

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: 12/2/22

Brian Rockness, Commissioner

[NAME]

[TITLE]

Indiana Department of Environmental Management

[LEAD AGENCY]

for

State of Indiana

[BENEFICIARY]

Appendix D-4 Summary Details

Eligible Mitigation Action Type:

Category 2: School Buses

Explanation of how funding request fits into Beneficiary's Mitigation Plan (5.2.1):

Indiana will generally fund all eligible mitigation action (EMA) types included in Appendix D-2 of the national consent decree. The Mission Statement and Overall Goals are described below:

In promoting the reduction of emissions of NO_x, the Indiana Volkswagen Environmental Mitigation Trust Fund Program will prioritize sustainable projects that are transformative, positively impacting the environment, enhancing the health and well-being of residents, and promoting Indiana's growing economy.

The Program will focus on technological change and advancement with resiliency and favoring use of domestic fuel, where possible.

The goals of the Indiana Volkswagen Mitigation Trust Program include:

- Improving air quality across Indiana through cost-effective NO_x emission reduction strategies
- Maximizing diesel emission reductions across Indiana, while considering various categories of sensitive populations as areas of specific focus
- Providing appropriate considerations to projects that have diesel emission reductions that go beyond just NO_x, including PM_{2.5}, hydrocarbons (HC), carbon monoxide (CO), and carbon dioxide (CO₂)
- Encouraging leveraging of project partner funds with VW Trust funds to further the reach of the Indiana program

Detailed Description of Mitigation Action Item Including Community and Air Quality Benefits (5.2.2):

This project is for the purchase, installation, operation and maintenance of seven (7) 2022 model-year, or newer, U.S. EPA emission compliant propane-powered school buses that will REPLACE seven (7) of the Grantee's existing diesel-powered school buses that will be used for the same purpose. The replacement vehicles will be located and primarily operated in Avon, Indiana.

Propane-powered school buses dramatically improve air quality and the quality-of-life conditions for drivers, technicians, and citizens in the areas of operation due to notably lower tailpipe emissions in addition to less noisy engine operations.

The lifetime estimated emission reductions of pollutants according to U.S. EPA's Diesel Emission Quantifier (DEQ) include 1.411 tons of nitrogen oxides (NO_x) and 0.109 tons of fine particulate matter (PM_{2.5}).

Estimate of Anticipated NO_x Reductions (5.2.3):

Over the lifetime of these school buses, U.S. EPA's DEQ model estimates this project will result in a NOx reduction of 1.411 tons.

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):

Indiana Department of Environmental Management

Describe how the Beneficiary will make documentation publicly available (5.2.7.2):

In October of 2017, IDEM published a website with specific information on the national mitigation trust as well as the Indiana program. The website included an opportunity to sign up for automated updates to make sure interested parties were always kept apprised of any changes made to the program website. This web portal will be the location for all information related to the Indiana Volkswagen Mitigation Trust Program.

Describe any cost share requirement to be placed on each NOx source proposed to be mitigated (5.2.8):

Indiana will use Volkswagen Mitigation Trust funds to reimburse non-government-owned fleet and equipment owners at the levels specified in Appendix D-2 of the national mitigation trust. IDEM will also use Volkswagen Mitigation Trust funds to reimburse government-owned fleets and equipment at the same level as non-government owned fleet and equipment owners, as opposed to the full cost reimbursement permitted by Appendix D-2.

Specifically, for this project, the Indiana Volkswagen Mitigation Trust Program will cover up to 25% of the total project cost while the Grantee and/or other programs covers the remaining 75%.

Describe how the Beneficiary complied with subparagraph 4.2.8, related to notice to U.S. Government Agencies (5.2.9):

The Indiana Department of Environmental Management notified representatives as identified in Appendix D-2 of the national consent decree via email in March of 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):

Not applicable to this specific project.

