APPENDIX D-4
Beneficiary Eligible Mitigation Action Certification

BENEFICIARY ELIGIBLE MITIGATION ACTION CERTIFICATION

Beneficiary Commonwealth of Kentucky

Lead Agency Authorized to Act on Behalf of the Beneficiary Energy & Env. Cabinet, Office of Energy Policy
(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:	Category 9: Light Duty Zero Emission Vehicle Supply Equipment
Beneficiary's Project ID:	Electric Vehicle Charging Infrastructure Program
Funding Request No.	#4 ■
Request Type: **(select one or more)**	☐ Reimbursement ■ Advance ☐ Other (specify): _____
Payment to be made to: **(select one or more)**	■ Beneficiary ☐ Other (specify): _____
Funding Request & Direction (Attachment A)	■ Attached to this Certification ☐ To be Provided Separately

SUMMARY

Eligible Mitigation Action Action Type	■ Appendix D-2 item (specify): Category 9 - Zero Emission Vehicle Infrastructure ☐ 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):	See attachment G
Detailed Description of Mitigation Action Item Including Community and Air Quality Benefits (5.2.2):	See attachment g
Estimate of Anticipated NOx Reductions (5.2.3):	See attachment G
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):	See attachment D
Describe how the Beneficiary will make documentation publicly available (5.2.7.2).	Every entity receiving funding under the Mitigation Fund are identified on the Kentucky Energy & Environment Cabinet Volkswagen website.
Describe any cost share requirement to be placed on each NOx source proposed to be mitigated (5.2.8).	See attachment B & G
Describe how the Beneficiary complied with subparagraph 4.2.8, related to notice to U.S. Government Agencies (5.2.9).	See attachment G

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).
See attachment G

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** Commonwealth of Kentucky **, 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: 9/4/26

Kenya Stump

[NAME]
[TITLE]

EEC

[LEAD AGENCY]

for

Kentucky

[BENEFICIARY]

ATTACHMENT B

Eligible Mitigation Action Management Plan Including
Detailed Budget and Implementation Expenditures Timeline
Electric Vehicle Charging Infrastructure Program

Milestone	***Date***
RS2020 HB352 outlines Kentucky's plan for expanding the Trust Funds and providing appropriation for expending the funds became effective	7/1/2020
Beneficiary mitigation plan finalized and submitted to Trustee by Energy and Environment Cabinet, Office of Energy Policy (lead agency)	6/1/2020
Public announcement of funding for level 2 and level 3 charging stations	4/1/2024
Webinar	4/24/2024
Application period	5/1/ 2024-5/31/2024
Award to City of Alexandria made	6/1/2024
Public announcement of funding (round two)	3/13/2026
Webinar	3/27/2026
Application period opened (round 2)	4/13/2026
Lead agency approves applications on a first-come, first-serve basis.	4/13/2026-Present
Leady Agency request Trust Funding to reimburse approved and future approved applications under the Electric Vehicle Charging Infrastructure Program	9/8/2026
Lead agency begins review of reimbursement requests and ensuring projects have met compliance with program standards	Q1 2027
Project Completion and final reporting anticipated	Q4 2027

Volkswagen Expenditure Overview

Initial Allocation	**$**	**20,378,649.58**
D4 Draw #1 (School Bus Program)	$	8,660,950.00
Amount Spent from Draw #1 (Transit Bus Program)	$	7,972,196.00
D4 Draw #2 (Transit Bus Program)	$	8,577,400.00
Amount Spent from Draw #2	$	8,520,808.00
Interest Balance as of 5/2026	$	1,676,776.93
Amount Requested for School and Transit Buses – Draw #3	$	1,522,656.33
Amount Remaining (including interest)	$	5,480,420.42
Amount Requested for Light Duty ZEVSE - Draw #4	$	3,310,651.19
Anticipated Amount Remaining by October 2028	$	472,778

We anticipate that we will have $472,778 of unspent funding from Draw #2. The program requirements set forth by the KY legislature require a school bus to have a chassis year of 2001 or earlier and to be in current daily use. The Office of Energy Policy has been unable to locate a school bus meeting these requirements.

