

APPENDIX D-4
Beneficiary Eligible Mitigation Action Certification

Missouri Funding Request #31

Project ID: Cat 2-EMA1 FY22-001

BENEFICIARY ELIGIBLE MITIGATION ACTION CERTIFICATION

Beneficiary State of Missouri

Lead Agency Authorized to Act on Behalf of the Beneficiary Missouri Department of Natural Resources

(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:	DOC Large Truck Replacements – FY2022
Beneficiary’s Project ID:	Cat 2-EMA1 FY22-001
Funding Request No.	31
Request Type: (select one or more)	<input checked="" type="checkbox"/> Reimbursement <input type="checkbox"/> Advance <input type="checkbox"/> Other (specify): _____
Payment to be made to: (select one or more)	<input checked="" type="checkbox"/> Beneficiary <input type="checkbox"/> Other (specify): _____
Funding Request & Direction (Attachment A)	<input type="checkbox"/> Attached to this Certification <input checked="" type="checkbox"/> To be Provided Separately

SUMMARY

Eligible Mitigation Action Type	<input checked="" type="checkbox"/> Appendix D-2 item (specify): <u>Item 1: Class 8 Local Freight Trucks and Port Drayage Trucks (Eligible Large Trucks)</u> <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):							
<p>Missouri’s original BMP allocated \$6 million government-owned truck repowers and replacements. An update to the BMP consolidated the government truck category with other truck projects. Missouri’s plan also acknowledges and complies with the state’s legislative appropriations process. In state fiscal year 2022, the department will facilitate a payment up to \$1 million in VW Trust Funds to the Missouri Department of Corrections (DOC) to implement eligible mitigation actions pursuant to the VW Trust agreement. The mitigation action DOC is implementing through this funding request falls under Trucks. This funding request will count towards the total funding amount dedicated to Trucks in the BMP.</p>							
Detailed Description of Mitigation Action Item Including Community and Air Quality Benefits (5.2.2):							
<p>Diesel-to-diesel replacements reduce NO_x emissions and have a co-benefit of reducing particulate matter. This project supports the upgrading of the state-owned fleet. This project will reduce local diesel emissions exposure, while also decreasing regionally transported NO_x pollution that contributes to the formation of ground-level ozone pollution.</p>							
Estimate of Anticipated NO_x Reductions (5.2.3):							
<p>Missouri has used the EPA’s Diesel Emissions Quantifier to calculate the emission reductions this project will achieve. The results are below.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 50%;">Project Summary</th> <th style="width: 25%;">Total VW Trust Funds Requested (\$)</th> <th style="width: 25%;">Lifetime NO_x Reductions (tons)</th> </tr> </thead> <tbody> <tr> <td>DOC Large Truck Replacements (6 trucks)</td> <td style="text-align: right;">\$608,657.72</td> <td style="text-align: right;">6.199</td> </tr> </tbody> </table>		Project Summary	Total VW Trust Funds Requested (\$)	Lifetime NO _x Reductions (tons)	DOC Large Truck Replacements (6 trucks)	\$608,657.72	6.199
Project Summary	Total VW Trust Funds Requested (\$)	Lifetime NO _x Reductions (tons)					
DOC Large Truck Replacements (6 trucks)	\$608,657.72	6.199					
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):							
Missouri Department of Natural Resources							
Describe how the Beneficiary will make documentation publicly available (5.2.7.2).							
<p>The Missouri Department of Natural Resources, as lead agency for the state of Missouri implementing the Environmental Mitigation Plan, has established a webpage on the VW Trust and mitigation actions, https://dnr.mo.gov/air/what-were-doing/volkswagen-trust-funds.</p>							
Describe any cost share requirement to be placed on each NO_x source proposed to be mitigated (5.2.8).							
<p>No cost share requirement will be placed on the DOC for implementation of the eligible mitigation actions included in this funding request. As allowed by the VW Trust, beneficiaries may use VW Trust funds to cover up to 100 percent of the cost of a replacement for an eligible government-owned large truck.</p>							
Describe how the Beneficiary complied with subparagraph 4.2.8, related to notice to U.S. Government Agencies (5.2.9).							
<p>On February 28, 2018, the Department notified the Department of Interior, including the National Park Service and U.S. Fish and Wildlife Service, and the Department of Agriculture, including the Forest Service of the availability of VW funds for locations within Missouri. The Department did not receive notice from any other federal agency indicating interest in these funds.</p>							
If applicable, describe how the mitigation action will mitigate the impacts of NO_x emissions on communities that have historically borne a disproportionate share of the adverse impacts of such emissions (5.2.10).							
<p>The trucks DOC is replacing through this funding request operate on highways including high traffic areas along with numerous other mobile emission sources, meaning these areas bear a disproportionate share of the air pollution burden.</p>							