Attachment B Details

Project Schedule and Milestones:

Indiana announces Round 3 – VW Onroad and Nonroad funding opportunity via online Request for Proposals (RFP)	March 23, 2021
Deadline for Round 3 – VW Onroad and Nonroad program applications	June 1, 2021
Indiana notifies applicants of award decisions	September 16, 2021
Funding Agreement between Indiana and Grantee is fully executed	December 9, 2021
Grantee project implementation	December 9, 2021 to December 31, 2022
Indiana reviews programmatic, financial, and vehicle scrappage materials for compliance with Appendix D-2 of the national consent decree	Ongoing
Indiana submits Appendix D-4 to Trustee to initiate payment to Grantee in accordance with Payee Contact and Wire Information form along with other supporting documentation	December 2, 2022
Indiana coordinates with Trustee on any questions or issues that arise related to the submitted Appendix D-4	December 2, 2022 to D-4 approval
Trustee responds to Indiana Appendix D-4	Within 60 days of submittal
Trustee disburses payment to Grantee	Within 15 days of Appendix D-4 approval

Project Budget:

Project Description	Indiana VW Mitigation Trust Grant Not to Exceed Total	Grantee Cost Share Not Less than Total	Project Total
The purchase, installation, operation and maintenance of seven (7) 2021 model-year, or newer, U.S. EPA emission compliant propane-powered school bus that will REPLACE seven (7) of the Grantee's existing diesel-powered school buses that will be used for the same purpose. The replacement vehicle(s) will be operated in and around Avon, Indiana.	\$218,755	\$656,266	\$875,021

Percentage	25%	75%	100%
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State of Indiana Total Trust Allocation:

1) State of Indiana's Total Trust Allocation	\$40,935,880.59
2) Obligated Awards from Previous D-4 Submittals	\$13,714,388.08
3) State of Indiana's Net Remaining Allocation Prior to this D-4 Submittal	\$27,221,492.51
4) Current D-4 Funding Request Total	\$218,755.00
5) State of Indiana's Remaining Allocation After this D-4 Submittal	\$27,002,737.51

Projected Allocation Totals per Project Type:

	Total per Category	Annually Based on Expected Project Reimbursements
Total Trust	\$40,935,880.59	NA
To EV (15%) over 3 years (2021 to 2023)	\$6,140,382.09	\$2,046,794.03
To Admin (3%) over 4 years (2020 to 2023)	\$1,228,076.42	\$307,019.11
To EMAs (82%) over 3 years (2020 to 2022)	\$33,567,422.08	\$11,189,140.69

Projected Trust Allocations:

	2020	2021	2022	2023
1) Anticipated Annual Project Funding Request to be paid through the Trust	\$11,189,140.69	\$13,235,934.72	\$13,235,934.72	\$2,046,794.03
2) Anticipated Annual Cost Share (Administrative Costs)	\$307,019.11	\$307,019.11	\$307,019.11	\$307,019.11
3) Anticipated Total Project Funding by Year (Line 1 + Line 2)	\$11,496,159.8	\$13,542,953.8	\$13,542,953.8	\$2,353,813.14
4) Cumulative Trustee Payments Made to Date Against Cumulative Approved Beneficiary Allocation	\$3,895,454.40	\$4,710,898.20	\$4,876,131.48	
5) Current Beneficiary Project Funding to be paid through the Trust (Line 1)	\$101,199.00	\$130,705.00	\$218,755.00	
6) Total Funding Allocated to Beneficiary, inclusive of Current Action by Year (Line 4 + Line 5)	\$3,996,653.40	\$4,841,603.20	\$5,094,886.48	
7) Beneficiary Share of Estimated Funds Remaining in Trust at Beginning of Year	\$40,935,880.59	\$36,939,227.19	\$32,097,623.99	
8) Net Beneficiary Funds Remaining in Trust, net of cumulative Beneficiary Funding Actions (Line 7 – Line 6)	\$36,939,227.19	\$32,097,623.99	\$27,002,737.51	

Attachment C Details

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

The Indiana Department of Environmental Management (IDEM) is committed to meet the reporting requirements as detailed in Subparagraph 5.3 of the Environmental Mitigation Trust Agreement for State Beneficiaries. Specifically, this subparagraph states:

“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.”

