APPENDIX D-4
Beneficiary Eligible Mitigation Action Certification

BENEFICIARY ELIGIBLE MITIGATION ACTION CERTIFICATION

Beneficiary Commonwealth of Massachusetts

Lead Agency Authorized to Act on Behalf of the Beneficiary Department of Environmental Protection
(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:	Massachusetts Electric Vehicle Incentive Program (MassEVIP)
Beneficiary's Project ID:	MassEVIP
Funding Request No.	*(sequential)* N/A
Request Type: **(select one or more)**	☐ Reimbursement ☐ Advance ■ Other (specify): Modified general D-4 submitted for 30-day review by Wilmington Trust
Payment to be made to: **(select one or more)**	☐ Beneficiary ■ Other (specify): Grantee or grantee's vendor, only after Disbursement Agreement forms filed
Funding Request & Direction (Attachment A)	☐ Attached to this Certification ■ To be Provided Separately

SUMMARY

Eligible Mitigation Action Action Type	■ Appendix D-2 item (specify): EMA 9, Light Duty Zero Emission Vehicle Supply Equipment ☐ 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 attached	
Detailed Description of Mitigation Action Item Including Community and Air Quality Benefits (5.2.2): See attached	
Estimate of Anticipated NOx Reductions (5.2.3): See attached	
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): Massachusetts Department of Environmental Protection (MassDEP)	
Describe how the Beneficiary will make documentation publicly available (5.2.7.2). See attached	
Describe any cost share requirement to be placed on each NOx source proposed to be mitigated (5.2.8). See attached	
Describe how the Beneficiary complied with subparagraph 4.2.8, related to notice to U.S. Government Agencies (5.2.9). See attached	

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 attached

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** Massachusetts **, 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: 09/15/2026

Bonnie Heiple, Commissioner

[NAME]
[TITLE]

Department of Environmental Protection

[LEAD AGENCY]

for

Massachusetts

[BENEFICIARY]

[SAMPLE ATTACHMENT B - USE OF THIS FORMAT IS NOT MANDATORY]

PROJECT MANAGEMENT PLAN
PROJECT SCHEDULE AND MILESTONES

Milestone	Date
Lead Agency Provides Notice of Availability of Mitigation Action Funds	1/18/19
Project Sponsor Submits Proposal to Lead Agency	Ongoing
Lead Agency Provides Written Approval of Project Sponsor's Proposal	Ongoing
Lead Agency Incorporates Project Sponsor's Proposal into Mitigation Plan	12/7/18&12/17/19
Trustee Acknowledges Receipt of Project Certification and Funding Direction	TBD
Trustee Allocates Share of State Funds for Approved Project	TBD
Lead Agency Directs Funding (Advance Funded Projects)	N/A
Project Sponsor Obtains Cost Share, Notifies or Certifies to Lead Agency	Ongoing
Project Sponsor Enters into Contracts, Purchase Orders, etc. - Start	Ongoing
Project Sponsor Enters into Contracts, Purchase Orders, etc. - Complete	Ongoing
Project Installation(s) – Start	Ongoing
Project Installation(s) – Complete	Ongoing
Project Sponsor provides detailed invoices for all claimed project costs, documentation for emission reduction estimates, required certification documents to Lead Agency to support direction to Trustee for Payment (Reimbursement, Direct-to-Vendor) or final accounting (Forward Funded Projects)	-
Lead Agency completes review and certifies payment direction to Trustee (Reimbursement)	Ongoing
Trustee Acknowledges Receipt of Direction for Payment(s) (Advance Funded, Reimbursement)	-
Project Sponsor Certifies Project Completion	Ongoing
Lead Agency Reports Project Completion	Ongoing

