

**APPENDIX D-4**  
**Beneficiary Eligible Mitigation Action Certification**

**FUNDING REQUEST #12**  
**(3<sup>rd</sup> Revision due to Project Cancellation)**

## BENEFICIARY ELIGIBLE MITIGATION ACTION CERTIFICATION

Beneficiary: State of Illinois

Lead Agency Authorized to Act on Behalf of the Beneficiary: Illinois Environmental Protection Agency (Illinois EPA)

<b>Action Title:</b>	Light-Duty Zero Emission Vehicle Supply Equipment (DCFC)
<b>Beneficiary's Project ID:</b>	Kerry Farms: 2022-077
<b>Funding Request No.:</b>	12 (3 <sup>rd</sup> Revision to subtract 3 DCFC sites for Kerry Farms project that was canceled resulting in all of IL-12 projects now being canceled)
<b>Request Type:</b> (select one or more)	<input checked="" type="checkbox"/> Reimbursement <input type="checkbox"/> Advance <input type="checkbox"/> Other (specify): _____
<b>Payment to be made to:</b> (select one or more)	<input type="checkbox"/> Beneficiary <input checked="" type="checkbox"/> Other (specify): _____
<b>Funding Request &amp; Direction: (Attachment A)</b>	<input type="checkbox"/> Attached to this Certification <input checked="" type="checkbox"/> To be Provided Separately

### SUMMARY

<b>Eligible Mitigation Action Action Type</b>	<input checked="" type="checkbox"/> Appendix D-2 item (specify): <u>9. Light-Duty Zero Emission Vehicle Supply Equipment and Administrative Expenditures</u> <input type="checkbox"/> Item 10 – DERA Option (5.2.12) (specify and attach DERA Proposal)
<b>Explanation of how funding request fits into Beneficiary's Mitigation Plan (5.2.1):</b> Illinois' revised BMP submitted in April 2022 allocates up to 15 percent of its funds to install light-duty ZEV charging equipment at publicly available locations within the three designated priority areas and allocates up to 2 percent for administrative costs (Section IV(D)).	
<b>Detailed Description of Mitigation Action Item Including Community and Air Quality Benefits (5.2.2):</b> This project involved the installation of commercial DCFC infrastructure stations at 3 locations owned by Kerry Farms within the three priority areas identified in Illinois' BMP. These locations included retail shopping centers situated on major local streets and state highways in urbanized areas.  The grant award was established at 80% of eligible project costs for the DCFC charging stations, including any necessary utility connections and upgrades and network connectivity, signage, and collision barriers. The grant awards are capped at \$480,000 for three or more proposed sites and \$320,000 for two proposed sites in an application. Kerry Farms had one application selected to receive \$480,000 for 3 charging station locations.  Due to the unresponsiveness of the grantee over ten months in seeking quarterly reports and overall project status, Illinois EPA terminated the grant agreement with Kerry Farms. It was learned that no construction activities at the three sites had taken place.	

<b>Estimate of Anticipated NOx Reductions (5.2.3):</b>
0
<b>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):</b>
Illinois EPA
<b>Describe how the Beneficiary will make documentation publicly available (5.2.7.2)</b> The public may access documentation and records relative to the State of Illinois' administration of Trust Funds by submitting a request to the Illinois EPA pursuant to the Illinois Freedom of Information Act (5 ILCS 140/1, et. seq.). The Illinois EPA has regulations ("Access to Public Records of the Illinois Environmental Protection Agency," 2 Ill. Adm. Code Part 1828) that provide the framework by which Illinois EPA public records may be requested, accessed, inspected, duplicated, and further lists the records what will not be disclosed to the public, including records that contain personally-identifiable information and confidential business information. Trade secret and confidential business information claims are reviewed by the Illinois EPA in accordance with procedures and rules provided in 35 Ill. Adm. Code Part 130 and 2 Ill. Adm. Code Part 1828.
The Illinois EPA will make certain documentation and records relative to its administrative of Trust Funds available on its Driving a Cleaner Illinois webpage. The Illinois EPA's Beneficiary Mitigation Plan ("BMP") was made available to the public for review and comment, and the final BMP is available through the Illinois EPA's Driving a Cleaner Illinois webpage. The Illinois EPA will make available funding opportunities and related information and documents through this webpage. Further, the Illinois EPA will maintain and make available for public review all documentation submitted in support of funding requests and all records supporting all expenditures of eligible mitigation action funds consistent with the aforementioned laws and regulations.
<b>Describe any cost share requirement to be placed on each NOx source proposed to be mitigated (5.2.8):</b>
None, due to project cancellation
<b>Describe how the Beneficiary complied with subparagraph 4.2.8, related to notice to U.S. Government Agencies (5.2.9):</b>
Illinois EPA provided the requisite notice via email to the appropriate agencies on February 27, 2018.
<b>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):</b>
None, due to project cancellation