IDEM will meet these obligations in coordination with our project partners. Project partners are obligated to provide IDEM the necessary information for reports to the Trustee through the Funding Agreements between IDEM and each project partner. This language states:

“4. Implementation and Reporting Requirements

A. The Grantee shall implement and complete the Project in accordance with **Attachment A** and the plans and specifications contained in its Funding Application. Modification of the Project shall require prior written approval from IDEM. If IDEM determines that the Grantee is not making adequate progress in implementation of the approved Project in accordance with **Attachment A**, IDEM may rescind the award.

B. The Grantee shall submit to IDEM written progress reports until the completion of the Project. These reports shall be submitted in accordance with the reporting schedule contained in **Attachment C** and shall contain such detail of progress or performance on the Project as is required under the terms of the Volkswagen Diesel Emissions Environmental Mitigation Trust. If additional documentation is required for IDEM to meet reporting obligations under the Volkswagen Diesel Emissions Environmental Mitigation Trust, IDEM may request such documentation as necessary at any time during the term of this Agreement.”

Attachment D Details

Detailed cost estimates from selected or potential vendors for each proposed expenditure exceeding \$25,000 (5.2.6):

Detailed in the following pages:



Invoice

7203 EAST U.S. HIGHWAY 36
 AVON, IN 46123
 Phone: (317) 544-6000
 Fax: (317) 544-6001
 www.avon-schools.org

Date: 8/22/2022
 Invoice # ACSC-FIN220822-1

Indiana Dept. of
 Environmental Management
 Attn: Shawn Seals
 EMail: SSeals@idem.IN.gov
 Ph: 317-233-0425

ACSC Contact Person	ACSC Dept/School	Payment Terms	Due Date
Veronica Jones	Administration Center - Finance		Upon Receipt

Date	Description	Unit Price	Line Total
8/22/22	Please see attached VW Project Funding Agreement# ONR3-001 Project Total= \$875,021.00 See Midwest Transit Equipment- Passenger Buses Invoices Paid 7/21/22 with check# 910012485= \$925,803.34 Reimbursement Requested		\$218,755.00
		Sales Tax	N/A
		Total	\$218,755.00

Make all checks payable to Avon Community School Corporation

Thank you for your business!

Avon Community School Corporation, 7203 East US Hwy 36, Avon, IN 46123 • Phone: 317-544 6000 • Fax: 317-544-6004



MIDWEST TRANSIT EQUIPMENT

4500 S INDIANAPOLIS RD, WHITESTOWN, IN 46075
Tel. (800) 466-1287 ♦ Fax: (317) 769-2547 ♦ www.midwesttransit.com

SALES INVOICE: V104004636

INVOICE DATE	SALESPERSON	CUSTOMER REFERENCE
7/20/2022	KEVIN FELDMANN	3022100262



BILL TO
AVON COMMUNITY SCHOOL CORP. - 20320
7203 E. US HWY 36
AVON IN 46123

SHIP TO
AVON COMMUNITY SCHOOL CORP. - 20320
255 S. SR 267
AVON IN 46123

UNIT(S) FOR SALE

UNTID	YEAR - MAKE - MODEL - CAPACITY	SERIAL NUMBER / ITEM DESCRIPTION	PRICE
206441	2023 - IC - CE - 78	4DRBUP1N8PB012715	
		Vehicle - Price	132,257.62
			132,257.62
206442	2023 - IC - CE - 78	4DRBUP1NXPB012716	
		Vehicle - Price	132,257.62
			132,257.62
206443	2023 - IC - CE - 78	4DRBUP1N1PB012717	
		Vehicle - Price	132,257.62
			132,257.62
206444	2023 - IC - CE - 78	4DRBUP1N3PB012718	
		Vehicle - Price	132,257.62
			132,257.62
206445	2023 - IC - CE - 78	4DRBUP1N5PB012719	
		Vehicle - Price	132,257.62
			132,257.62
206446	2023 - IC - CE - 78	4DRBUP1N1PB012720	
		Vehicle - Price	132,257.62
			132,257.62
206447	2023 - IC - CE - 78	4DRBUP1N3PB012721	
		Vehicle - Price	132,257.62
			132,257.62