PROJECT BUDGET

Period of Performance: MassEVIP through 12/31/2026

Budget Category	Total Approved Budget	Share of Total Budget to be Funded by the Trust	Cost-Share, if applicable (Entity #1)	Cost-Share, if applicable (Entity #2)
1. Equipment Expenditure	$ 20,925,566.24	$ 12,754,683.46	$ 8,170,882.78	$
2. Contractor Support *(Provide List of Approved Contractors as Attachment with approved funding ceilings)*	$ 0	$ 0	$ 0	$
3. Subrecipient Support *(Provide List of Approved Subrecipients or Grant Awardees as Attachment with approved funding ceilings)*	$ 0	$ 0	$ 0	$
4. Administrative[1]	$ 31,827.50	$ 31,827.50	$ 0	$
Project Totals	$ 20,957,393.74	$ 12,786,510.96	$ 8,170,882.78	$
Percentage	15.00 %	15.00 %	N/A %	%

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

PROJECTED TRUST ALLOCATIONS:

	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026
1. Anticipated Annual Project Funding Request to be paid through the Trust	$0.00	$0.00	$61,053.00	$4,820,355.03	$9,606,750.41	$18,544,485.61	$2,859,740.13	$588,851.23	$10,472,286.64	$24,220,246.52
2. Anticipated Annual Cost Share	$0.00	$0.00	$41,262.00	$852,331.03	$6,609,649.40	$5,574,515.96	$2,246,058.08	$303,189.15	$1,775,600.86	$6,203,288.42
3. Anticipated Total Project Funding by Year (line 1 plus line 2)	$0.00	$0.00	$102,315.00	$5,672,686.06	$16,216,399.81	$24,119,001.57	$5,105,798.21	$892,040.38	$12,247,887.50	$30,423,534.94
4. Cumulative Trustee Payments Made to Date Against Cumulative Approved Beneficiary Allocation	$0.00	$0.00	$0.00	$61,053.00	$4,881,408.03	$14,488,158.44	$33,032,644.05	$35,892,384.18	$36,481,235.41	$46,953,522.05
5. Current Beneficiary Project Funding to be paid through the Trust (line 1)	$0.00	$0.00	$61,053.00	$4,820,355.03	$9,606,750.41	$18,544,485.61	$2,859,740.13	$588,851.23	$10,472,286.64	$24,220,246.52
6. Total Funding Allocated to for Beneficiary, inclusive of Current Action by Year (line 4 plus line 5)	$0.00	$0.00	$61,053.00	$4,881,408.03	$14,488,158.44	$33,032,644.05	$35,892,384.18	$36,481,235.41	$46,953,522.05	$71,173,768.57
7. Beneficiary Share of Estimated Funds Remaining in Trust	$75,162,423.89	$75,362,154.91	$76,954,104.97	$78,418,528.54	$73,615,307.76	$64,406,364.21	$47,672,454.66	$46,914,502.35	$48,056,686.36	$38,289,884.34
8. Net Beneficiary Funds Remaining in Trust, net of cumulative Beneficiary Funding Actions (line 7 minus line 6)	$75,162,423.89	$75,362,154.91	$76,893,051.97	$73,537,120.51	$59,127,149.32	$31,373,720.16	$11,780,070.48	$10,433,266.94	$1,103,164.31	-$32,883,884.23
8a. Corrected Net Beneficiary Funds Remaining in Trust, net of cumulative Beneficiary Funding Actions (line 7 minus line 5)	$75,162,423.89	$75,362,154.91	$76,893,051.97	$73,598,173.51	$64,008,557.35	$45,861,878.60	$44,812,714.53	$46,325,651.12	$37,584,399.72	$14,069,637.82

Attachment to

BENEFICIARY ELIGIBLE MITIGATION ACTION CERTIFICATION

SUMMARY

Explanation of how funding request fits into Beneficiary's Mitigation Plan (5.2.1):
MassEVIP provides incentive funding to public, private and non-profit owners of Massachusetts property, or their representatives, to cover a portion of funding for the purchase and installation of electric vehicle (EV) charging stations accessible to residents (Multi-Unit Dwelling and Educational Campus [MUDC] Charging), the general public (Public Access Charging [PAC] and Direct Current Fast Charging [DCFC]), students and staff (MUDC and DCFC) and employees and employers (Workplace and Fleet [WPF] Charging). MassEVIP consists of four programs:

-Multi-Unit Dwelling and Educational Campus Charging (funds the purchase and installation of charging station equipment at dwellings with 5 or more residential units for dwelling residents and at educational campuses with at least 15 students on-site);
-Public Access Charging (funds the purchase and installation of Level 1 and 2 charging station equipment at non-residential sites for use by the general public);
-Direct Current Fast Charging (funds the purchase and installation of DCFC station equipment at non-residential sites for use by the general public); and
-Workplace and Fleet Charging (funds the purchase and installation of charging station equipment at workplaces with 10 or more employees for employee use only).

