

APPENDIX D-4
Beneficiary Eligible Mitigation Action Certification

FUNDING REQUEST #20

BENEFICIARY ELIGIBLE MITIGATION ACTION CERTIFICATIONBeneficiary: State of IllinoisLead Agency Authorized to Act on Behalf of the Beneficiary: Illinois Environmental Protection Agency (Illinois EPA)

Action Title:	Electric Public Transit Bus Replacements
Beneficiary's Project ID:	Pace Suburban Bus: 2024-016 Regional Transportation Authority: 2024-017
Funding Request No.:	20
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 type="checkbox"/> Beneficiary <input checked="" type="checkbox"/> Other (specify): Pace Suburban Bus, Regional Transportation Authority
Funding Request & Direction: (Attachment A)	<input type="checkbox"/> Attached to this Certification <input checked="" type="checkbox"/> To be Provided Separately

SUMMARY

Eligible Mitigation Action Action Type	<input checked="" type="checkbox"/> Appendix D-2 item (specify): <u>2. Class 4-8 Public Transit Bus Replacement and Administrative Expenditures</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): Illinois' revised BMP submitted in April 2022 allocates up to 32 percent of its funds to replace older diesel public transit buses with new all-electric public transit buses and charging infrastructure and up to 2 percent for administrative costs (Section IV(D)).	
Detailed Description of Mitigation Action Item Including Community and Air Quality Benefits (5.2.2): This funding request involves the replacement of 57 Class 8 engine model year 2007-2009 public transit buses with 57 new Class 8 all-electric public transit buses. The 57 new buses will operate in the Chicago nonattainment area (Priority Area 1 in Illinois' BMP) and serve both the City of Chicago and several suburban communities in the Chicago metropolitan area. The grant award was established at 75% of eligible costs for the electric public transit buses. The grant award for the Regional Transportation Authority on behalf of the Chicago Transit Authority (RTA on behalf of CTA) is \$31,255,875 for 30 buses and the grant award for Pace Suburban Bus is \$27,000,000 for 27 buses. The total funding for both projects is \$58,255,875. Replacing 57 older diesel transit buses with new electric transit buses will result in reductions of NOx and other pollutants thereby providing air quality benefits in the Chicago area.	
Estimate of Anticipated NOx Reductions (5.2.3): It is anticipated that the projects will result in 10.7 tons of annual NOx reductions.	
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): Illinois EPA	

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

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

Environmental Mitigation Trust Funds will provide 75% funding of eligible costs for the 57 new buses. Applicants are required to provide a minimum 25% cost share, resulting in a total minimum cost share amount of \$19,418,625 for both projects.

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

Illinois EPA provided the requisite notice via email to the appropriate agencies on February 27, 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):

The 57 new electric transit buses will operate in the Chicago ozone nonattainment area and will serve both the City of Chicago and several suburban communities. The buses will serve and operate in environmental justice areas as well as many high-density areas that have a large, disproportionate amount of diesel truck traffic and related emissions. These projects will reduce emission impacts in the overall Chicago nonattainment area and in the communities served.

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: 2/18/2025


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)

Electric Public Transit Bus Replacements

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: Pace Suburban Bus
Regional Transportation Authority

Project ID: Pace Suburban Bus: 2024-016
Regional Transportation Authority: 2024-017

Period of Performance: February 2025 – December 2027

Milestone	Estimated Date
Illinois EPA enters into Grant Agreement	February 2025
Applicant enters into Purchase Agreement/Places Order	July 2025
Delivery of Vehicles from Vendor	October 2027
Existing Vehicles Scrapped	November 2027
New Vehicles placed into Service	December 2027
Applicant provides detailed invoices for all claimed project costs and required final project certification documents to Illinois EPA to support direction to Trustee for Payment (Reimbursement, Direct-to-Vendor)	December 2027
Illinois EPA Completes Review and Certifies Payment Direction to Trustee (Reimbursement)	January 2028
Trustee Acknowledges Receipt of Direction for Payment(s) (Reimbursement)	February 2028
Illinois EPA submits Final Report for Project Completion	January 2028

PROJECT BUDGET

Electric Public Transit Bus Replacements

Budget Category	Total Approved Budget	Share of Total Budget to be Funded by the Trust	Cost-Share
57 New Electric Public Transit Buses	\$77,674,500	\$58,255,875	\$19,418,625
IEPA Administration @2%	\$1,165,117.50	\$1,165,117.50	
Project Totals	\$78,839,617.50	\$59,420,992.50	\$19,418,625
Percentage of Bus and Equipment Expenditure (not including 2% admin.)	100%	75%	25%

