

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: 2/24/23

Brian Lockness IDEM 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 9: Light Duty EV Infrastructure

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 one (1) light-duty electric vehicle charging station. The charging stations are located and operated in Shelbyville, Indiana.

The installation of electric vehicle charging stations can dramatically improve air quality and the quality-of-life conditions for drivers, technicians, and citizens in the areas of operation due to the zero-tailpipe-emissions character of the vehicles.

The lifetime estimated emission reductions of pollutants according to U.S. DOE's AFLEET program developed in partnership with Argonne National Labs include 11 pounds of nitrogen oxides (NO_x), 66 tons of greenhouse gases (GHG), and a reduction in petroleum use of 189 barrels.

Estimate of Anticipated NO_x Reductions (5.2.3):

Over the lifetime of these electric vehicle charging stations, U.S. DOE's AFLEET estimates this project will result in a reduction of 11 pounds of nitrogen oxides (NO_x).

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 75% of the total project cost while the Grantee and/or other programs covers the remaining 25%.

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 Level 2 and DC Fast charging station funding opportunity via online Request for Proposals (RFP)	June 23, 2020
Deadline for Level 2 and DC Fast charging station program applications	September 23, 2020
Indiana notifies applicants of award decisions	November 18, 2020
Funding Agreement between Indiana and Grantee is fully executed	March 3, 2021
Grantee project implementation	March 3, 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	February 27, 2023
Indiana coordinates with Trustee on any questions or issues that arise related to the submitted Appendix D-4	February 27, 2023 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 one (1) Intertek or Underwriter’s Laboratory certified compliant Level 2 electric vehicle charging stations to include at least two (2) SAE J1772 charging connections per station. This electric vehicle charging station shall be networked with capability for remote diagnostics, remote control of the equipment, collecting and	\$9,000.00	\$6,050.00	\$15,050.00

reporting usage data, and processing payments if fees are to be charged.			
Percentage	60%	40%	100%

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	\$14,030,343.08
3) State of Indiana's Net Remaining Allocation Prior to this D-4 Submittal	\$26,905,537.51
4) Current D-4 Funding Request Total	\$9,000.00
5) State of Indiana's Remaining Allocation After this D-4 Submittal	\$26,896,537.51

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	\$5,165,086.48	\$18,000.00
5) Current Beneficiary Project Funding to be paid through the Trust (Line 1)	\$101,199.00	\$130,705.00	\$9,000.00	\$9,000.00
6) Total Funding Allocated to Beneficiary, inclusive of Current Action by Year (Line 4 + Line 5)	\$3,996,653.40	\$4,841,603.20	\$5,174,086.48	\$27,000.00
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	\$26,923,537.51
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	\$26,923,537.51	\$26,896,537.51

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:

APPENDIX C: Invoice and Payment to Genesis

Genesis Property Development

524 N. Harrison Street
Shelbyville, IN 46176

Date	Invoice #
12/14/2022	1649

Bill To:
City of Shelbyville 44 West Washington Street Shelbyville, IN 46176

Terms
Net 30

Description	Amount
EV Charger Foundation at Intelliplex Technology Building -Concrete sidewalk core and sawcut for ne charging station. -Pour back/in-fill concrete sidewalk finish to match existing. -Protect curing concrete with temporary safety tape and barriers.	\$2,500.00
Total	\$2,500.00

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City of Shelbyville
General Fund
44 W. Washington St.
Shelbyville, IN 46176

First Federal
Saving and Loan Association
Of Greensburg and Shelbyville

7035
2749

111120
DATE

12/16/2022

111120

4485 RAC

AMOUNT
\$2,500.00*

** Two Thousand Five Hundred and 00/100 Dollars **

PAY
TO THE
ORDER
OF

GENESIS PROPERTY DEVELOPMENT, INC.
524 N. HARRISON STREET
SHELBYVILLE IN 46176

Scott M. Asher

MP

AUTHORIZED SIGNATURE

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ENDORSE HERE

Pay to the order of
First Mercantile Bank, N.A.
For Deposit Only

Genesis Property Development

CHECK
 DEPOSIT
DO NOT WRITE, STAMP OR SIGN BELOW THIS LINE

0910864682
2022-12-30

MB 0325 20221229 00740 00067 074900657

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Appendix D: Invoice and Payment to Crescent Electric

INVOICE



PO BOX 500
EAST DUBUQUE, IL 61025-4418

FOR BILLING QUESTIONS, PLEASE CALL: 317-635-2361

INVOICE DATE	CUSTOMER NO.	INVOICE NO.
01/03/23	471095	S510850833.001
BRANCH		BRANCH NO.
CRESCENT INDIANAPOLIS, IN		B167
JOB NAME		PAGE NO.
		1 of 1