MassEVIP meets and fulfills the following five goals identified in the Massachusetts Beneficiary Mitigation Plan (BMP):

1) Help the Commonwealth in achieving GHG emission reduction targets and reduce air pollution in the transportation network;
2) Promote electrification of the State's transportation network;
3) Drive technological and policy progress in air pollution mitigation and GHG emissions reduction in the transportation network;
4) Serve disadvantaged communities; and
5) Promote equitable geographic distribution across the state.

MassEVIP supports each of the five goals by: a) focusing on achieving GHG and air pollution reductions through the placement of new passenger vehicle electric charging ports to supplement the state's existing network of publicly accessible charging stations (Goals 1 & 2); b) allowing for the introduction of new charging station technology (Goal 3); c) serving communities with known disadvantaged communities(Goal 4); and d) siting the charging stations in a range of geographic areas across Massachusetts, including at least $300,000 and $200,000 worth of equipment in each of MassDEP's four regions under competitive Public Access Charging and Direct Current Fast Charging, respectively (Goal 5).

Massachusetts was allocated $75,064,424.40 (prior to investment earnings) under the VW Settlement. The Settlement allows a maximum of 15%, or $11,259,663.66, to be used to support the acquisition, installation and maintenance of Light Duty Zero Emission Vehicle Supply Equipment (EVSE) under EMA 9. MassDEP's December 2019 Amendment to *Final Massachusetts Volkswagen Settlement Beneficiary Mitigation Plan* (https://www.mass.gov/doc/amendment-to-massachusetts-volkswagen-settlement-beneficiary-mitigation-plan-december-2019/download) specifies "Massachusetts plans to use the full

15% of the Trust funding allowed for the acquisition, installation and maintenance of light duty EVSE." 15% of the $75,064,424.40 initial allocation is $11,259,663.66: the final amount spent may be higher due to investment earnings on the balance of funds in the Trust, but not more than the 15% allowed for light duty EVSE. The Settlement also allows a maximum of 15%, or $11,259,663.66, to be used for the actual administrative expenditures associated with implementing all eligible mitigation projects. MassDEP's April 2023 Amendment to *Final Massachusetts Volkswagen Settlement Beneficiary Mitigation Plan* (https://www.mass.gov/doc/amendment-to-massachusetts-volkswagen-settlement-beneficiary-mitigation-plan-april-2023/download) allocated $50,000 for administrative costs to disburse checks to grantees across all EMAs, well below the maximum allowed amount.

EMA 9 funds liquidated to date include $61,053 in 2019, $3,459,157.95 in 2020, $2,409,286.44 in 2021, and $5,430,382.99 in 2023 for a total of $11,359,880.38.

EMA 9 Grantees have received $61,053 in 2019, $728,576.28 in 2020, $1,694,130.18 in 2021, $3,147,100.41 in 2022, $2,259,740.13 in 2023, $588,851.23 in 2024, $1,257,883.49 in 2025, and $804,540.48 in the first half of 2026, for a total of $10,541,875.20, as further detailed in MassDEP's semiannual VW reports at https://www.mass.gov/lists/past-massdep-vw-settlement-semiannual-reports.

Therefore, the remaining unspent liquidated funds are $818,005.18.

This MassEVIP EMA 9 D-4 submittal is an increase in EMA 9 liquidated funds from $11,359,880.38 to $12,786,510.96 (an increase of $1,426,630.58). The $12,786,510.96 includes project funds of $12,754,683.46 and administrative funds of $31,827.50. $12,786,510.96 equal 15% of Massachusetts initial $75,064,424.40 allocation, plus 15% of $10,178,981.99 in investment earnings through July 2026. The increased amount to liquidate is $1,426,630.58.