MIDWEST TRANSIT EQUIPMENT

4500 S INDIANAPOLIS RD, WHITESTOWN, IN 46075

Tel: (800) 466-1287 ♦ Fax: (317) 769-2547 ♦ www.midwesttransit.com

BILL TO
AVON COMMUNITY SCHOOL CORP. - 20320
7203 E. US HWY 36
AVON IN 46123

SALES INVOICE: V104004636

INVOICE DATE	SALESPERSON	CUSTOMER REFERENCE
7/20/2022	KEVIN FELDMANN	3022100262

SHIP TO
AVON COMMUNITY SCHOOL CORP. - 20320
255 S. SR 267
AVON IN 46123

Sales Price		925,803.34
TAX	+	0.00
	+	
Total Price	=	925,803.34
	-	
Less Deposit or Down Payment	-	
Unpaid Balance/Amount to Finance	=	925,803.34

Please Remit Payment To
MIDWEST TRANSIT EQUIPMENT, INC
146 W ISSERT DRIVE
KANKAKEE, IL 60901

x _____
Buyer Signature

x _____
Seller Signature

Date

Date

Avon Community School Corporation
7203 East US Hwy 36
Avon, Indiana 46123

CHECK NO. 910012485
Check Date 07/21/2022
Check Amount \$1,069,208.96

****One Million Sixty-Nine Thousand Two Hundred Eight Dollars & .96 Cents**

Account 27400005 1069208.96

To the Order Of
MIDWEST TRANSIT EQUIPMENT INC
146 W ISSERT DRIVE
KANKAKEE, IL 60901

Veronica A Jones
Corporation Treasurer



FOR DEPOSIT ONLY
MIDWEST TRANSIT EQUIPMENT INC

DO NOT WRITE STAMP OR ENDORSE BELOW THIS LINE
07/21/2022
Busey Bancorp
7/22/2022

MIDWEST TRANSIT EQUIPMENT INC - Payment Information

Check date	Bank	Check #	C	C	C	C	C	C	C	C	C	Org	Statement date	Check amount
07/21/2022	4/P2	910012485	A	R	M	S	P	V	H	W	B		07/31/2022	\$1,069,208.96

Expand All Collapse All

Check Info

Description	FMB01-Main Cash Acct	Check Date	07/21/2022
Account	*** [REDACTED]	Statement Date	07/31/2022
Bank	FIRST MERCHANTS BANK	Check Type	Regular
Check #	910012485	Amount	\$1,069,208.96
Payee's Name (As it appeared on check)	MIDWEST TRANSIT EQUIPMENT INC		
Vendor Name	MIDWEST TRANSIT EQUIPMENT INC		
Address	146 W ISSERT DRIVE KANKAKEE IL 60901		
Primary Phone	(800) 466-1287	Extension	

AP Invoice(s)

Enter Date	Invoice Number	PO Number	Status	Description	Vendor	Type	Net Amount	Fiscal Year	Post Date
07/21/2022	V104004636	3022100262	History	(7) 78 Passenger Buses	MIDWEST TRANSIT EQUIPMENT INC	Regular	925,803.34	2022-2023	07/21/2022
07/21/2022	V104004637	3022100264	History	(1) 66 Passenger/Lift Bus = \$144,005.62(1) Trade-in (\$800)Total PO = \$143,405.62	MIDWEST TRANSIT EQUIPMENT INC	Regular	143,405.62	2022-2023	07/21/2022