

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): _____
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).

SUMMARY ATTACHMENT

Explanation of how funding request fits into Beneficiary's Mitigation Plan (5.2.1):

The primary goal of the State of Delaware's Volkswagen Environmental Mitigation plan is to improve and protect ambient air quality by implementing eligible mitigation projects that will achieve significant and sustained reductions in NOx emission exposures in areas with poor air quality; areas with historical air quality issues; and areas that receive a disproportionate quantity of air pollution from diesel. The Delaware Department of Natural Resources and Environmental Control (DNREC) is partnering with Evergreen Waste Services to scrap and replace 5 diesel class 8 refuse trucks. The new trucks will be replaced as electric, and the purchase will include the electric charging infrastructure to operate the units. Evergreen Waste Services currently operates their existing diesel units 8-10 hours a day in a poorly served community in New Castle. Evergreen Waste Services is committed to providing reliable, innovative, and efficient green solutions in protecting air quality and the community. Delaware's Volkswagen Environmental Mitigation Plan is attached to further support this funding request.

Detailed Description of Mitigation Action Item Including Community and Air Quality Benefits (5.2.2):

DNREC is partnering with Evergreen Waste Services to scrap and replace 5 diesel trucks in an EPA Priority County, New Castle. The trucks will be replaced with electric trucks and the cost will include electric charging infrastructure. The lifetime emission reductions (in short tons) for the 5 trucks are as follows:

NOx – 17.054 HC – 0.605 CO – 3.973 PM2.5 – 0.671

Describe How the Beneficiary will Make Documentation Publicly Available (5.2.7.2)

Subparagraph 5.2.7.2 of the Environmental Mitigation Trust Agreement for State Beneficiaries requires that Beneficiaries include in their funding requests:

A commitment by the Beneficiary to maintain and make publicly available all documentation submitted in support of the 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, together with an explanation of the procedures by which the Beneficiary shall make such documentation publicly available;

DNREC is committed to maintaining and making publicly available all documentation submitted in support of the funding requests and all records supporting all expenditures of Eligible Mitigation Action funds. The public will be able to view funding requests on the DNREC website. DNREC will maintain these records on the Volkswagen (VW) Environmental Mitigation Trust Fund specific webpage. The webpage is designed to support public access and limit burden for the general public. The webpage can currently be found at <https://dnrec.alpha.delaware.gov/air/mobile-sources/vw-mitigation-plan/>.

DNREC also created an electronic listserv. The Listserv is open to the public, used to

communicate news, events, and information related the Environmental Mitigation Trust Fund. The listserv is advertised through the website and at public events related to the Volkswagen Environmental Mitigation Fund.

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

The Delaware Department of Natural Resources and Environmental Control sent emails to the representatives from the U.S. Department of the Interior and the U.S. Department of Agriculture listed in subparagraph 4.2.8 of the State Trust Agreement on February 19, 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 State of Delaware has been designated by the U.S. Environmental Protection Agency (EPA) as non-attainment for ozone (2008 and 2015 standards) in New Castle County and Sussex (2008 standards). Delaware's New Castle County has also been re-designated as attaining the fine particulate matter standard for both 1997 and 2006. New Castle County has a 10-yr maintenance plan in place.

The Department has recommended that Volkswagen Environmental Mitigation Funds under Phase 4 be used to replace 5 Class 8 diesel refuse trucks with cleaner electric trucks and associated charging infrastructure. DNREC's 2017 Emissions Inventory has concluded that up to 38% of in-state NOx emissions can be attributed to the transportation sector. Delaware's emissions from heavy and medium duty vehicles are becoming an increasingly larger source of overall mobile source emissions for nitrogen oxides (NOx).

Lastly, replacing the diesel trucks with electric vehicles will assist the Department in reducing emissions in Delaware's environmental justice areas. Environmental Justice is the act of equity among all races, ethnicities, income, and social classes of people and includes any census tract with a poverty level of 20% or higher and where 30% or more are considered minorities. The Department's mission relative to environmental justice ensures that no particular area receives disproportionate environmental impacts due to air pollution.