ATTACHMENT B

(continued)

Detailed Budget for Draw #3 - Light Duty ZEVSE

Level 2 Project with cost reimbursement cap of 50% up to $25,000

Entity	Total Project Cost Estimate	50% Reimbursement
Red River Gorgeous LLC	$ 20,000.00	$ 10,000.00
City of Newport	$ 50,000.00	$ 25,000.00
City of Covington	$ 94,467.00	$ 25,000.00
City of Alexandria	$ 18,365.40	$ 9,182.70
Perry County Fiscal Couty	$ 61,495.00	$ 25,000.00
Beargrass Development, LLC	$ 33,905.00	$ 16,952.50
R.C. BIGELOW LLC	$ 29,411.00	$ 14,706.00
1000 Delaware LLC	$ 26,338.50	$ 13,169.25
TBD	TBD	$ 25,000.00
TBD	TBD	$ 25,000.00
TBD	TBD	$ 25,000.00
TBD	TBD	$ 25,000.00
TBD	TBD	$ 25,000.00
TBD	TBD	$ 25,000.00
TBD	TBD	$ 25,000.00
TBD	TBD	$ 10,990.05
Level 2		**$ 375,000.00**

Level 3 projects with a cost reimbursement of 50%

Entity	Total Project Cost Estimate	50% Reimbursement
Capital City Airport	$ 371,250.00	$ 185,625.00
TBD	TBD	TBD
TBD	TBD	TBD
TBD	TBD	TBD
TBD	TBD	TBD
Total Level 3 Project Reimbursement		**$ 2,935,651.19**

Total Request: $3,310,651.19

ATTACHMENT C

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

After being named by the Governor as Kentucky's Lead Agency, the Energy and Environment Cabinet created a web site specific to information associated with the administration of the Environmental Mitigation Trust Funds and all activities associated with administering those funds in the Commonwealth.

This site has been used to report on the development of and final Beneficiary Mitigation Plan (BMP) developed by the Commonwealth, as well as the entities chosen to receive funding under each activity outlined in the BMP.

This site is used to provide the public with a comprehensive, transparent accounting of the information on funding, as well as the information being submitted by the chosen entities and funds distributed in the state.

The most recent version of the semi-annual reports associated with each activity will be posted on this dedicated web site as the reports are submitted to the Trustee.

All information from entities receiving funds under this trust, reimbursements made, will be posted on the web site.

Kentucky's BMP

The Kentucky Energy and Environment Cabinet, Office of Energy Policy, will provide detailed reporting on this Environmental Mitigation Trust project in two ways:

1. Timely updates to Kentucky EEC Volkswagen Settlement public-facing webpage which can be accessed at https://eec.ky.gov/Energy/Programs/Pages/Volkswagen-Settlement.aspx.
2. Kentucky's semi-annual Beneficiary Reporting Obligations to Wilmington Trust (the "Trustee").

The Commonwealth of Kentucky's Beneficiary Mitigation Plan and all documentation and records submitted by the Beneficiary in support of each funding request to the Trustee is and will be available to the public on the agency webpage. The webpage will be updated with the latest information to inform the general public about the project's status as well as when these projects have been completed. Kentucky shall comply with Subparagraph 5.3 of the Environmental Mitigation Trust Agreement for State Beneficiaries, which details the following

Beneficiary Reporting Obligations:

- 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 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. The Commonwealth of Kentucky has not availed itself of the DERA Option described in Appendix D-2.
- All entities approved to be reimbursed for the installation of ZEVSE must provide proof that the ZEVSE has met all program requirements, has installed and made operable the station, networked the station, agreed to provide maintenance to the station, and agrees to achieve a 95% up-time prior to receiving any reimbursement under this program. Entities have agreed to provide usage data to the EEC when requested to ensure ZEVSE remains operable and meets up-time requirements.
- Only costs necessary for, and directly connected to, the acquisition, installation, operation and maintenance of new light duty zero emission vehicle supply equipment will be reimbursed under this program.
- Only level two and fast charging equipment located in a public place, workplace, or multi-unit dwelling and is not consumer light duty electric vehicle supply equipment (i.e., not located at a private residential dwelling that is not a multi-unit dwelling) will be eligible under this program.
- Information on awardees under both the Electric Vehicle Charging Infrastructure Program has been posted on the Cabinet VW website and are being provided to the Trustee with the submittal of this document.

