERA on the same webpage.

The Wyoming Public Records Act (W.S. § 16-4-201 – 16-4-205) sets forth requirements for the maintenance of and accessibility of public records.

As cited in W.S. § 16-4-202 (a): “All public records shall be open for inspection by any person at reasonable times, except as provided in this act or as otherwise provided by law, but the official custodian of any public records may make rules and regulations with reference to the inspection of the records as is reasonably necessary for the protection of the records and the prevention of unnecessary interference with the regular discharge of the duties of the custodian of his office.”

In accordance with W.S. 16-4-202 (d), which sets forth specific requirements for electronic public records, the general public will be able to access all records-related information by following the public records request protocol described at <http://deq.wyoming.gov/admin/records-request/> and, subsequently, submitting a public records request through the Next Request portal at <https://wydeq.nextrequest.com/>.

All of these items will provide the general public with transparent access to the records associated with the Environmental Mitigation Trust.

This commitment by WDEQ is subject to the following Wyoming laws governing the publication of confidential business information and personally identifiable information:

The Wyoming Public Records Act (W.S. § 16-4-203(d)) and Wyoming Environmental Quality Act (W.S. § 35-11-1101(a)).

The WDEQ Public Records Policy Guidance provides further information on public records that must be withheld from release:

1. Trade secrets (under the Environmental Quality Act § 35-11-1101(a));
2. Audit reports from the State Auditor under Wyo. Stat. Ann. § 9-1-507(k) and -512;
 - a. This does not include annual reports.
3. Medical, psychological, and sociological data on individual persons;
4. Adoption records or welfare records on individual persons;
5. Personnel files;
 - a. Does NOT include contracts, agreements, or salary;
 - b. Applications and performance ratings must be made available to a person requesting his or her own records.
6. Letters of reference;
 - a. This includes emails from DEQ employees with opinions about a person that the DEQ is considering hiring.
7. Trade secrets, privileged information and confidential commercial, financial, geological, or geophysical data;
 - a. NOTE – trade secrets are listed as privileged under the Environmental Quality Act AND under the Public Records Act
8. Certain records from hospitals, school districts, and libraries;
9. Information related to internal personnel investigations that would be a “clearly unwarranted invasion of personal privacy” to release

- a. Consult the Attorney General’s office if the DEQ receives records request related to internal personnel investigation.
- 10. Information about state information technology security systems;
- 11. Certain agricultural information;
 - a. This is mostly information that is provided to the state for the purpose of participating in state programs, with certain exceptions.
 - b. Consult the AG’s Office if any agricultural owner or operator raises this exception.
- 12. Any individualized tax information;
 - a. Can release generalized information or release record after redacting individualized information.
- 13. Certain information related to worker’s compensation claims.

Cost Shares for each NOx Source Mitigated (5.2.8)

DEQ provides rebates of 25% of the purchase price of each bus. Each school district selected under this rebate program is responsible for the remaining 75% cost share for each vehicle. Cost share is calculated as follows:

Average cost of 1 bus = \$135,000
 25% (rebate) of \$135,000 = \$33,750 rebate per bus
 75% cost share of \$135,000 = \$101,250 provided by Vendor
 Cost Share totals can be found in the following table:

Sum of Amount (DERA) Vendor Legal Name	Fund VW Match	Federal DERA	Grand Total	# Buses/ Vehicle
CAMPBELL CO SCHOOL DIST #1	\$ 26,606.20	\$ 39,909.30	\$ 66,515.50	2
FREEMONT CO DISTRICT #24	\$ 15,090.50	\$ 22,635.75	\$ 37,726.25	2
LARAMIE CO SCHOOL DIST #2	\$ 23,771.60	\$ 35,657.40	\$ 59,429.00	2
LARAMIE CO SCHOOL DIST #1	\$ 12,538.80	\$ 18,808.20	\$ 31,347.00	1
NATRONA CO SCHOOL DIST #1	\$ 60,040.00	\$ 90,060.00	\$ 150,100.00	5
SHERIDAN CO SCHOOL DIST #1	\$ 12,077.30	\$ 18,115.95	\$ 30,193.25	1
SHERIDAN CO SCHOOL DIST #2	\$ 11,826.50	\$ 17,739.75	\$ 29,566.25	1
SUBLETTE CO SCHOOL DIST #9	\$ 12,348.00	\$ 18,522.00	\$ 30,870.00	1
SUBLETTE CO SCHOOL DIST #1	\$ 11,829.00	\$ 17,743.50	\$ 29,572.50	1
SWEETWATER CO SCH DIST #2	\$ 11,828.00	\$ 17,742.00	\$ 29,570.00	1
TETON COO SCHOOL DIST #1	\$ 90,674.40	\$ 136,011.60	\$ 226,686.00	6
UINTA CO SCHOOL DIST #1	\$ 15,090.50	\$ 22,635.75	\$ 37,726.25	2
WASHAKIE CO SCHOOL DIST #2	\$ 11,858.30	\$ 17,787.45	\$ 29,645.75	1
WESTON COSCHOOL DIST #1	\$ 13,660.00	\$ 20,490.00	\$ 34,150.00	1

Sum of Amount (NOx Reduction) Vendor Legal Name	Fund VW Match	Grand Total	# Buses/ Vehicle
ALBANY CO SCHOOL DIST #1	\$ 161,563.50	\$ 161,563.50	5
BIG HORN CO SCHOOL DIST #2	\$ 28,984.00	\$ 28,984.00	1
CARBON CO SCHOOL DIST #1	\$ 116,600.00	\$ 116,600.00	4
FREMONT CO SCHOOL DIST #38	\$ 32,097.00	\$ 32,097.00	1
GOSHEN CO SCHOOL DIST #1	\$ 25,768.00	\$ 25,768.00	1
JACKSON HOLE AIRPORT BRD	\$ 173,474.00	\$ 173,474.00	1
JOHNSON CO SCHOOL DIST #1	\$ 336,877.50	\$ 336,877.50	11
NATIONAL PARK SERVICE	\$ 289,360.00	\$ 289,360.00	1
NATRONA CO SCHOOL DIST #1	\$ 314,105.70	\$ 314,105.70	11

PLATTE CO SCHOOL DIST #1	\$ 193,946.00		\$ 193,946.00	6
SHERIDAN CO SCHOOL DIST #1	\$ 56,616.00		\$ 56,616.00	2
SUBLETTE CO SCHOOL DIST #1	\$ 39,402.00		\$ 39,402.00	1
SWEETWATER CO SCH DIST #1	\$ 24,489.00		\$ 24,489.00	13
TETON CO SCHOOL DIST #1	\$ 217,354.50		\$ 217,354.50	6
WESTERN WYOMING BEVERAGES	\$ 50,671.00		\$ 50,671.00	2
Grand Total	\$ 2,390,547.30	\$ 493,858.65	\$ 2,884,405.95	93

Compliance with Subparagraph 4.2.8

Wyoming Attorney General's Office notified US Fish and Wildlife Service, US Department of Agriculture - US Forest Service, US Department of Interior - National Park Service on February 23rd, 2018. Each agency was given notice according to Paragraph 4.2.8 of the Volkswagen Environmental Mitigation Trust Agreement for State Beneficiaries.

Attachment B

Wyoming Department of Environmental Quality



Timeline and Budget Narrative Attachment B FY 19-22

Submitted by

Keith Guille

Outreach Program Manager

Project Budget Overview

	FY 2021 DERA Grant 19	FY 2022 DERA Grant 20
EPA Base Allocation	\$472,929	\$490,455
State or Territory Matching Funds (if applicable)	\$315,286*	\$326,970*
EPA Match Incentive (if applicable)		
Mandatory Cost-Share		\$4,758,750
TOTAL Project	\$788,215	\$5,576,175
Additional Leveraged Resources	\$0	\$0

*Volkswagen Mitigation Funds used as state match

Project Period

October 1, 2020 – September 30, 2023

Timeline

Date	Activity
WYDEQ and WDE Project Development and Outreach	
Ongoing	Continued outreach and project evaluation as they become available.
Project selection	
May 2020	Select eligible vehicles for replacement for 19 Grant
December 2020	Complete Cooperative Agreement with selected school districts for 19 Grant
April-September 2021	After requirements have been met, reimburse for vehicle purchases for 19 Grant
May 2021	Select eligible vehicles for replacement for 20 Grant
December 2021	Complete Cooperative Agreement with selected school districts for 20 Grant
April-September 2022	After requirements have been met, reimburse for vehicle purchases for 20 Grant