**ATTACHMENTS**  
(CHECK BOX IF ATTACHED)

<input type="checkbox"/>	Attachment A	Funding Request and Direction.
<input checked="" type="checkbox"/>	Attachment B	Eligible Mitigation Action Management Plan Including Detailed Budget and Implementation and Expenditures Timeline (5.2.4).
<input checked="" type="checkbox"/>	Attachment C	Detailed Plan for Reporting on Eligible Mitigation Action Implementation (5.2.11).
<input checked="" type="checkbox"/>	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.]
<input type="checkbox"/>	Attachment E	DERA Option (5.2.12). [Attach only if using DERA option.]
<input type="checkbox"/>	Attachment F	Attachment specifying amount of requested funding to be debited against each beneficiary's allocation (5.2.12). [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 the Beneficiary State of Illinois, 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 Attached 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: 7/9/2025

  
Name: Julie K. Armitage  
Title: Chief, Bureau of Air

Illinois Environmental Protection Agency  
LEAD AGENCY

For

State of Illinois  
BENEFICIARY

## ATTACHMENT B

### Eligible Mitigation Action Management Plan Including Detailed Budget and Implementation and Expenditures Timeline (5.2.4)

#### Light-Duty Zero Emission Vehicle Supply Equipment (DCFC)

Pursuant to Section 5.2.4 of the Environmental Mitigation Trust Agreement, the Illinois EPA provides the following Eligible Mitigation Action Management Plan. The milestone dates and yearly budget distributions provided are estimates and are subject to change based on the date of grant agreement execution and other variables.

#### Project Implementation Schedule and Milestones

Grantees: Kerry Farms  
Project ID: 2022-077

**Project was canceled**

#### PROJECT BUDGET

#### Light-Duty Zero Emission Vehicle Supply Equipment (DCFC)

Budget Category	Total Approved Budget	Share of Total Budget to be Funded by the Trust	Cost-Share
Equipment Expenditure	\$0	\$0	\$0
IEPA Administration @2%	\$0	\$0	
Project Totals	\$0	\$0	\$0
Percentage of Equipment Expenditure (not including 2% admin.)			

#### PROJECTED TRUST ALLOCATIONS

Illinois' Allocation	\$108,679,676.98
Obligated Awards from Previous D-4 Submittals for Projects #1-11 (Equipment + Administration Costs)	\$19,204,418.52
Illinois' Net Allocation	\$89,475,258.46
Current D-4 Project Funding Request (Project #12)	\$0
Illinois' Remaining Unobligated Allocation	\$89,475,258.46

## **ATTACHMENT C**

### **Detailed Plan for Reporting on Eligible Mitigation Action Implementation (5.2.11) Light-Duty Zero Emission Vehicle Supply Equipment (DCFC)**

Pursuant to Sections 5.2.11 and 5.3 of the Environmental Mitigation Trust Agreement, the Illinois EPA provides this project implementation reporting plan for the installation of 3 DCFC stations undertaken by Kerry Farms. This detailed plan for reporting incorporates applicable State of Illinois grantee reporting requirements as well as Illinois' obligation to comply with the semi-annual reporting requirement contained in Section 5.3 of the Environmental Mitigation Trust Agreement. Kerry Farms will provide the reports as specified below to the Illinois EPA. Further, the Illinois EPA will provide semi-annual reports to the Volkswagen Trustee as specified below and as required based on the reporting information received from the grantees. The reporting deadlines contained herein are estimates and are subject to change based on the date of grant agreement execution and other variables.

**Grantees:** Kerry Farms  
**Project ID:** 2022-077

#### **Reports and Reporting Schedule**

**Project was canceled**

#### **Report Content**

Grantee and Illinois EPA reports will contain, at a minimum, the following information:

1. Summary of all costs expended through the reporting period and to date
2. Project status and development and implementation accomplishments
3. Any project modifications as compared to the original plan
4. Actual or projected project completion and grant termination date

## **ATTACHMENT D**

### **Detailed Cost Estimates from Selected or Potential Vendors for each Proposed Expenditure Exceeding \$25,000 (5.2.6) Light-Duty Zero Emission Vehicle Supply Equipment (DCFC)**

Pursuant to Section 5.2.6 of the Environmental Mitigation Trust Agreement, Illinois EPA provides the following detailed cost estimates for the installation of 3 DCFC stations undertaken by Kerry Farms.

Grantees: Kerry Farms  
Project ID: 2022-077

**Project was canceled**