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: _____



[NAME] Lisa Borin Ogden
[TITLE] Deputy Secretary

[LEAD AGENCY]

for

[BENEFICIARY]

ATTACHMENT B

**Eligible Mitigation Action Management Plan Including Detailed Budget and
Implementation and Expenditures Timeline**

Project management Plan/ Project Schedule and Milestones

Milestone	Date
Solicitation of Phase 4 Project Partner	Q1 2022
Evergreen Waste Services Project selected for Phase 4	Q3 2022
DNREC/Evergreen Waste Services contract signed for Phase 4	Q1 2023
Evergreen Waste Services orders new Trucks & installs electric	Q1 2023
Trustee Receives Funding Request - Funding Approved/Issued to DNREC	Q3 2023
DNREC makes reimbursements	Q1 2024

Project Budget

Budget Category	Federal DERA Grant Funds	Share of Total Budget Funded by the Trust	Cost Share (Paid by Project Partner)	Sub-Total
VW Phase 4 Evergreen Waste Services (5) Class 8 electric truck replacements w/infrastructure				
1M2AC08C76M012699	-	\$305,685.00	\$373,615.00	\$679,300.00
1M2AC07C66M011447	-	\$305,685.00	\$373,615.00	\$679,300.00
1M2AC07C25M011069	-	\$305,685.00	\$373,615.00	\$679,300.00
1M2K195C63M021716	-	\$305,685.00	\$373,615.00	\$679,300.00
1M2K195C72M020444	-	\$305,685.00	\$373,615.00	\$679,300.00
Project Totals	\$0	\$1,528,425.00	\$1,868,075.00	\$3,396,500.00
Cost Share Percentage	-	45%	55%	100%

PROJECTED TRUST ALLOCATIONS

	2023
1. Anticipated Annual Project Funding Request to be paid through the Trust	\$1,528,425
2. Anticipated Annual Cost Share	\$1,868,075
3. Anticipated Total Project Funding by Year (line 1 plus line 2)	\$3,396,500
4. Cumulative Trustee Payments Requested/Made to Date Against Cumulative Approved Beneficiary Allocation	\$ 0
5. Current Beneficiary Project Funding to be paid through the Trust (line 1)	\$1,528,425
6. Total Funding Allocated to Beneficiary, inclusive of Current Action by Year (line 4 plus line 5)	\$1,528,425
7. Beneficiary Share of Estimated Funds Remaining in Trust	\$3,604,821.43
8. Net Beneficiary Funds Remaining in Trust, net of cumulative Beneficiary Funding Actions (line 7 minus line 6)	\$2,076,396.43

ATTACHMENT C

Detailed Plan For Reporting On Eligible Mitigation Action Implementation

The Delaware Department of Natural Resources and Environmental Control (DNREC) will provide detailed reporting on Volkswagen Phase-4 class 8 refuse truck Replacements in the following ways:

- Timely updates to DNREC Volkswagen (VW) Environmental Mitigation Plan webpage;
- Delaware's semiannual reporting obligations to Wilmington Trust (the "Trustee"); and
- Quarterly reports submitted to the Environmental Protection Agency (EPA).

DNREC maintains a Volkswagen (VW) Environmental Mitigation specific webpage that has been designed to support public access and limit burden for the general public. DNREC's VW specific webpage can be found at <https://dnrec.alpha.delaware.gov/air/mobile-sources/vw-mitigation-plan/>. Timely updates to the webpage will inform the general public on the each project's status.

DNREC shall, in the next semiannual report following the Trustee's approval of this project, describe the progress implementing this Eligible Mitigation Action that will include a summary of all costs expended on the Eligible Mitigation Action through the reporting date per 5.3 of the Environmental Mitigation Trust Agreement for State Beneficiaries. The report will also include a complete description of the status, development, implementation (including project schedule and milestone updates), and any modification to this Eligible Mitigation Action.

DNREC will submit timely reports to the EPA. They will also be included in the semiannual reports that DNREC provides to the Trustee.

ATTACHMENT D

Detailed Cost Estimates From Selected or Potential Vendors For Each Proposed Expenditure Exceeding \$25,000.

The Delaware Department of Natural Resources and Environmental Control (DNREC) has provided detailed cost estimates from the Evergreen Waste Services. The Department has included a copy of NAT220002-Evergreen Waste Services Replacement Project application which includes copies of costs for the truck replacements.



Contract NAT22002 – VWEMTFP

Submission Date: March 21, 2022

Evergreen Waste Services, LLC

**Environmental Justice Garbage Truck Electrification
Project**

Environmental Mitigation Trust Fund Project Phase 4

Company Contact:

Evergreen Waste Services, LLC

Marcus Stevens

1 (302) 635- 7055

619 Lambson Lane

New Castle, DE 19720



To Whom it May Concern,

Evergreen Waste Services, LLC (Evergreen Waste Services) appreciates the opportunity to present our response to the Delaware Volkswagen Environmental Mitigation Trust Program-Phase 4 call for projects to deploy 5 electric LR Mack class 8 refuse trucks in an EPA Priority County, New Castle, and Disadvantaged and Environmental Justice Community, Southbridge. Evergreen Waste Services, LLC is responding to this Project Solicitation with the hope to accelerate adoption and deployments of zero-emission MD/HD vehicles; thus, decreasing the amount of harmful Green House Gases (GHG) and improving the air quality and lives of the citizens within the State of Delaware.