Itemized Project Budget

Budget Category	FY 2021 G19			FY 2022 G20		
	EPA Allocation	Voluntary Match (if applicable)	Mandatory Cost-Share (if applicable)	EPA Allocation	Voluntary Match (if applicable)	Mandatory Cost-Share (if applicable)
1. Personnel						
2. Fringe Benefits						
3. Travel						
4. Supplies						
5. Equipment						
6. Contractual						
7. Program Income						
8. Other	\$472,929	\$315,286		\$490,455	\$326,970	\$4,758,750*
9. Total Direct Charges						
10. Indirect Charges						
Total						

*Mandatory Cost Share will reflect for both 2021 and 2022

Budget Category	FY 2021 Grant19		FY 2022 Grant20	
	EPA	State Match	EPA	State Match
Other – Rebates to school districts and local government	\$472,929	\$315,286*	\$490,455	\$326,970*

*state match funded with Volkswagen Mitigation Funds

Matching Funds and Cost-Share Funds

Project cost breakdown:

- EPA will fund up to 25% of each vehicle.
- Estimates are based on
 - \$135,000 per bus in FY19 and FY20
- It is expected that costs will vary slightly.
- Each school district selected under this rebate program will be responsible for the remaining 75% cost share for each vehicle.
- Voluntary state match was made using Volkswagen Mitigation funds in both FY 2019-FY 2022

Key Dates and Milestones

District	Agreement Executed	Project Completed
ALBANY COUNTY SCHOOL DIST #1	12/26/2018	10/29/2019
BIG HORN COUNTY SCHOOL DIST #2	12/03/2018	12/5/2019
CARBON COUNTY SCHOOL DIST #1	12/26/2018	10/29/2019
FREMONT COUNTY SCHOOL DIST #38	12/3/2018	3/20/2020
GOSHEN COUNTY SCHOOL DIST #1	1/10/2019	5/23/2019
JACKSON HOLE AIRPORT BRD	12/18/2019	6/17/2020
JOHNSON COUNTY SCHOOL DIST #1	11/29/2018	7/5/2019
NATIONAL PARK SERVICE	9/4/2019	4/6/2022
NATRONA COUNTY SCHOOL DIST #1	01/08/2019	10/28/2019
PLATTE COUNTY SCHOOL DIST #1	12/19/2018	6/24/2019
SHERIDAN COUNTY SCHOOL DIST #1	12/26/2018	8/16/2019
SUBLETTE COUNTY SCHOOL DIST #1	5/23/2019	9/25/2020
SWEETWATER CO SCHOOL DIST #1	12/10/2018	8/29/2019
TETON COUNTY SCHOOL DIST #1	3/18/2019	8/16/2019
WESTERN WYOMING BEVERAGES	10/1/2019	6/5/2020

District	Agreement Executed	Project Completed
CAMPBELL CO SCHOOL DIST #1	3/2/2020	11/24/2020
FREMONT COUNTY SCHOOL DIST #24	9/22/2021	1/14/2022
LARAMIE COUNTY SCHOOL DIST #2	3/31/2020	1/22/2021
LARAMIE COUNTY SCHOOL DIST 1	5/27/2021	Still ongoing
NATRONA COUNTY SCHOOL DIST #1	4/2/2020	11/30/2020
SHERIDAN COUNTY SCHOOL DIST #1	4/20/2020	11/30/2020
SHERIDAN COUNTY SCHOOL DIST #2	4/20/2020	10/13/2020
SUBLETTE COUNTY SCHOOL DIST #1	4/27/2020	3/3/2021
SUBLETTE COUNTY SCHOOL DIST #9	4/27/2020	4/1/2021
SWEETWATER CO SCHOOL DIST 2	4/27/2020	12/4/2020
TETON COUNTY SCHOOL DIST #1	4/30/2020	12/10/2020
UINTA COUNTY SCHOOL DIST #1	5/4/2020	5/5/2021
WASHAKIE COUNTY SCHOOL DIST 2	5/4/2020	4/21/2021
WESTON COUNTY SCHOOL DIST #1	5/11/2020	12/4/2020

PROJECTED TRUST ALLOCATIONS:

	2020	2021	2022	2023	2024
1. Anticipated Annual Project Funding Request to be paid through the Trust	\$	\$	\$2,390,547.30	\$ 496,748	\$
2. Anticipated Annual Cost Share	\$	\$	\$493,858.65	\$ 1,241,870	\$
3. Anticipated Total Project Funding by Year (line 1 plus line 2)	\$	\$	\$2,884,405.95	\$ 1,738,618	\$
4. Cumulative Trustee Payments Made to Date Against Cumulative Approved Beneficiary Allocation			\$496,748		\$
5. Current Beneficiary Project Funding to be paid through the Trust (line 1)	\$	\$	\$2,390,547.30	\$ 496,748	\$
6. Total Funding Allocated to for Beneficiary, inclusive of Current Action by Year (line 4 plus line 5)	\$	\$	\$2,887,295.30	\$ 496,748	\$

7. Beneficiary Share of Estimated Funds Remaining in Trust	\$	\$	\$7,131,504	\$ 7,628,252	\$
8. Net Beneficiary Funds Remaining in Trust, net of cumulative Beneficiary Funding Actions (line 7 minus line 6)	\$	\$	\$4,244,208.70	\$ 7,628,252	\$

Attachment C

Detailed Plan for Reporting on Eligible Mitigation Action Implementation (5.2.11)

The Wyoming Department of Environmental Quality (WDEQ) will provide detailed reporting on this funding request through project summaries and semi-annual reports to the Trustee as required by subparagraph 5.3 of the Environmental Mitigation Trust Agreement for State Beneficiaries.

WDEQ Website

WDEQ maintains a webpage describing the Emissions Reduction program under the Volkswagen Diesel Emissions Environmental Mitigation Trust for State Beneficiaries. This Volkswagen Settlement webpage, which outlines mitigation actions eligible for funding, can be found at <http://deq.wyoming.gov/admin/volkswagen-settlement/>.

As denoted in the Beneficiary Eligible Mitigation Action Summary of this document, WDEQ will also publish project reporting, project summaries, and reporting outcomes for DERA on the same webpage. All documents will be available, as they are finalized, through the file downloader on the webpage listed above.

Semi-Annual Report to the Trustee

As required by subparagraph 5.3 of the Environmental Mitigation Trust Agreement for State Beneficiaries, WDEQ will submit a report to the Trustee within 6 months of the first disbursement and thereafter no later than January 30 and July 30 for the preceding 6-month periods. These reports will describe the progress implementing this and any other Eligible Mitigation Action ongoing during the reporting period. These reports will include a summary of all costs expended and a complete description of the status, including the actual or projected termination date, development, implementation, and any modification of the Eligible Mitigation Action. These semi-annual reports to the Trustee will be available for public access through links on the Volkswagen Settlement page on the WDEQ website.

A generic reporting template that will be modified and used is included below. This template includes fields for reporting schedules and project timelines, project cost expenses, and project reporting for each of the 10 fields of the Eligible Mitigation Actions (as applicable).