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 State of Missouri , 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)


[SIGNATURE]

NOVEMBER 9, 2022

[DATE]

STEPHEN M. HALL

[NAME]

AIR POLLUTION CONTROL
PROGRAM DIRECTOR

[TITLE]

MISSOURI DEPARTMENT OF
NATURAL RESOURCES

[LEAD AGENCY]

For

STATE OF MISSOURI

[BENEFICIARY]

ATTACHMENT B

**Beneficiary Eligible Mitigation Action Certification – Missouri Funding Request #31
Project ID: Cat 2-EMA1 FY22-001**

**Eligible Mitigation Action Management Plan Including Detailed Budget and
Implementation and Expenditures Timeline**

PROJECT MANAGEMENT PLAN

PROJECT SCHEDULE AND MILESTONES

Milestone	Date
DOC places purchase order for new trucks	September 2021
DNR Submits D-4	October 2021
DOC accepts delivery of new trucks and submits invoice to DNR	May 2022
DNR provides payment to DOC and DOC provides payment to truck vendor	May 2022
DOC scraps the old trucks per the requirements of the Trust	April-June 2022
DNR reports to Trustee on status of and expenditures with mitigation actions completed and underway	Within 6 months of first disbursement; Jan. 30 and July 30 thereafter

PROJECT BUDGET

Period of Performance: <u>July 2022 – June 2022</u>			
Budget Category	Total Approved Budget	Share of Total Budget to be Funded by the Trust	Cost-Share, if applicable (Project Sponsors)
1. Equipment Expenditure	\$608,657.72	\$608,657.72	\$0
2. Contractor Support <i>(Provide List of Approved Contractors as Attachment with approved funding ceilings)</i>	\$0	\$0	\$0
3. Subrecipient Support <i>(Provide List of Approved Subrecipients or Grant Awardees as Attachment with approved funding ceilings)</i>	\$0	\$0	\$0
4. Administrative ¹	\$0	\$0	\$0
Project Totals	\$608,657.72	\$608,657.72	\$0
Percentage	100%	100%	0%

¹ Subject to Appendix D-2 15% administrative cap.

Beneficiary Eligible Mitigation Action Certification – Missouri Funding Request #31
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PROJECTED TRUST ALLOCATIONS

	FY 2022	FY 2023-28
1. Anticipated Annual Project Funding Requests to be paid through Trust	\$ 14,500,000	\$ 6,895,504
2. Anticipated Annual Cost Share	\$ 12,884,650	\$ 8,762,000
3. Anticipated Total Project Funding by Year (line 1 plus line 2)	\$ 27,384,650	\$ 15,657,504
4. Cumulative Trustee Payments made to Date Against Cumulative Approved Beneficiary Allocation	\$ 19,756,547	\$ 34,256,547
5. Current Beneficiary Project Funding to be paid through the Trust (line 1)	\$ 14,500,000	\$ 6,895,504
6. Total Funding Allocated to Beneficiary, inclusive of Current Action by Year (line 4 plus line 5)	\$ 34,256,547	\$ 41,152,051
7. Beneficiary Share of Estimated Funds Remaining in Trust	\$ 21,395,504	\$ -
8. Net Beneficiary Funds Remaining in Trust, net of cumulative Beneficiary Funding Actions (line 7 minus line 5)	\$ 6,895,504	\$ -

ATTACHMENT B – REVISED 11/9/22

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Implementation and Expenditures Timeline**

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PROJECT BUDGET

Period of Performance: <u>July 2022 – June 2023</u>			
Budget Category	Total Approved Budget	Share of Total Budget to be Funded by the Trust	Cost-Share, if applicable (Project Sponsors)
1. Equipment Expenditure	\$518,221.28	\$518,221.28	\$0
2. Contractor Support <i>(Provide List of Approved Contractors as Attachment with approved funding ceilings)</i>	\$0	\$0	\$0
3. Subrecipient Support <i>(Provide List of Approved Subrecipients or Grant Awardees as Attachment with approved funding ceilings)</i>	\$0	\$0	\$0
4. Administrative ¹	\$0	\$0	\$0
Project Totals	\$518,221.28	\$518,221.28	\$0
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ATTACHMENT C

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

Records of the applicant, selected projects, and financial reports will be made available on the department VW webpage in the form of a report to coincide with reporting requirements listed in the trust. Records may also be obtained through the state sunshine request portal.

ATTACHMENT D

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

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The Missouri Department of Corrections has purchased the six replacement trucks included as part of the eligible mitigation actions implemented through this funding request. The actual costs of the six new trucks are listed below:

\$109,866.78

\$109,866.78

\$109,866.78

\$109,866.78

\$84,595.30

\$84,595.30