ATTACHMENT D

Detailed Cost Estimates from Selected or Potential Vendors for Each Proposed Expenditure Exceeding $25,000 (5.2.6)

The estimated reimbursement amounts to subrecipients under the ZEVSE program are included with this documentation to the Trustee. At the time of this submission, only one project's reimbursement amount is planned to exceed $25,000 and a detailed cost estimate is provided below. For projects with reimbursements of over $25,000 receiving approval following the submission of this D-4, detailed cost will be provided to the Trustee with the semi-annual reports and documented on the cabinet's website devoted to the Kentucky portion of the Volkswagen Trust.

Capital City Airport

Equipment and Contractual Expenses

Equipment Item	Qty	Unit Cost	Total Cost	Basis of Cost	Justification of need
Tesla V4 Superchargers	2	$62,500	$125,000	KYTC Estimates	Charging unit needed to charge vehicles
Installation of the Charging Units	2	$55,000	$110,000	KYTC Estimates	Installation of Tesla V4 Charging Stations
Frankfort Plant Board Cost for modification of the existing transformer to provide sufficient capacity for the installation	1	$71,000	$71,000	FPB Site Visit and email estimate.	Transformer must be upgraded for the installation

Construction Costs

General Description	Cost	Basis of Cost	Justification of need
20 ft Light Pole installation at the charging station.	$32,500	KYTC estimate.	Lighting needed for the charging area to be safe and ADA compliant
Trenching of power line from transformer to the charging station location.	$30,750	KYTC estimate.	Power needed for charging station.
Installation of concrete bollard barriers around charging station.	$2,000	KYTC estimate.	Protection of charging station from vehicles

Total Project Cost: $371,250

Total Eligible for Reimbursement: $185,625 (50% of eligible expenses)

ATTACHMENT G

BENEFICIARY ELIGIBLE MITIGATION ACTION CERTIFICATION SUMMARY

5.2.1 – Explanation of how funding request fits into Beneficiary's Mitigation Plan

The Commonwealth allocated $ 3,056,700 (15% of our original allocation) and 15% of our accrued interest for expenses associated with the deployment of zero emission vehicle supply equipment to offset emissions from light duty diesel and non-diesel vehicles as established in the Consent Decree. Recipients shall provide at least 50% of matching funds per project.

5.2.2 & 5.2.3 – Detailed Description of Mitigation Action Item Including Community and Air Quality Benefits/Estimate of Anticipated NOx Reductions

The project involves the installation of Level 2 and fast-charging electric vehicles supply equipment (DCFC EVSE). This infrastructure will encourage widespread adoption of EVs, which do not produce any direct emissions. Widespread adoption of EVs maximizes air quality benefits by reducing particulate emissions, greenhouse gas emissions and the carcinogens associated with fossil fuel exhaust.

5.2.7.2 – Describe how the Beneficiary will make Documentation Publicly Available

Please see Attachment C outlining how Kentucky will make information and documentation publicly available.

5.2.8 – Describe any Cost share requirement to be placed on each NOx source proposed to be mitigated.

All projects are subject to a minimum 50% cost match. Level 2 projects are capped at a $25,000 reimbursement and thus some projects require a cost match higher than 50%.

5.2.9 – A description of how the Beneficiary complied with subparagraph 4.2.8.

The Commonwealth of Kentucky satisfied the requirements of Section 4.2.8, Notice of Availability of Mitigation Action Funds, by providing notice of the Volkswagen Environmental Mitigation Trust Agreement and its attachments to relevant federal agencies with custody, control, or management of lands within or contiguous to the Commonwealth's boundaries. The notice informed these agencies that they may request Eligible Mitigation Action funding for projects located on federally managed lands and outlined the procedures by which such requests would be reviewed, considered, and addressed through a written determination by the Commonwealth. This notification was

completed within the required timeframe following Kentucky's designation as a Beneficiary under the Trust Agreement.

5.2.10 – If applicable, describe how the mitigation action will mitigate the impacts of NOx emission on communities that have historically borne a disproportionate share of the adverse impacts of such emissions.

The installation of EVSE will encourage the adoption of EVs statewide. Because EVs produce no tailpipe emissions, air quality benefits will be conferred wherever they are driven when compared to traditional fossil-fuel burning vehicles. As more people elect to purchase and drive EVs, the costs for purchasing them will decrease, making them more affordable for those in low-income (disadvantaged) area.