Mitigation Action Project Tracker

FY 2019-2022

FY 2019-2022

<i>Mitigation Action Classification</i>	<i>Entity</i>	<i>Quantified Emission Reductions**</i>		<i>Mitigation Action Classification</i>	<i>Entity</i>	<i>Quantified Emission Reductions**</i>	
Class 4-8	ALBANY COUNTY SCHOOL DIST #1	.72	.045	Class 4-8	CAMPBELL CO SCHOOL DIST #1	.288	.018
Class 4-8	BIG HORN COUNTY SCHOOL DIST #2	.144	.009	Class 4-8	FREMONT COUNTY SCHOOL DIST #24	.288	.018
Class 4-8	CARBON COUNTY SCHOOL DIST #1	.576	.036	Class 4-8	LARAMIE COUNTY SCHOOL DIST #2	.288	.018
Class 4-8	FREMONT COUNTY SCHOOL DIST #38	.144	.009	Class 4-8	LARAMIE COUNTY SCHOOL DIST 1	.144	.009
Class 4-8	GOSHEN COUNTY SCHOOL DIST #1	.144	.009	Class 4-8	NATRONA COUNTY SCHOOL DIST #1	.72	.045
Class 4-7	JACKSON HOLE AIRPORT BRD	.679	.052	Class 4-8	SHERIDAN COUNTY SCHOOL DIST #1	.144	.009
Class 4-8	JOHNSON COUNTY SCHOOL DIST #1	1.584	.099	Class 4-8	SHERIDAN COUNTY SCHOOL DIST #2	.144	.009
Class 4-7	NATIONAL PARK SERVICE	.083	.000375	Class 4-8	SUBLETTE COUNTY SCHOOL DIST #1	.144	.009
Class 4-8	NATRONA COUNTY SCHOOL DIST #1	1.584	.099	Class 4-8	SUBLETTE COUNTY SCHOOL DIST #9	.144	.009
Class 4-8	PLATTE COUNTY SCHOOL DIST #1	.864	.054	Class 4-8	SWEETWATER CO SCHOOL DIST 2	.144	.009
Class 4-8	SHERIDAN COUNTY SCHOOL DIST #1	.288	.018	Class 4-8	TETON COUNTY SCHOOL DIST #1	.864	.054
Class 4-8	SUBLETTE COUNTY SCHOOL DIST #1	.144	.009	Class 4-8	UINTA COUNTY SCHOOL DIST #1	.288	.018
Class 4-8	SWEETWATER CO SCHOOL DIST #1	1.872	.117	Class 4-8	WASHAKIE COUNTY SCHOOL DIST 2	.144	.009
Class 4-8	TETON COUNTY SCHOOL DIST #1	.864	.054	Class 4-8	WESTON COUNTY SCHOOL DIST #1	.144	.009
Class 4-7	WESTERN WYOMING BEVERAGES	.673	.032				

**Represents short tons per year of NOx reductions (left) and PM reductions (right)

Cumulative total E.R. for per year:

NOx: 14.236 PM: .871 Combined: 15.107

Estimated Cumulative total E.R. for 5 years:

NOx: 71.18 PM: 4.355 Combined: 75.535

School Bus Emission Results were calculated using the EPA's Diesel Emissions Quantifier. The baseline used for school buses being replaced was for the year 2000.

Attachment D

DEQ Fund 127 (VW Mitigation Trust) as of 04/15/2022

UNIT 0201 - Nox Reduction

Vendor Legal Name	SFY	DEQ Expense	VW Mit Trust (127)	FED
ALBANY COUNTY SCHOOL DIST #1	2020	\$ 161,563.50	\$ 161,563.50	
BIG HORN COUNTY SCHOOL DIST #2	2020	\$ 28,984.00	\$ 28,984.00	
CARBON COUNTY SCHOOL DIST #1	2020	\$ 116,600.00	\$ 116,600.00	
FREMONT COUNTY SCHOOL DIST #38	2020	\$ 32,097.00	\$ 32,097.00	
GOSHEN COUNTY SCHOOL DIST #1	2019	\$ 25,768.00	\$ 25,768.00	
JACKSON HOLE AIRPORT BRD	2020	\$ 173,474.00	\$ 173,474.00	
JOHNSON COUNTY SCHOOL DIST #1	2020	\$ 336,877.50	\$ 336,877.50	
NATIONAL PARK SERVICE	2022	\$ 289,360.00	\$ 289,360.00	
NATRONA COUNTY SCHOOL DIST #1	2020	\$ 314,105.70	\$ 314,105.70	
PLATTE COUNTY SCHOOL DIST #1	2019	\$ 193,946.00	\$ 193,946.00	
SHERIDAN COUNTY SCHOOL DIST #1	2020	\$ 56,616.00	\$ 56,616.00	
SUBLETTE COUNTY SCHOOL DIST #1	2021	\$ 39,402.00	\$ 39,402.00	
SWEETWATER CO SCHOOL DIST #1	2020	\$ 24,489.00	\$ 24,489.00	
TETON COUNTY SCHOOL DIST #1	2020	\$ 217,354.50	\$ 217,354.50	
WESTERN WYOMING BEVERAGES	2020	\$ 50,671.00	\$ 50,671.00	
		\$ 2,061,308.20	\$ 2,061,308.20	\$ -

UNIT 0257 - DERA

Vendor Legal Name	SFY	DEQ Expense	VW Mit Trust (127)	FED
CAMPBELL COUNTY SCHOOL DIST #1	2021	\$ 66,515.50	\$ 26,606.20	\$ 39,909.30
FREMONT COUNTY SCHOOL DIST #24	2022	\$ 37,726.25	\$ 15,090.50	\$ 22,635.75
LARAMIE COUNTY SCHOOL DIST #2	2021	\$ 59,429.00	\$ 23,771.60	\$ 35,657.40
LARAMIE COUNTY SCHOOL DIST 1	2022	\$ 31,347.00	\$ 12,538.80	\$ 18,808.20
NATRONA COUNTY SCHOOL DIST #1	2021	\$ 150,100.00	\$ 60,040.00	\$ 90,060.00
SHERIDAN COUNTY SCHOOL DIST #1	2021	\$ 30,193.25	\$ 12,077.30	\$ 18,115.95
SHERIDAN COUNTY SCHOOL DIST #2	2021	\$ 29,566.25	\$ 11,826.50	\$ 17,739.75
SUBLETTE COUNTY SCHOOL DIST #1	2021	\$ 29,572.50	\$ 11,829.00	\$ 17,743.50
SUBLETTE SCHOOL DIST #9	2022	\$ 30,870.00	\$ 12,348.00	\$ 18,522.00
SWEETWATER CO SCHOOL DIST 2	2021	\$ 29,570.00	\$ 11,828.00	\$ 17,742.00
TETON COUNTY SCHOOL DIST #1	2021	\$ 226,686.00	\$ 90,674.40	\$ 136,011.60
UINTA COUNTY SCHOOL DIST #1	2021	\$ 37,726.25	\$ 15,090.50	\$ 22,635.75
WASHAKIE COUNTY SCHOOL DIST 2	2021	\$ 29,645.75	\$ 11,858.30	\$ 17,787.45
WESTON COUNTY SCHOOL DIST #1	2021	\$ 34,150.00	\$ 13,660.00	\$ 20,490.00
		\$ 823,097.75	\$ 329,239.10	\$ 493,858.65
		\$ 2,884,405.95	\$ 2,390,547.30	\$ 493,858.65

Attachment E

Wyoming Department of Environmental Quality



DERA Work Plan and Budget Narrative

FY 19-22

Submitted by

Keith Guille

Outreach Program Manager

Summary Page

Wyoming Department of Environmental Quality (WYDEQ) will continue the Emissions Reduction Pilot Program with FY 18 DERA funds. More information about the program can be found on our website at <http://deq.wyoming.gov/aqd/resources/emission-reduction-pilot-program/> . WYDEQ will use DERA funds to reduce emissions by replacing older diesel powered equipment with newer, cleaner burning equipment.

Organization Name	Wyoming Department of Environmental Quality
Project Manager	Keith Guille, Outreach Program Manager
Address	200 W 17 th St Cheyenne WY 82002
Phone	307-777-6105
Email	keith.guille@wyo.gov

Project Budget Overview

	FY 2019	FY 2020
EPA Base Allocation and Match Incentive	\$472,929	\$490,455
State or Territory Matching Funds (if applicable)	\$315,286	\$326,970
Mandatory Cost-Share		\$4,758,750
TOTAL Project	\$788,215	\$5,576,175
Additional Leveraged Resources	\$0	\$0

Project Period

October 1, 2019 – May 1, 2022

Work Plan

Summary

The Wyoming Department of Environmental Quality (WDEQ) unveiled an Emissions Reduction Pilot Program in January 2018. More information about the program can be found on our website at <http://deq.wyoming.gov/agd/resources/emission-reduction-pilot-program/>. WDEQ will use multiple funding sources, including Diesel Emissions Reduction Act (DERA) funds, to reduce emissions by replacing older diesel powered equipment with newer, cleaner burning equipment. Currently, we are working closely with a number of school districts to examine potential projects. WDEQ will also focus our efforts using the following programmatic priorities:

- Reduce ozone precursor emissions in the Upper Green River Basin (UGRB) ozone nonattainment area
- Achieve the greatest amount of emissions reductions possible
- Reduce emissions among higher population density and sensitive populations, like children and the elderly
- Maximize health benefits with greatest reductions per dollar

In 2019, air quality monitors in Cheyenne and Casper recorded annual PM_{2.5} concentrations of 3.2 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$) and 3.1 $\mu\text{g}/\text{m}^3$, respectively. The annual National Ambient Air Quality Standard (NAAQS) for PM_{2.5} is 12.0 $\mu\text{g}/\text{m}^3$. That places Cheyenne and Casper at lower than one-third of the allowable federal standard for PM_{2.5}.

