

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.]**

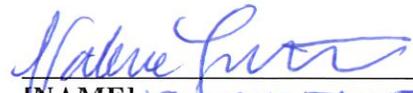
CERTIFICATIONS

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: December 1, 2025



[NAME] VALERIE TRACTURALS
[TITLE] DEPUTY GENERAL COUNSEL
Indiana Department of Environmental Management

[LEAD AGENCY]

for

State of Indiana

[BENEFICIARY]

Appendix D-4 Summary Details

Eligible Mitigation Action Type:

Category 1: Port Drayage Truck

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 purpose of purchase, installation, operation and maintenance of one (1) 2024 model-year, or newer, U.S. EPA emission compliant battery-electric-powered terminal truck that will REPLACE one (1) of the Grantee's model year 1992-2009 existing diesel-powered terminal trucks that will be used for the same purpose. The replacement vehicles will be located and primarily operated in Columbus, Indiana.

Battery-electric-powered terminal trucks dramatically improve air quality and the quality-of-life conditions for operators, 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 2.595 tons of nitrogen oxides (NOx) and 0.407 tons of fine particulate matter (PM2.5).

Estimate of Anticipated NOx Reductions (5.2.3):

Over the lifetime of this terminal truck, U.S. EPA's DEQ model estimates this project will result in a NOx reduction of 2.595 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 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.

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Attachment B Details

Project Schedule and Milestones:

Indiana announces Round 5 - Onroad and Nonroad funding opportunity via online Request for Proposals (RFP)	February 16, 2024
Deadline for Round 5 – Onroad and Nonroad program applications	April 30, 2024
Indiana notifies applicants of award decisions	June 18, 2024
Funding Agreement between Indiana and Grantee is fully executed	October 1, 2024
Grantee project implementation	October 1, 2024 to September 30, 2025

Indiana reviews programmatic, financial, and other 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, 2025
Indiana coordinates with Trustee on any questions or issues that arise related to the submitted Appendix D-4	December 2, 2025 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
<p>Task A</p> <p>The purchase, installation, operation and maintenance of one (1) 2024 model-year, or newer, U.S. EPA emission compliant battery-electric-powered terminal truck that will REPLACE one (1) of the Grantee's model year 1992-2009 existing diesel-powered terminal trucks that will be used for the same purpose. The replacement vehicles will be located and primarily operated in Columbus, Indiana.</p>	\$295,515.00	\$100,110.45	\$395,625.45

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

1) State of Indiana's Total Trust Allocation	\$45,953,516.04
2) Obligated Awards from Previous D-4 Submittals	\$33,878,169.92
3) State of Indiana's Net Remaining Allocation Prior to this D-4 Submittal	\$12,075,346.12
4) Current D-4 Funding Request Total	\$295,515.00
5) State of Indiana's Remaining Allocation After this D-4 Submittal	\$11,779,831.12

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 5 years (2021 to 2025)	\$6,140,382.09	\$2,046,794.03
To Admin (3%) over 5 years (2020 to 2025)	\$1,228,076.42	\$307,019.11
To EMAs (82%) over 5 years (2020 to 2025)	\$33,567,422.08	\$11,189,140.69

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Projected Trust Allocations:

	2020	2021	2022	2023	2024	2025 (4/30/2025+)
1) Anticipated Annual Project Funding Request to be paid through the Trust	\$3,996,653.40	\$4,841,603.20	\$5,174,086.48	\$7,563,755.37	\$15,000,000.00	\$13,948,221.89
2) Anticipated Annual Cost Share (Administrative Costs)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
3) Anticipated Total Project Funding by Year (Line 1 + Line 2)	\$3,996,653.40	\$4,841,603.20	\$5,174,086.48	\$7,563,755.37	\$15,000,000.00	\$13,948,221.89
4) Cumulative Trustee Payments Made to Date Against Cumulative Approved Beneficiary Allocation	\$3,895,454.40	\$4,710,898.20	\$5,165,086.48	\$7,494,846.85	\$5,817,947.20	\$1,872,875.77
5) Current Beneficiary Project Funding to be paid through the Trust (Line 1)	\$101,199.00	\$130,705.00	\$9,000.00	\$68,908.52	\$424,000.00	\$295,515.00
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	\$7,563,755.37	\$6,241,947.20	\$2,168,390.77

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	\$19,359,782.14	\$13,948,221.89
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	\$19,359,782.14	\$13,117,834.94	\$11,779,831.12

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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:

NTN DRIVESHAFT, INC.