SOLD TO: 471095

CITY OF SHELBYVILLE
44 W WASHINGTON ST
SHELBYVILLE,IN 46176-1247

SHIP TO: 471095

CITY OF SHELBYVILLE
605 HALE RD
SHELBYVILLE,IN 46176-8622

ORDERED BY		CUST PO	ORDER DATE	REFERENCE	
		JOHN KUNTZ	10/28/22		
ORDER WRITER		SHIP VIA	SHIP DATE	ACCOUNT MANAGER	
JACOB K HAYDEN		DIRECT SHIPMENT	01/03/23	HOUSE	
ORDER QTY	SHIP QTY	DESCRIPTION		UNIT PRICE	EXT PRICE
1 ea	1 ea	^LOT SEMACONNECT MSDS Sheet# Required This Lot Shipment Consists of: Ord Qty Shp Qty Description ----- 1 1 ANCHOR PLATE (S5/S6/S7/S7+/S8/S8+) 1 1 CMS MOUNTING KIT-PEDESTAL (S5/S6/S7/S7+/S8/S8+) 1 1 DUAL CABLE MANAGEMENT SYSTEM (S5/S6/S7/S8) 1 1 PEDESTAL (S7/S7+/S8/S8+) 1 1 SERIES 8 EV CHARGING STATION-48A, 18FT CABLE, CC		\$8,592.0000/ea	\$8,592.00
INVOICE DUE		MERCHANDISE TOTAL	TOTAL S&H	TOTAL TAX	TOTAL AMOUNT
02/28/23		\$8,592.00	\$0.00	\$0.00	\$8,592.00



PLEASE DETACH AND RETURN WITH PAYMENT EXCEPT WHEN PAYING BY STATEMENT.
A SERVICE CHARGE WILL BE ASSESSED ON AMOUNTS OVER 30 DAYS PAST DUE.



SOLD TO:

CITY OF SHELBYVILLE
44 W WASHINGTON ST
SHELBYVILLE,IN 46176-1247

INVOICE NUMBER S510850833.001
 CUSTOMER NUMBER 471095
 INVOICE DATE 01/03/23
 DUE DATE 02/28/23
 SUBTOTAL \$8,592.00
 SHIPPING & HANDLING \$0.00
 TAX \$0.00
 INVOICE TOTAL \$8,592.00

PLEASE REMIT PAYMENT TO:
 CRESCENT ELECTRIC SUPPLY CO
 PO BOX 500
 EAST DUBUQUE,IL 61025-4418

CHECK # _____ \$ _____

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City of Shelbyville
General Fund
44 W. Washington St.
Shelbyville, IN 46176

First Federal
Saving and Loan Association
Of Greensburg and Shelbyville

7035
2749

111412
DATE

01/12/2023

111412

4485 RAC

AMOUNT
\$8,592.00*

** Eight Thousand Five Hundred Ninety Two and 00/100 Dollars **

PAY
TO THE
ORDER
OF

CRESCENT ELECTRIC SUPPLY COMPANY
P.O. BOX 500
ESAT DUBUQUE IL 61025

Scott M. Asher

AUTHORIZED SIGNATURE

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Dubuque Bank and Trust 07390053501 19 2023

0910006073
2023-01-20

ENDORSE HERE:

For Remote Deposit Only
 Crescent Electric Supply Company
 Headquarters

CHECK HERE IF MOBILE DEPOSIT

DO NOT WRITE, STAMP OR SIGN BELOW THIS LINE

* RACONTRUST.COM * AT THE TIME OF DEPOSIT *

Appendix E: Invoice and Payment to Huff Electric

Huff Electric Co., Inc.

P.O. Box 1455
Greenwood, IN 46142

Invoice

Date	Invoice #
12/14/2022	32215

Bill To
City of Shelbyville

Salesperson
SR

P.O. No.	Terms	Project
	Net 30	

Description	Amount
Attn: John Material and labor to complete Huff Electric's part of work per proposal dated 10/18/22.	3,958.00
Total	\$3,958.00

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City of Shelbyville
General Fund
44 W. Washington St.
Shelbyville, IN 46176

First Federal
Saving and Loan Association
Of Greensburg and Shelbyville

7035
2749

111134
DATE

12/16/2022

111134

4485 RAC

AMOUNT
\$3,958.00*

** Three Thousand Nine Hundred Fifty Eight and 00/100 Dollars **

PAY
TO THE
ORDER
OF

HUFF ELECTRIC CO. INC.
PO BOX 1455
GREENWOOD IN 46142

Scott M. Asher

MP

AUTHORIZED SIGNATURE

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ENDORSE HERE:
PAY TO THE ORDER OF
FIRST MERCHANTS BANK
FOR DEPOSIT ONLY
 HUFF ELECTRIC CO. INC.
OPERATING ACCT# 0720002579

0910829743
2022-12-23

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