While Wyoming is fortunate to have some of the cleanest air in the nation, WDEQ will continue to work with partners to make effective emissions reductions all over the State.

Scope of Work

Goals and Priorities

WDEQ has begun working closely with the Wyoming Department of Education (WDE) to create a school bus replacement program. At this time, we are evaluating vehicle eligibility statewide and doing outreach to school districts. Diesel-powered school buses expose children to harmful diesel emissions. Funding will be available to assist schools with the early replacement of diesel school buses. WDEQ and WDE will jointly develop and issue selection criteria if the number of eligible school buses exceeds funding.

- School buses with diesel engine model years 1995 through 2006 will be eligible for replacement.
- The new replacement bus must be powered by an EPA- or CARB-certified, 2017 or newer model year diesel or alternative-fueled engine.
- The replaced bus must not be scheduled for replacement prior to September 2020.
- The replaced bus must be disabled (scrapped).

Legislation was passed in March 2018 that allows school districts to purchase school buses if grant funding is available as stated below:

Beginning July 1, 2018, a district may purchase a bus that will be fully or partially paid for or rebated under the Diesel Emissions Reduction Act, 42 U.S.C. 16131 et seq., or other similar program as confirmed by a letter of assurance from the state or federal government. No district shall enter into a new lease for a school bus on or after July 1, 2018.

Estimated number of vehicle replacements by funding year:

Funding Year	FY 2019	FY 2020
Vehicles Replaced (estimated)	17 ¹	20 ¹

¹Average cost of \$135,007 per bus for FY19 and FY20

Vehicles and Technologies

WDEQ's School Bus Replacement Program will target existing school buses that are model year 1995-2009. Once identified and eligibility requirements are met, WDEQ will partner with school districts to replace eligible vehicles with clean diesel or alternative fuel technology.

Strategic Plan Linkage and Anticipated Outcomes

WDEQ plans to improve fuel efficiency and achieve emission reductions in order to meet EPA's objectives of reducing criteria pollutants, diesel particulate matter, volatile organic compounds, and air toxics. Authorized projects will improve air quality because older diesel engines will be removed from service. Greenhouse gas emission reductions will result from improved fuel efficiency of the engines.

WDEQ will focus our efforts using the following programmatic priorities:

Emissions reduction estimates using Diesel Emissions Quantifier (25 vehicles)

FY 2020

Current Vehicle Information	Upgraded Vehicle Information	Percent Reduction			
		NOx	PM2.5	HC	CO
1997 72 Passenger Diesel Bus	2019 Equivalent Diesel Bus	94.7	99.4	98.6	86.2
1997 72 Passenger Diesel Bus	2019 Equivalent Diesel Bus	94.7	99.4	98.6	86.2
1997 72 Passenger Diesel Bus	2019 Equivalent Diesel Bus	94.7	99.4	98.6	86.2
1997 72 Passenger Diesel Bus	2019 Equivalent Diesel Bus	94.7	99.4	98.6	86.2
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1997 72 Passenger Diesel Bus	2019 Equivalent Diesel Bus	94.7	99.4	98.6	86.2
1997 72 Passenger Diesel Bus	2019 Equivalent Diesel Bus	94.7	99.4	98.6	86.2
1997 72 Passenger Diesel Bus	2019 Equivalent Diesel Bus	94.7	99.4	98.6	86.2
1997 72 Passenger Diesel Bus	2019 Equivalent Diesel Bus	94.7	99.4	98.6	86.2

Roles/responsibilities

WDEQ:

- Preparation detailed work plan
- Acquire necessary approvals from EPA
- Calculate and report emissions reductions using Diesel Emissions Quantifier
- Prepare Cooperative Agreement with all partners
- Disburse Grant Funds upon completion of all required steps
 - Using direct implementation by providing participant support costs.

- See attached cooperative agreement for description of written agreement between parties.

WDE/Wyoming School Districts:

- Provide outreach to Wyoming School Districts
- Determine eligibility of existing school buses for replacement
- Acquire necessary bids from vendors
- Secure funding for entire amount of purchase(s)
- Coordinate with WDEQ for salvage and destruction

Disbursement Methodology

WDEQ will implement a rebate program. Participants will be required to execute a cooperative agreement with WDEQ. The agreement clearly states expectations of both parties, including destruction requirements. Once the requirements have been met and proper documentation submitted to WDEQ, we will process payment in the agreed upon amount.

Additional Resources

DEQ will leverage any additional funds, if available, and they will be described here. WDEQ will use these funds, if available, in a complementary nature that will allow flexible cost sharing for qualifying projects that otherwise would be more difficult to implement through a single funding source.

Timeline

Date	Activity
WYDEQ and WDE Project Development and Outreach	
Ongoing	Continued outreach and project evaluation as they become available.
Project selection	
November 2019	Select eligible vehicles for replacement
December 2019	Complete Cooperative Agreement with selected school districts
April 2019-September 2022	After requirements have been met, reimburse for vehicle purchases

Salvage

WDEQ will work cooperatively with project partners to find a salvage facility that meets the requirements provided by USEPA. WDEQ staff will be onsite to complete and document the following:

- Photo of bus being scrapped (side profile)
- Photo of VIN plate
- Photo of engine tag to be disabled
- Photo of chassis rail cut in half
- Photos of engine block before and after being drilled
- Letter containing proof of scrappage

WDEQ will report the above to US EPA upon completion.

Itemized Project Budget

Budget Category	FY 2019*			FY 2020			Total
	EPA Allocation	Voluntary Match (if applicable)	Mandatory Cost-Share (if applicable)	EPA Allocation	Voluntary Match (if applicable)	Mandatory Cost-Share (if applicable)	
1. Personnel							
2. Fringe Benefits							
3. Travel							
4. Supplies							
5. Equipment							
6. Contractual							
7. Program Income							
8. Other	\$472,929	\$315,286		\$490,455	\$326,970	\$4,758,750	\$6,364,390
9. Total Direct Charges							
10. Indirect Charges							
Total							

***Estimated cost of \$135,000 per bus in FY19 and FY20

Explanation of Budget Framework

- There are no personnel costs included.
- There are no fringe benefits included.

- There is no travel included.
- There are not equipment costs included.
- There are no supplies included.
- There are no contractual costs included.
- Other Costs are as follows:

Expected Purchases under School Bus Replacement Program by funding year

FY 2019 (23 vehicles)

Vehicle 1	2019 Thomas C-2 Saf T Liner or BlueBird Bus
Vehicle 2	2019 Thomas C-2 Saf T Liner or BlueBird Bus
Vehicle 3	2019 Thomas C-2 Saf T Liner or BlueBird Bus
Vehicle 4	2019 Thomas C-2 Saf T Liner or BlueBird Bus
Vehicle 5	2019 Thomas C-2 Saf T Liner or BlueBird Bus
Vehicle 6	2019 Thomas C-2 Saf T Liner or BlueBird Bus
Vehicle 7	2019 Thomas C-2 Saf T Liner or BlueBird Bus
Vehicle 8	2019 Thomas C-2 Saf T Liner or BlueBird Bus
Vehicle 9	2019 Thomas C-2 Saf T Liner or BlueBird Bus
Vehicle 10	2019 Thomas C-2 Saf T Liner or BlueBird Bus
Vehicle 11	2019 Thomas C-2 Saf T Liner or BlueBird Bus
Vehicle 12	2019 Thomas C-2 Saf T Liner or BlueBird Bus
Vehicle 13	2019 Thomas C-2 Saf T Liner or BlueBird Bus
Vehicle 14	2019 Thomas C-2 Saf T Liner or BlueBird Bus
Vehicle 15	2019 Thomas C-2 Saf T Liner or BlueBird Bus
Vehicle 16	2019 Thomas C-2 Saf T Liner or BlueBird Bus
Vehicle 17	2019 Thomas C-2 Saf T Liner or BlueBird Bus
Vehicle 18	2019 Thomas C-2 Saf T Liner or BlueBird Bus
Vehicle 19	2019 Thomas C-2 Saf T Liner or BlueBird Bus
Vehicle 20	2019 Thomas C-2 Saf T Liner or BlueBird Bus
Vehicle 21	2019 Thomas C-2 Saf T Liner or BlueBird Bus
Vehicle 22	2019 Thomas C-2 Saf T Liner or BlueBird Bus
Vehicle 23	2019 Thomas C-2 Saf T Liner or BlueBird Bus

FY 2020 (25 vehicles)