8251 S. International Drive
 Columbus, Indiana 47201
 (812)342-7000 Fax (812)342-1155

INVOICE

Invoice #

409

Date:

September 12, 2025

Bill to:

Indiana Dept. of Environmental Mgmt. 100 N Senate Ave Indianapolis, IN 46204-2251
Attn: Shawn M. Seals

Ship to:

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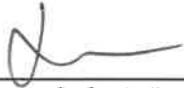
Quantity	Description	Unit Price	Extended Amount
1	IN VW Settlement Round 5-011	\$ 295,515.00	\$ 295,515.00
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -

Note

Subtotal	\$ 295,515.00
Shipping & Handling	
Total Due	\$ 295,515.00

Title and risk of loss pass at Shipping Point, Seller's Plant.

"We hereby certify that these goods were produced in compliance with all applicable requirements of Sections 6,7, and 12 of the Fair Labor Standards Act, as amended, and of regulations and order of the United States Department of Labor issued under Section 14 thereof."



Hiro Nunokawa, Sr Controller



Yuki Sugiyama, Vice-President & CFO

Invoice



Orange EV

900 N. 69th Street
 Kansas City, KS
 USA, 66102
 Phone : 866-688-5223
 AccountsReivable@OrangeEV.com

Invoice No.	00146335
Date	03/26/2025
Contact	Phone : 812-342-7000

Bill To	40645
NTN Driveshaft, Inc 8251 S. International Dr, Columbus, Indiana USA, 47201	

Ship To	40645
NTN Driveshaft, Inc 8251 S. International Dr, Columbus, Indiana USA, 47201	

PO No.	Sales Order No.	Shipping No.	Reference No.	Ship Method	Payment Terms
676249	00032810			Non applicable	25% downpayment, then 0.5% 10 days net 30
Sales Rep		Shipping Date	Carrier		Due Date
Craig Anderson (E0123)			Not Applicable		04/25/2025

No.	Qty	UN	Item	Description	Retail Price	Net Price	Amount	
1	1.000	EA	DEPOSIT	Initial Payment	\$113,962.05	\$113,962.05	\$113,962.05	
			% Planned	Plan. amount	Description	Note(s)	Item	Description
			25.50%	\$113,962.05	TRUCK NAME: OSF1 - 25.5% DEPOSIT			

TRUCK NAME: NTN1
 DEPOSIT

Subtotal:	\$113,962.05
Taxes:	\$0.00
Total:	\$113,962.05
Payment:	\$0.00
Balance:	\$113,962.05

**** Discount of \$569.81 available if payment received by the 04/05/2025 ****

USD

Digitally signed
 by Timothy
 Wise
 Date:
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Invoice



Orange EV

900 N. 69th Street
 Kansas City, KS
 USA, 66102
 Phone : 866-688-5223
 AccountsReivable@OrangeEV.com

Invoice No.	00149288
Date	05/22/2025
Contact	Phone : 812-342-7000

Bill To	40645
NTN Driveshaft, Inc 8251 S. International Dr, Columbus, Indiana USA, 47201	

Ship To	40645
NTN Driveshaft, Inc 8251 S. International Dr, Columbus, Indiana USA, 47201	

PO No.	Sales Order No.	Shipping No.	Reference No.	Ship Method	Payment Terms
676249	00032810	00031791		Non applicable	0.5% 10 days net 30
Sales Rep		Shipping Date	Carrier		Due Date
Craig Anderson (E0123)		05/07/2025	Not Applicable		06/21/2025

No.	Qty	UN	Item	Description	Retail Price	Net Price	Amount
1	1.000	EA	80-001-00290-N	City Charger 100kW	\$49,450.00	\$49,450.00	\$49,450.00

TRUCK NAME: NTN1
 CHARGING CABINET SERIAL# J82223200014A0

Subtotal:	\$49,450.00
Taxes:	\$0.00
Total:	\$49,450.00
Payment:	\$0.00
Balance:	\$49,450.00