PROJECTED TRUST ALLOCATIONS

Illinois' Allocation	\$108,679,676.98
Obligated Awards from Previous D-4 Submittals for Funding Requests #1-19 (Equipment + Administration Costs)	\$42,392,790.74
Illinois' Net Allocation	\$66,286,886.24
Current D-4 Project Funding Request (Funding Request #20 for 57 Electric Buses + Administration Costs)	\$59,420,992.50
Illinois' Remaining Unobligated Allocation	\$6,865,893.74 (not including accrued interest)

Funding Request #20: Anticipated Budget Year Distribution of Project Costs (Equipment + Admin.)	2026	2027	2028 (57 Electric Public Transit Buses)
1. Anticipated Annual Project and Administrative funding request to be paid through the Trust			\$59,420,992.50
2. Anticipated Annual Cost Share			\$19,418,625
3. Anticipated Total Project Funding by Year			\$78,839,617.50

ATTACHMENT C

Detailed Plan for Reporting on Eligible Mitigation Action Implementation (5.2.11) Electric Public Transit Bus Replacements

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 purchase of 57 new electric public transit buses by Pace Suburban Bus and Regional Transportation Authority (RTA) on behalf of Chicago Transit Authority. 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. Both Pace Suburban Bus and RTA 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: Pace Suburban Bus
Regional Transportation Authority

Project ID: Pace Suburban Bus: 2024-016
Regional Transportation Authority: 2024-017

Reports and Reporting Schedule

Estimated execution of grant agreement and start of project:	February 2025
Due date of quarterly project report #1 from Grantee to Illinois EPA:	April 15, 2025 (January-March 2025)
Due date of quarterly project report #2 from Grantee to Illinois EPA:	July 15, 2025 (April-June 2025)
Due date of semi-annual project report #1 from Illinois EPA to Trustee:	July 30, 2025 (January-June 2025)
Due date of quarterly project report #3 from Grantee to Illinois EPA:	October 15, 2025 (July-September 2025)
Due date of quarterly project report #4 from Grantee to Illinois EPA:	January 15, 2026 (October-December 2025)
Due date of semi-annual project report #2 from Illinois EPA to Trustee:	January 30, 2026 (July-December 2025)
Due date of quarterly project report #5 from Grantee to Illinois EPA:	April 15, 2026 (January-March 2026)
Due date of quarterly project report #6 from Grantee to Illinois EPA:	July 15, 2026 (April-June 2026)
Due date of semi-annual project report #3 from Illinois EPA to Trustee:	July 30, 2026 (January-June 2026)
Due date of quarterly project report #7 from Grantee to Illinois EPA:	October 15, 2026 (July-September 2026)
Due date of quarterly project report #8 from Grantee to Illinois EPA:	January 15, 2027 (October-December 2026)
Due date of semi-annual project report #4 from Illinois EPA to Trustee:	January 30, 2027 (July-December 2026)
Due date of quarterly project report #9 from Grantee to Illinois EPA:	April 15, 2027 (January-March 2027)
Due date of quarterly project report #10 from Grantee to Illinois EPA:	July 15, 2027 (April-June 2027)
Due date of semi-annual project report #5 from Illinois EPA to Trustee:	July 30, 2027 (January-June 2027)

Due date of quarterly project report #11 from Grantee to Illinois EPA:	October 15, 2027 (July-September 2027)
Due date of final project report from Grantee to Illinois EPA:	December 30, 2027
Due date of final project report from Illinois EPA to Trustee:	January 30, 2028

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)
Electric Public Transit Bus Replacements**

Pursuant to Section 5.2.6 of the Environmental Mitigation Trust Agreement, Illinois EPA provides the following detailed cost estimates for the purchase of 57 new electric public transit buses by Pace Suburban Bus and the Regional Transportation Authority.

Grantees: Pace Suburban Bus
 Regional Transportation Authority

Project ID: Pace Suburban Bus: 2024-016
 Regional Transportation Authority: 2024-017

Equipment	Equipment Cost	Eligible Award Cost @75%
57 MY 2026 or newer Class 8 Phoenix electric public transit buses	\$1,362,710.52 per bus \$77,674,500 for 57 buses	\$1,022,032.89 per bus \$58,255,875 for 57 buses
TOTALS	\$77,674,500	\$58,255,875

Trust Fund Request 57 Electric Public Transit Buses:	\$58,255,875
Trust Fund Request for Illinois EPA 2% Administrative Costs:	\$1,165,117.50
Total Trust Fund Request for Funding Request #19:	\$59,420,992.50