Vehicle 1	2019 Thomas C-2 Saf T Liner or BlueBird Bus
Vehicle 2	2019 Thomas C-2 Saf T Liner or BlueBird Bus
Vehicle 3	2019 Thomas C-2 Saf T Liner or BlueBird Bus
Vehicle 4	2019 Thomas C-2 Saf T Liner or BlueBird Bus
Vehicle 5	2019 Thomas C-2 Saf T Liner or BlueBird Bus
Vehicle 6	2019 Thomas C-2 Saf T Liner or BlueBird Bus
Vehicle 7	2019 Thomas C-2 Saf T Liner or BlueBird Bus

Vehicle 8	2019 Thomas C-2 Saf T Liner or BlueBird Bus
Vehicle 9	2019 Thomas C-2 Saf T Liner or BlueBird Bus
Vehicle 10	2019 Thomas C-2 Saf T Liner or BlueBird Bus
Vehicle 11	2019 Thomas C-2 Saf T Liner or BlueBird Bus
Vehicle 12	2019 Thomas C-2 Saf T Liner or BlueBird Bus
Vehicle 13	2019 Thomas C-2 Saf T Liner or BlueBird Bus
Vehicle 14	2019 Thomas C-2 Saf T Liner or BlueBird Bus
Vehicle 15	2019 Thomas C-2 Saf T Liner or BlueBird Bus
Vehicle 16	2019 Thomas C-2 Saf T Liner or BlueBird Bus
Vehicle 17	2019 Thomas C-2 Saf T Liner or BlueBird Bus
Vehicle 18	2019 Thomas C-2 Saf T Liner or BlueBird Bus
Vehicle 19	2019 Thomas C-2 Saf T Liner or BlueBird Bus
Vehicle 20	2019 Thomas C-2 Saf T Liner or BlueBird Bus
Vehicle 21	2019 Thomas C-2 Saf T Liner or BlueBird Bus
Vehicle 22	2019 Thomas C-2 Saf T Liner or BlueBird Bus
Vehicle 23	2019 Thomas C-2 Saf T Liner or BlueBird Bus
Vehicle 24	2019 Thomas C-2 Saf T Liner or BlueBird Bus
Vehicle 25	2019 Thomas C-2 Saf T Liner or BlueBird Bus

	FY 2019		FY 2020	
Budget Category	EPA	State Match	EPA	State Match
Other – Rebates to school districts and local government	\$472,929	\$315,286*	\$490,455	\$326,970*

**state match funded with Volkswagen Mitigation Funds*

- There are no indirect costs included

Matching Funds and Cost-Share Funds

Project cost breakdown:

- EPA will fund up to 25% of each vehicle.
- Estimates are based on
 - \$135,000 per bus in FY19 and FY20
- It is expected that costs will vary slightly.

- Each school district selected under this rebate program will be responsible for the remaining 75% cost share for each vehicle.
- Voluntary state match was made using Volkswagen Mitigation funds in both FY 2019 and FY 2020.

**Additional Attachment
Beneficiary Mitigation Plan**



Background

In September 2015, the car company Volkswagen (VW) admitted to installing emissions control defeat devices on approximately 500,000 model year 2009 – 2016 VW/Porsche/Audi 2.0 liter diesel engines and an additional 90,000 3.0 liter diesel engines. These devices allowed up to 40 times the legal limit of nitrogen oxide (NO_x) emissions to be released from these vehicles.

On October 25, 2016, a partial settlement was finalized between the Volkswagen Corporation and its subsidiaries, the United States, and the State of California, addressing 2.0 liter diesel engines. Under the settlement, VW is required to establish and fund a \$2.7 Billion environmental mitigation trust to fund projects that will mitigate the excess emissions from the subject vehicles. A second partial settlement to address the 3.0 liter diesel engines was finalized between the parties on May 11, 2017 and required VW to pay an additional \$225 million to the mitigation trust.

Wyoming is anticipating access, over the next ten years, to \$8.125 million in mitigation funds from the combined 2.0 and 3.0 settlement by filing the necessary documents with the Northern District of California. Wyoming was deemed a beneficiary and must submit this mitigation plan to the Trustee by April 29, 2018.

Additionally Appendix D Section 4.1 of the 2.0 liter partial settlement details the five Beneficiary Mitigation Plan requirements:

1. The Beneficiaries overall goal for the use of the funds;
2. The categories of Eligible Mitigation Actions the Beneficiary anticipates will be appropriate to achieve the stated goals and the preliminary assessment of the percentages of funds anticipated to be used for each type of Eligible Mitigation Action;
3. A description of how the beneficiary will consider the potential beneficial impact of the selected Eligible Mitigation Actions on air quality in areas that bear a disproportionate share of the air pollution burden within its jurisdiction;
4. A general description of the expected ranges of emissions benefits the Beneficiary estimates would be realized by implementation of the Eligible Mitigation Actions identified in the Beneficiary Mitigation Plan; and
5. An explanation of the process by which the beneficiary shall seek and consider public input on its Beneficiary Mitigation Plan.

The Wyoming Department of Environmental Quality (WDEQ) provides this Beneficiary Mitigation Plan addressing these five necessary elements to the level of detail reasonably available at the time of submission. The plan does not imply any rights to claim an entitlement under the settlement by any party other than Wyoming as the designated beneficiary.

Public Input Process

Wyoming Governor Mathew Mead designated WDEQ as the lead agency in administering the mitigation plan. The WDEQ consulted with the Wyoming Department of Transportation and Wyoming Department of Education to identify potential goals and eligible mitigation actions that would be effective in Wyoming.

WDEQ solicited public input on how best to utilize the State's allocated mitigation funds through the WDEQ website and online comment function. The public received notification of this opportunity through public notice on the WDEQ website and statewide media release. This public comment opportunity lasted 30 days and ended on May 24, 2017. The WDEQ received public input through mail, phone, and online comment function of its website. As a result of comments received, the WDEQ expanded the list of priority Eligible Mitigation Actions. WDEQ held several stakeholder meetings to solicit input on development of this mitigation plan. Stakeholders included representation from the Wyoming Governor's Office, WDEQ, Wyoming Department of Transportation, Wyoming Department of Education, Natural Gas Vehicles for America, Yellowstone-Teton Clean Cities Coalition, Black Hills Energy, Energy Conservation Works, Cummins, and the Wyoming Business Council.

Future changes or updates to the plan, whether they are a result of the public input process or other unforeseeable circumstances, will be made available to the trustees and posted to the WDEQ's website. This plan has been drafted with the most recently available information to date.

Overall Goal of the Mitigation Plan

The WDEQ has developed the following goals for implementation of the mitigation plan.

1. To provide efficient and effective implementation of Eligible Mitigation Actions in the reduction of nitrogen oxide (NO_x).
 - a. The objective of the settlement is to reduce NO_x. While doing so, reductions of greenhouse gases and particulate matter will occur.
2. To support the Wyoming Department of Transportation Alternative Fuels Corridor Plan.

The WDEQ will issue a Request for Proposal (RFP) soliciting project proposals that meet the Eligible Mitigation Actions criteria. The following criteria will be used in selection and ranking of proposals received:

1. Greatest NO_x emissions reductions.
2. Cost benefit - Projects that achieve the highest emission reductions at the lowest cost.
3. Potential for achieving measurable NO_x emission reductions in nonattainment areas.
4. NO_x Emission reduction benefits to areas of greater population density.
5. NO_x Emission reduction benefits to sensitive populations, such as children and the elderly.