The page 8 Table in this D-4 includes actual VW spending through 2025, as further detailed in MassDEP's semiannual VW reports at https://www.mass.gov/lists/past-massdep-vw-settlement-semiannual-reports, and projected VW spending in 2026

Detailed Description of Mitigation Action Item Including Community and Air Quality Benefits (5.2.2):
MassDEP has posted MassEVIP application forms and requirements documents at:
https://www.mass.gov/how-to/apply-for-massevip-multi-unit-dwelling-educational-campus-charging-incentives
https://www.mass.gov/how-to/apply-for-massevip-public-access-charging-incentives
https://www.mass.gov/how-to/apply-for-massevip-direct-current-fast-charging-incentives
https://www.mass.gov/how-to/apply-for-massevip-workplace-fleet-charging-incentives

In an effort to provide continuing community benefits, MassEVIP requires grantees to:

-Have evidence of ownership of the location or that installation is allowed on the property (i.e., written permission of owner, pertinent language in lease, or easement, etc.);
-Allow all residents to have practical access to, and use of, the EV charging station (MassEVIP Multi-Unit Dwelling Charging only);
-Allow the general public to have practical access to, and use of, the parking space and the EV charging station for a minimum of 24 hours per day (Direct Current Fast Charging only) or 12 hours per day (MassEVIP Public Access Charging only);
-Allow all employees to have practical access to, and use of, the EV charging station (MassEVIP Workplace Charging only);
-Allow all students and staff to have practical access to, and use of, the EV charging station

(MassEVIP educational campus grantees only);
-Install and operate the EV charging station within six, 12 or 24 months of the effective date of the contract between funding recipients and the Commonwealth for existing non-DCFC, existing DCFC and new locations, respectively;
-Operate and maintain the EV charging station for three full consecutive years after the date the charging station is operational.

Additionally, funding recipients who are required to provide handicapped accessible parking spaces in their parking area under the 1991 or 2010 Americans with Disabilities Act Architectural Design Standards and/or the rules and regulations of the Massachusetts Architectural Access Board (521 CMR) must meet accessibility requirements for EV charging spaces (locations must have at least 5% of the site's EV charging spaces, but not less than one such space, be accessible to persons with disabilities).

Air quality benefits include the elimination of NOx, carbon dioxide (CO_2), carbon monoxide (CO), particulate matter (PM), and hydrocarbons (HC) tailpipe emissions from conventional internal combustion vehicles. Reduced exposure to these pollutants provides additional community benefits.

Estimate of Anticipated NOx Reductions (5.2.3):
While it is not possible to precisely predict the NOx reductions, an estimate is: Assuming an average new midsize gasoline passenger car, traveling the Massachusetts average annual vehicle miles, was replaced by an electric vehicle charging from the MA electric grid (which has natural gas as its marginal electric generating unit fuel), the reductions would be approximately 0.0023 metric tons NOx and 2.39 metric tons CO_2 equivalents (CO_2e) per year per vehicle.
Actual miles driven will determine the actual NOx and CO_2e reductions.

Describe how the Beneficiary will make documentation publicly available (5.2.7.2).
As detailed in the Massachusetts Attachment to D-3:
"In addition to compliance with the Public Records Law, and in order to enhance access and reduce the burden for the general public, MassDEP will continue to post appropriate records regarding the VW settlement agreement and MassDEP's implementation of the Beneficiary Mitigation Plan, including records submitted by MassDEP in support of funding requests and expenditures of Trust Funds, on its searchable website at http://www.mass.gov/dep. The website can be used to easily access and produce electronic copies of such records without the need for a formal public records request."

Describe any cost share requirement to be placed on each NOx source proposed to be mitigated (5.2.8).
MassEVIP Multi-Unit Dwelling and Educational Campus Charging, educational campus sites under Direct Current Fast Charging, and MassEVIP Workplace and Fleet Charging each require grantees to provide at least 40% of the cost of EV charging station equipment plus installation from non-VW funding sources (grantees participating in utility programs must provide 100% of the cost of installation from non-VW sources). MassEVIP Public Access Charging and Direct Current Fast Charging do not require grantees on government owned property to provide a cost share, but require grantees on non-government owned property to provide at least 20% of the cost of EV charging station equipment plus installation from non-VW funding sources (grantees participating in utility programs must provide 100% of the cost of installation from non-VW sources). MassEVIP Direct Current Fast Charging will pay up to $50,000 per station and MassEVIP Multi-Unit Dwelling and Educational Campus Charging, Public Access Charging and Workplace and Fleet Charging will each pay up to $50,000 per address, so grantees must pay 100% of the costs above $50,000 from non-VW funding sources.