**** Discount of \$247.25 available if payment received by the 06/01/2025 ****

USD

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Invoice



Orange EV LLC

900 N. 69th Street
 Kansas City, KS
 USA, 66102
 Phone : 866-688-5223
 AccountsReivable@OrangeEV.com

Invoice No.	00151216
Date	07/08/2025
Contact	Phone : 812-342-7000

Bill To	40645
NTN Driveshaft, Inc 8251 S. International Dr, Columbus, Indiana USA, 47201	

Ship To	40645
NTN Driveshaft, Inc 8251 S. International Dr, Columbus, Indiana USA, 47201	

PO No.	Sales Order No.	Shipping No.	Reference No.	Ship Method	Payment Terms
676249	00032810	00033291		Non applicable	25% downpayment, then 0.5% 10 days net 30
Sales Rep		Shipping Date	Carrier		Due Date
Craig Anderson (E0123)		07/01/2025	Not Applicable		08/07/2025

No.	Qty	UN	Item	Description	Retail Price		Net Price	Amount
1	1.000	EA	CFGPROD_TRUCK_H USK-E	HUSK-e Truck, to be Configured for Specific Jobs HUSK-e Terminal Truck	\$398,125.00		\$398,125.00	\$398,125.00
Options								
								Price
								\$359,950.00
HUSK-e Terminal Truck (4X2)								\$0.00
On-Road/ DOT Configuration								\$0.00
243kWh Battery Pack								\$0.00
Cold Weather Package (winter-grade hydraulic fluid, heated seat)								\$0.00
122" WB Frame - Standard Tail								\$0.00
Axle - Driver Actuated Rear Axle Differential Lock (DCDL)								\$0.00
Frame Extenders								\$0.00
Trailer Stops								\$0.00
Air Conditioning (rooftop mounted unit)								\$0.00
Seat Belt - Lap (2 Point)								\$0.00
Lighting - Custom Lighting Control								\$0.00
Dual-Motorized Mirror Package								\$0.00
Air Hose - Flat, Wrapped								\$0.00
Gladiator Grip Gladhand Extenders								\$0.00
Rear Door - Black Plastic Rock Guard								\$0.00
Standard Tinted Glass								\$0.00
Frame - Galvanized								\$0.00
Kingpin Guides								\$0.00
Seat - Training Seat								\$0.00
Auto-Lube								\$0.00
Fire Extinguisher - Standard Mounting								\$0.00
2	1.000	EA	SALES DISCOUNTS	New Customer Discount	(\$2,500.00)		(\$2,500.00)	(\$2,500.00)
3	1.000	EA	DEPOSIT	Initial Payment	(\$113,962.05)		(\$113,962.05)	(\$113,962.05)

TRUCK NAME: NTN1
TRUCK SERIAL# HRXD25-0307624070
VIN# 1Z9HUSKE2SK530033



2025.07.08
15:11:25
-04:00

available if payment received by the 07/18/2025 **

Subtotal: \$281,662.95
Taxes: \$0.00
Total: \$281,662.95
Payment: \$0.00
Balance: \$281,662.95

USD

View - Orange EV LLC

Name	ABA	Account Number	Account Type	Amount
Orange EV LLC	[REDACTED] WELLS FARGO BANK, NA	[REDACTED]	Checking	113,962.05 USD
Create Prenote	Hold			
No	No			

Transaction Audit History

Status
Entered

Action	Timestamp	User ID	User Name	Company
[REDACTED]				

View - Orange EV LLC

Name	ABA	Account Number	Account Type	Amount
Orange EV LLC	[REDACTED]	[REDACTED]	Checking	49,450.00 USD
	WELLS FARGO BANK, NA			
Create Prenote	Hold			
No	No			

Transaction Audit History

Status
Entered

Action	Timestamp	User ID	User Name	Company
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View - Orange EV LLC

Name	ABA	Account Number	Account Type	Amount
Orange EV LLC	[REDACTED]	[REDACTED]	Checking	281,662.95 USD
	WELLS FARGO BANK, NA			
Create Prenote	Hold			
No	No			

Transaction Audit History

Status
Entered

Action	Timestamp	User ID	User Name	Company
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[REDACTED]