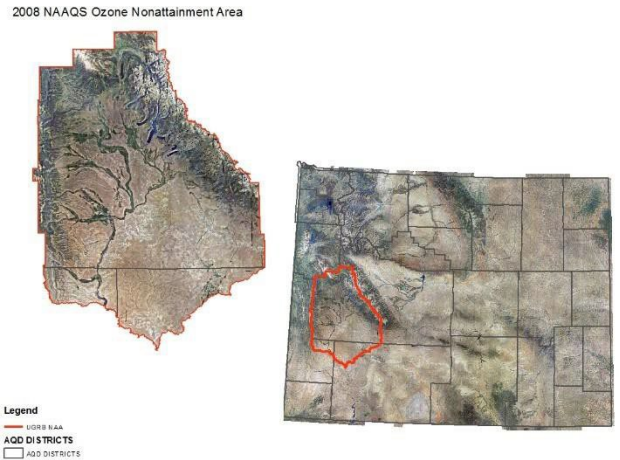
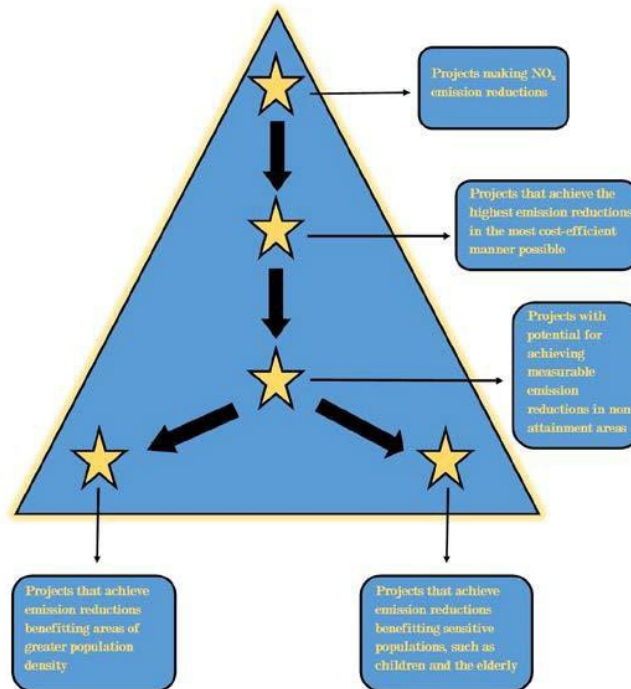


Figure 1: The State of Wyoming and the Upper Green River Basin Nonattainment Area (2008 Ozone National Ambient Air Quality Standards)

WDEQ Project Proposal Evaluation Criteria



Eligible Mitigation Actions

The 2.0 liter partial settlement identifies ten categories of Eligible Mitigation Actions. The ten categories are;

1. Class 8 Local Freight Trucks and Port Drayage Trucks
2. Class 4 – 8 School Bus, Shuttle Bus, or Transit Bus
3. Freight Switchers (Locomotives)
4. Ferries/Tugs
5. Ocean Going Vessels (OGV) Shorepower
6. Class 4 – 7 Local Freight Trucks (Medium Trucks)
7. Airport Ground Support Equipment
8. Forklifts and Port Cargo Handling Equipment
9. Light Duty Zero Emission Vehicle Supply Equipment
10. Diesel Emission Reduction Act (DERA) Option

Not all of the Eligible Mitigation Actions are attainable in Wyoming. Through WDEQ assessment of the ten categories and input received from stakeholders and the public, the state will focus its efforts on seven of the eligible categories.

1. Class 8 Local Freight Trucks (Eligible Large Trucks)

84% - Percentage reduction for NO_x emissions from class eight local freight trucks.

- a. Eligible Large Trucks include 1992 – 2009 model year Class 8 Local Freight.
- b. Eligible Large Trucks must be scrapped if being replaced.
- c. Eligible Large Trucks may be repowered with any diesel or Alternate Fueled engine or All-Electric engine, or may be replaced with any new diesel or Alternate Fueled or All-Electric Vehicle, with the model year in which the Eligible Large truck Mitigation Action occurs.
 1. The original engine must be scrapped after repower has been completed.
- d. For Non-Government Owned Eligible Class 8 Local Freight Trucks, recipients may be eligible for reimbursement up to:
 1. 40% of the cost of a Repower with a new diesel or Alternate Fueled (e.g. Compressed Natural Gas (CNG), Propane, Hybrid) vehicle.

2. 25% of the cost of a new diesel or Alternate Fueled (e.g. CNG, propane, Hybrid) vehicle.
 3. 75% of the cost of a Repower with a new All-Electric engine, including the costs of installation of such engine, and charging infrastructure associated with the new All-Electric engine.
 4. 75% of the cost of a new All-Electric vehicle, including charging infrastructure associated with the new All-Electric vehicle.
- e. For Government Owned Eligible Class 8 Large Trucks, recipients may be eligible for reimbursement up to:
1. 100% of the cost of a Repower with a new diesel or Alternate Fueled (e.g. CNG, propane, Hybrid) engine, including the costs of installation of such engine.
 2. 100% of the cost of a new diesel or Alternate Fueled (e.g. CNG, propane, Hybrid) vehicle.
 3. 100% of the cost of a Repower with a new All-Electric engine, including the cost of installation of such engine, and charging infrastructure associated with the new All-Electric engine.
 4. 100% of the cost of a new All-Electric vehicle, including charging infrastructure associated with the new All-Electric vehicle.



Estimated Emissions Reduction Benefit

Class 8 Replacement	NO_x (TPY)	PM_{2.5} (TPY)	CO₂ (TPY)
Amount Reduction	1.9	.01	56
Percent Reduction	84%	97%	10%

*Estimated emissions benefit calculated with EPA Diesel Emissions Quantifier with model year 2000 as baseline.

2. Class 4-8 School Bus, Shuttle Bus, or Transit Bus (Eligible Buses)

92% - Percentage reduction for NO_x emissions from school bus replacement technology.

- a. Eligible Buses include 2009 model year or older class 4-8 school buses, shuttle buses, or transit buses.
- b. Eligible buses must be scrapped if being replaced.
- c. Eligible buses may be repowered with any new diesel or Alternate Fueled or All-Electric vehicle, with the model year in which the Eligible Bus Mitigation Action occurs.
 - 1. The original engine must be scrapped after repower has been completed.
- f. For Non-Government Owned Buses, recipients may be eligible for reimbursement up to:
 - 1. 40% of the cost of a Repower with a new diesel or Alternate Fueled (e.g. CNG, propane, Hybrid) engine, including the costs of installation of such engine.
 - 2. 25% of the cost of a new diesel or Alternate Fueled (e.g. CNG, propane, Hybrid) vehicle.
 - 3. 75% of the cost of a Repower with a new All-Electric engine, including the costs of installation of such engine, and charging infrastructure associated with the new All-Electric engine.
 - 4. 75% of the cost of a new All-Electric vehicle, including charging infrastructure associated with the new All-Electric vehicle.
- g. For Government Owned Eligible Buses, recipients may be eligible for reimbursement up to:
 - 1. 100% of the cost of a Repower with a new diesel or Alternate Fueled (e.g. CNG, propane, Hybrid) engine, including the costs of installation of such engine.
 - 2. 100% of the cost of a new diesel or Alternate Fueled (e.g. CNG, propane, Hybrid) vehicle.
 - 3. 100% of the cost of a Repower with a new All-Electric engine, including the cost of installation of such engine, and charging infrastructure associated with the new All-Electric engine.
 - 4. 100% of the cost of a new All-Electric vehicle, including charging infrastructure associated with the new All-Electric vehicle.

Estimated Emissions Reduction Benefit

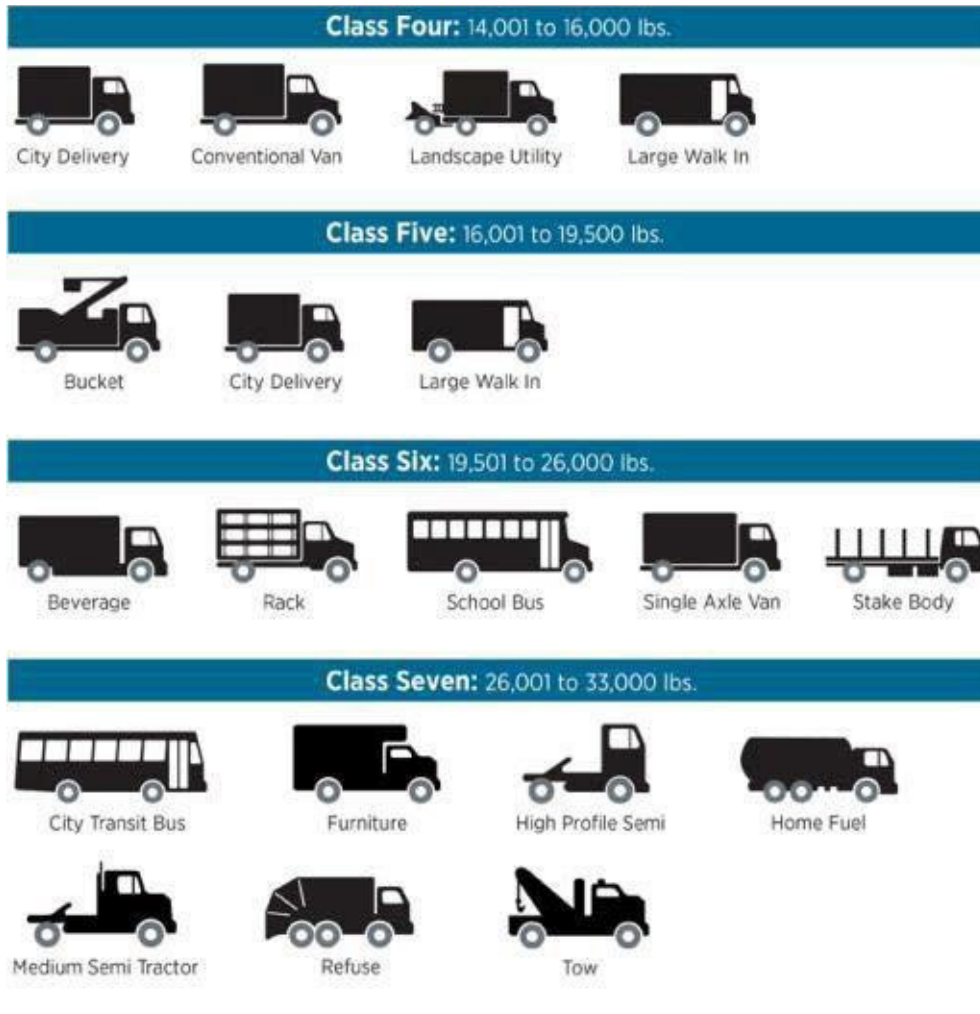
School Bus Replacement	NO _x (TPY)	PM _{2.5} (TPY)	CO ₂ (TPY)
Amount Reduction	.11	.01	3.2
Percent Reduction	92%	98%	20%