Describe how the Beneficiary complied with subparagraph 4.2.8, related to notice to U.S. Government Agencies (5.2.9).
On February 27, 2018, MassDEP, the designated lead agency for the Beneficiary, the Commonwealth of Massachusetts, notified agencies via e-mail that they could "request Eligible Mitigation Action funds for

use on lands within the Department of Interior's/Department of Agriculture's custody, control or management (including, but not limited to, Clean Air Act Class I and II areas)." MassDEP notified the Department of the Interior, National Park Service, Air Resources Division; the Department of the Interior, U.S. Fish and Wildlife Service; the Department of Agriculture; and the U.S. Coast Guard Base Cape Cod.
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). For the MassEVIP Public Access Charging and Direct Current Fast Charging competitive grants, one project selection criterion is whether applicants' projects are located in communities that have historically borne a disproportionate share of NOx emissions. MassDEP will monitor the locations awarded MassEVIP funding, and has indicated in the Multi-Unit Dwelling and Educational Campus Charging, Public Access Charging, and Workplace and Fleet Charging "Requirements" documents that "MassDEP reserves the right to ensure equitable distribution of MassEVIP funding geographically across the Commonwealth and among eligible applicants." Because one of the goals of the MA BMP is furthering the adoption of electric vehicles, the installation of electric vehicle charging stations in all areas of the state under MassEVIP will help mitigate NOx emissions in communities that have historically borne a disproportionate share of NOx emissions.

ATTACHMENT C

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

As detailed in Massachusetts Attachment to D-3, filed November 21, 2017:
"In addition to compliance with the Public Records Law, and in order to enhance access and reduce the burden for the general public, MassDEP will continue to post appropriate records regarding the VW settlement agreement and MassDEP's implementation of the Beneficiary Mitigation Plan, including records submitted by MassDEP in support of funding requests and expenditures of Trust Funds, on its searchable website at http://www.mass.gov/dep. The website can be used to easily access and produce electronic copies of such records without the need for a formal public records request."

In addition, Wilmington Trust will post on its public facing website the semi-annual reports MassDEP is required to submit pursuant to Settlement section 5.3:

"**5.3 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 1 and July 1 of each year, each Beneficiary shall serve upon 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. … The Trustee shall post each semiannual report on the Trust's public-facing website upon receipt."

ATTACHMENT D

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

As detailed above (in *Describe any cost share requirement to be placed on each NOx source proposed to be mitigated (5.2.8)*), MassEVIP Direct Current Fast Charging will pay up to $50,000 per station and MassEVIP Multi-Unit Dwelling and Educational Campus Charging, Public Access Charging and Workplace and Fleet Charging will each pay up to $50,000 per address. Therefore, there is the potential for a single vendor to receive more than $25,000 for a particular project. Quotes are required to be submitted to MassDEP with MassEVIP applications. MassDEP will only fund costs as detailed on Section 5.2.8 above, and in no case more than actual costs incurred. Final actual invoices are required to be submitted to MassDEP with MassEVIP payment requests.

As agreed by MassDEP and Wilmington Trust in a December 2019 disbursement agreement, Wilmington Trust will disburse checks to grantees or vendors. Attached is an explanatory document to be enclosed with such checks.

You are receiving the enclosed check in response to a payment request submitted to the Massachusetts Department of Environmental Protection (MassDEP) related to an award of Massachusetts Electric Vehicle Incentive Program (MassEVIP) grant funding from the Volkswagen Environmental Mitigation Trust. Should you have any questions about this check, please contact Ms. Haidee Janak at MassDEP at Haidee.Janak@mass.gov . Do not contact Wilmington Trust, N.A. with questions. Thank you.