*Estimated emissions benefit calculated with EPA Diesel Emissions Quantifier with model year 2000 as baseline

6. Class 4-7 Local Freight Trucks (Medium Trucks)

94% - Percentage reduction for NO_x emissions from refuse hauler replacement technology.

- a. Eligible Medium trucks include 1992-2009 model year class 4-7 Local freight trucks.
- b. Eligible Medium Trucks must be scrapped if being replaced.
- c. Eligible medium Trucks may be Repowered with any new diesel or Alternate Fueled or All-Electric engine, or may be replaced with any new diesel or Alternate Fueled or All-Electric vehicle, with the model year in which the Eligible Medium Trucks Mitigation Action occurs.
 1. The original engine must be scrapped after repower has been completed.
- h. For Non-Government Owned Eligible Medium Trucks, recipients may be eligible for reimbursement up to:
 1. 40% of the cost of a Repower with a new diesel or Alternate fueled (CNG, propane, Hybrid) or All-Electric engine, including the costs of installation of such engine.
 2. 25% of the cost of a new diesel or Alternate Fueled (CNG, propane, Hybrid) or All-Electric vehicle.
 3. 75% of the cost of Repower with a new All-Electric engine, including the costs of installation of such engine, and charging infrastructure associated with the new All-Electric engine.
 4. 75% of the cost of a new All-Electric vehicle, including charging infrastructure associated with the new All-Electric vehicle.
- i. For Government Owned Eligible Medium Trucks, recipients may be eligible for reimbursement up to:
 1. 100% of the cost of a Repower with a new diesel or Alternate Fueled (e.g. CNG, propane, Hybrid) engine, including the costs of installation of such engine.
 2. 100% of the cost of a new diesel or Alternate Fueled (e.g. CNG, propane, Hybrid) vehicle.
 3. 100% of the cost of a Repower with a new All-Electric engine, including the costs of installation of such engine, and charging infrastructure associated with the new All-Electric engine.
 4. 100% of the cost of a new All-Electric vehicle, including charging infrastructure associated with the new All-Electric vehicle.



Estimated Emissions Reduction Benefit

Refuse Hauler Replacement	NO _x (TPY)	PM _{2.5} (TPY)	CO ₂ (TPY)
Amount Reduction	.5	.02	1.1
Percent Reduction	94%	97%	2.5%

*Estimated emissions benefit calculated with EPA Diesel Emissions Quantifier with model year 2000 as baseline

7. Airport Ground Support Equipment

- a. Eligible Airport Ground Support Equipment included:
 1. Tier 0, Tier 1, or Tier2 diesel powered airport ground support equipment; and
 2. Uncertified or certified to 3g/bhp-hr or higher emissions, spark ignition engine powered airport ground support equipment.
- b. Eligible Airport Ground Support Equipment must be scrapped.

- c. Eligible Airport Ground Support Equipment may be Repowered with an All-Electric engine, or may be replaced with the same Airport Ground Support Equipment in an All-Electric form.
 - 1. The original engine must be scrapped after repower has been completed.
- d. For Non-Government Owned Eligible Airport Ground Support Equipment, recipients may be eligible for reimbursement up to:
 - 1. 75% of the cost of a Repower with a new All-Electric engine, including costs of installation of such engine, and charging infrastructure associated with such new All-Electric engine.
 - 2. 75% or the cost of a new All-Electric Airport Ground Support Equipment, including charging infrastructure associated with such new All-Electric Airport Ground Support Equipment.
- e. For Government Owned Eligible Airport Ground Support Equipment, recipients may be eligible for reimbursement up to:
 - 1. 100% of the cost of a Repower with a new All-Electric engine, including costs of installation of such engine, and charging infrastructure associated with such new All-Electric engine.
 - 2. 100% of the cost of a new all-Electric Airport Ground Support Equipment, including charging infrastructure associated with such new All-Electric Airport ground Support Equipment.

9. Light Duty Zero Emission Vehicle Supply Equipment.

Each Beneficiary may use up to fifteen percent (15%) of its allocation of Trust Funds necessary for, and directly connected to, the acquisition, installation, operation and maintenance of new light duty zero emission vehicle supply equipment for projects as specified below. Provided, however, that Trust Funds shall not be made available or used to purchase or rent real estate, other capital costs (e.g., construction of buildings, parking facilities, etc.) or general maintenance (i.e., maintenance other than of the supply equipment).

15% - Allocation that each beneficiary may use on various applications for the cost of new light duty zero emission vehicle supply equipment.

85% - Allocation that each beneficiary may use on other applications such as Class 8 local freight trucks and Class 4-8 school buses, shuttle buses, or transit buses.

100% - Allocated funds applied by each beneficiary towards making impactful NOx emission reductions in the State of Wyoming.

- a. Light duty electric vehicles supply equipment includes Level 1, Level2, or fast charging equipment (or analogous successor technologies) that is located in a public place, workplace, or multi-unit dwelling and is not consumer light duty electric supply equipment (i.e., not located at a private residential dwelling that is not a multi-unit dwelling).
- b. Subject to the 15% limitation above, each recipient may be eligible for reimbursement up to:
 1. 100% of the cost to purchase, install and maintain eligible light duty electric vehicle supply equipment that will be available to the public at Government Owned Property.
 2. 80% of the cost to purchase, install and maintain eligible light duty electric vehicle supply equipment that will be available to the public at Non-Government Owned Property.
 3. 60% of the cost to purchase, install and maintain eligible light duty electric vehicle supply equipment that is available at a workplace but not to the general public.
 4. 60% of the cost to purchase, install and maintain eligible light duty electric vehicle supply equipment that is available at a multi-unit dwelling but not to the general public.

Trust Funds may be applied for projects that initiate and stimulate the continued development of electric vehicle charging infrastructure. The application of Trust Funds towards the development of electric charging stations along the tourism travel corridors between Cheyenne and Yellowstone National Park/Teton National Park aligns with existing Wyoming Department of Transportation (WYDOT) initiatives regarding alternative fueling methods. Furthermore, such an application of funds would help provide stimulus for future planning and development of WYDOT initiatives that more significantly expand the viability for electric charging stations across the State. The Trust Funds, therefore, may be used to initiate and stimulate the development of electric charging stations and other alternative fueling infrastructure in Wyoming.

10. Diesel Emission Reduction Act (DERA) Option

Eligible Mitigation Option 10 (DERA Option) allows beneficiaries to use Trust funds for their non-federal match or overmatch pursuant to Title VII, Subtitle G, Section 793 of the DERA program in the Energy Policy Act of 2005 (codified at 42 U.S.C. 16133). Beneficiaries may therefore use such Trust Funds for actions not specifically enumerated in Appendix D-2, but are otherwise eligible under DERA pursuant to all DERA guidance documents available through the EPA. Any matching DERA funds must be used following the DERA requirements.

The DERA option allows states to fund projects that would be ineligible under VW EMAs 1 through 9. Wyoming anticipates using Option 10 as a way to fund diesel emission reduction projects that are not engine or vehicle replacements, but will nonetheless result in significant NOx reductions.

Funding requirements under DERA include a mandatory cost share that is the responsibility of the grantee. States and territories that match the base amount dollar for dollar receive an additional amount of EPA DERA funding to add to the grant (50% of the base amount). This non-federal voluntary match can be state or territorial funds, private funds, or settlement funds such as those

from the beneficiary's allocation under the mitigation trust. Under the DERA option, beneficiaries may draw funds from the trust for their non-federal match on a 1:1 basis or greater than 1:1 basis.

Wyoming's DERA total allocation for grant years 2019-2020 is \$963,384 and the State plans to overmatch these funds with Trust funds. The State has identified a number of potential projects that would qualify under Option 10, and the Wyoming Department of Environmental Quality is currently coordinating with other state agencies as well as industry groups in the state to select projects likely to achieve the greatest amount of emissions reductions.

DERA grant recipients must file quarterly and final reports and any beneficiary using the DERA Option may fulfil reporting requirements by submitting reports to the trustee. Wyoming anticipates using this option to fulfil the reporting requirements of its DERA grants.

Sum of Amount (DERA)	Fund			
Vendor Legal Name	VW Match	Federal DERA	Grand Total	# Buses/Vehicle
CAMPBELL CO SCHOOL DIST #1	\$ 26,606.20	\$ 39,909.30	\$ 66,515.50	2
FREMONT CO DISTRICT #24	\$ 15,090.50	\$ 22,635.75	\$ 37,726.25	2
LARAMIE CO SCHOOL DIST #2	\$ 23,771.60	\$ 35,657.40	\$ 59,429.00	2
LARAMIE CO SCHOOL DIST #1	\$ 12,538.80	\$ 18,808.20	\$ 31,347.00	1
NATRONA CO SCHOOL DIST #1	\$ 60,040.00	\$ 90,060.00	\$150,100.00	5
SHERIDAN CO SCHOOL DIST #1	\$ 12,077.30	\$ 18,115.95	\$ 30,193.25	1
SHERIDAN CO SCHOOL DIST #2	\$ 11,826.50	\$ 17,739.75	\$ 29,566.25	1
SUBLETTE CO SCHOOL DIST #9	\$ 12,348.00	\$ 18,522.00	\$ 30,870.00	1
SUBLETTE CO SCHOOL DIST #1	\$ 11,829.00	\$ 17,743.50	\$ 29,572.50	1
SWEETWATER CO SCH DIST #2	\$ 11,828.00	\$ 17,742.00	\$ 29,570.00	1
TETON COO SCHOOL DIST #1	\$ 90,674.40	\$136,011.60	\$226,686.00	6
UINTA CO SCHOOL DIST #1	\$ 15,090.50	\$ 22,635.75	\$ 37,726.25	2
WASHAKIE CO SCHOOL DIST #2	\$ 11,858.30	\$ 17,787.45	\$ 29,645.75	1
WESTON COSCHOOL DIST #1	\$ 3,660.00	\$ 20,490.00	\$ 34,150.00	1

Sum of Amount (NOx Reduction)	Fund			
Vendor Legal Name	VW Match		Grand Total	# Buses/Vehicle
ALBANY CO SCHOOL DIST #1	\$ 161,563.50		\$ 161,563.50	5
BIG HORN CO SCHOOL DIST #2	\$ 28,984.00		\$ 28,984.00	1
CARBON CO SCHOOL DIST #1	\$ 116,600.00		\$ 116,600.00	4
FREMONT CO SCHOOL DIST #38	\$ 32,097.00		\$ 32,097.00	1
GOSHEN CO SCHOOL DIST #1	\$ 25,768.00		\$ 25,768.00	1
JACKSON HOLE AIRPORT BRD	\$ 173,474.00		\$ 173,474.00	1
JOHNSON CO SCHOOL DIST #1	\$ 336,877.50		\$ 336,877.50	11
NATIONAL PARK SERVICE	\$ 289,360.00		\$ 289,360.00	1
NATRONA CO SCHOOL DIST #1	\$ 314,105.70		\$ 314,105.70	11
PLATTE CO SCHOOL DIST #1	\$ 193,946.00		\$ 193,946.00	6
SHERIDAN CO SCHOOL DIST #1	\$ 56,616.00		\$ 56,616.00	2
SUBLETTE CO SCHOOL DIST #1	\$ 39,402.00		\$ 39,402.00	1
SWEETWATER CO SCH DIST #1	\$ 24,489.00		\$ 24,489.00	13
TETON CO SCHOOL DIST #1	\$ 217,354.50		\$ 217,354.50	6
WESTERN WYOMING BEVERAGES	\$ 50,671.00		\$ 50,671.00	2
Grand Total	\$ 2,390,547.30	\$ 493,858.65	\$ 2,884,405.95	93

FY 17 Diesel

Annual Results (short tons) ²	NOx	PM2.5	HC	CO	CO2	Fuel ³
Baseline for Upgraded Vehicles/Engines	0.879	0.062	0.174	0.414	107.1	9,520
Amount Reduced After Upgrades	0.809	0.06	0.166	0.384	28.3	2,520
Percent Reduced After Upgrades	92.00%	98.20%	95.50%	92.90%	26.50%	26.50%

Lifetime Results (short tons)²

Baseline for Upgraded Vehicles/Engines	4.396	0.308	0.868	2.068	535.5	47,600
Amount Reduced After Upgrades	4.044	0.302	0.829	1.921	141.8	12,600
Percent Reduced After Upgrades	92.00%	98.20%	95.50%	92.90%	26.50%	26.50%

Lifetime Cost Effectiveness (\$/short ton reduced)

Capital Cost Effectiveness ⁴ (unit & labor costs only)	\$216,372	\$2,894,223	\$1,055,898	\$455,394	\$6,173	
Total Cost Effectiveness ⁴ (includes all project costs)	\$550,727	\$7,366,607	\$2,687,555	\$1,159,106	\$15,712	

FY 17 LPG

Annual Results (short tons) ²	NOx	PM2.5	HC	CO	CO2	Fuel ³
Baseline for Upgraded Vehicles/Engines	2.219	0.088	0.248	0.591	153	13,600
Amount Reduced After Upgrades	2.119	0.086	0.237	0.549	150.7	13,400
Percent Reduced After Upgrades	95.50%	98.20%	95.50%	92.90%	98.50%	98.50%

Lifetime Results (short tons)²

Baseline for Upgraded Vehicles/Engines	11.095	0.44	1.24	2.955	765	68,000
Amount Reduced After Upgrades	10.596	0.432	1.184	2.745	753.7	67,000
Percent Reduced After Upgrades	95.50%	98.20%	95.50%	92.90%	98.50%	98.50%

Lifetime Cost Effectiveness (\$/short ton reduced)

Capital Cost Effectiveness ⁴ (unit & labor costs only)	\$127,406	\$3,125,762	\$1,140,370	\$491,827	\$1,791	
Total Cost Effectiveness ⁴ (includes all project costs)	\$198,187	\$4,862,296	\$1,773,909	\$765,065	\$2,786	

FY 18

Annual Results (short tons) ²	NOx	PM2.5	HC	CO	CO2	Fuel ³
Baseline for Upgraded Vehicles/Engines	2.763	0.194	0.545	1.3	336.6	29,920
Amount Reduced After Upgrades	2.542	0.19	0.521	1.208	89.1	7,920
Percent Reduced After Upgrades	92.00%	98.20%	95.50%	92.90%	26.50%	26.50%
Lifetime Results (short tons) ²						
Baseline for Upgraded Vehicles/Engines	13.815	0.968	2.727	6.5	1,683.00	149,600
Amount Reduced After Upgrades	12.71	0.95	2.604	6.039	445.5	39,600
Percent Reduced After Upgrades	92.00%	98.20%	95.50%	92.90%	26.50%	26.50%
Lifetime Cost Effectiveness (\$/short ton reduced)						
Capital Cost Effectiveness ⁴ (unit & labor costs only)	\$233,682	\$3,125,765	\$1,140,368	\$491,827	\$6,667	
Total Cost Effectiveness ⁴ (includes all project costs)	\$215,614	\$2,884,082	\$1,052,195	\$453,799	\$6,151	

FY17	Annual	Lifetime
NOx	2.928	15.491
PM2.5	0.15	0.396
HC	0.422	2.013
CO	1.005	4.666
CO2	179	895.5