Evergreen Waste Services is a small, local company established in 2010 that serves as a residential hauler of garbage, recycling, and yard waste. In Delaware, we are the only company that offers pickups of recycling, garbage, and yard waste on the same day to all customers. We believe in being a good steward of the environment and making communities safer, cleaner, and better places to raise your family and live. With a strong philosophy in volunteerism, our company strives to be a positive impact on the communities we serve. This is the first phase of our goal to electrify our entire MD/HD refuse truck fleet.

The population in New Castle County equates to 561,159 that, on average suffers from 8.7 days per year with unhealthy levels of ozone pollution. This directly contributes to 16.8% of community members being diagnosed with Asthma, a rate higher than the national average. Based on the EPA/DEQ, our Environmental Justice Garbage Truck Electrification Project will contribute to the following reductions in harmful particulates: NOx(ib)39,332.86, PM2.5(ib)967.79 and GHG (short tons) 8650.44.

To ensure a sustainable, replicable, and financially feasible electrification project that produces reportable analytics and outcomes related to decreasing harmful GHGs, Evergreen Waste Services has partnered with Nuvve Holding, Corp. (Nuvve), a leader in Vehicle to Grid MD/HD fleet electrification and DC fast charger supplier, and Bergey Truck Centers of Delaware, a four-generation company MD/HD truck supplier. Our partners have experience in deploying MD/HD fleet electrification projects. Nuvve has deployed 350+ EVSE fleet projects across 5 continents. Nuvve's software is used worldwide for collecting and reporting analytics, and fleet energy management.

Evergreen Waste Services strongly supports the Volkswagen Project Solicitation and thanks the Delaware Department of Natural Resources and Environmental Control for its work to date on zero-emission vehicle implementation. We hope that our response will successfully fulfill Delaware's goals by delivering and operating quality, zero-emission vehicles deployed in a short amount of time. We look forward to working with the Delaware Department of Natural Resources and Environmental Control on this project.

In Kindest Regards,

Marcus Stevens
Owner, Evergreen Waste Services



PROJECT OVERVIEW

Evergreen Waste Services' project will scrap 5 (1997) Mach diesel class 8 garbage trucks in an EPA Priority County, New Castle, and the Overburdened Community (OBC) and Justice40 Environmental Justice Community, Southbridge, and replace with 5 Electric MD/HD garbage trucks. EPA/DEQ shows the following reduction due to our project; NOx(ib)39,332.86, PM2.5(ib)967.79 and GHG (short tons) 8650.44. The population equates to 561,159 that, on average suffers from 8.7 days per year with unhealthy levels of ozone pollution.

COMPANY OVERVIEW

About Evergreen Waste Services, LLC

Evergreen Waste Services (EW) is a small, local company (LLC) established in 2010 that serves as the residential hauler of garbage, recycling, and yard waste in New Castle County, Delaware. We are located in an Overburdened Community (OBC) and service Overburdened Communities. We are applying for this reimbursement funding opportunity to incentivize the planned electrification of 5 garbage trucks and scrapping of 5 legacy diesel garbage trucks. We are the only company in the State that offers pickups in Recycle, Garbage, and Yard Waste on the same day to all customers. We believe in being a good steward of the environment and making communities safer, cleaner, and better places to raise your family, to work, and to live. With a strong philosophy in volunteerism, our company strives to be a positive impact on the communities we serve. **Please see all attachments for required documentation including; references, experience, licenses, scrapping vehicle information, budget, insurance, and location.**

About Nuvve Holding Corp.

Nuvve is partnering with Evergreen Waste Services to electrify 5 refuse trucks by providing our DC fast charger and EVSE turn-key solution. Nuvve's EVSE turn-key solution includes warranties, infrastructure and installation services, site design, utility connection services, assistance in permitting, EVSE site training, energy management software, data collection software, and software training. Nuvve is a publicly-traded company (Nasdaq: NVVE) leading the electrification of the planet, beginning with transportation, through its intelligent energy platform. Since its founding in 2010, Nuvve has successfully deployed V2G EVSE offerings on five continents and offers turnkey electrification solutions for fleets of all types. Nuvve is headquartered in San Diego, California, with offices in Newark, Delaware, London, U.K., and Copenhagen, Denmark, and can be found online at nuvve.com.

NUVVE CAPABILITIES & SERVICES

Nuvve combines the world's most advanced V2G technology and an ecosystem of electrification partners to dynamically manage power among electric EV batteries and the grid to deliver new value to EV owners, accelerate the adoption of EVs, and support the world's transition to clean energy. By transforming EVs into mobile energy storage assets and networking battery capacity to support shifting

APPENDIX B1

The Volkswagen Environmental Mitigation Trust Program

APPLICATION FORM

Project Title:

Environmental Justice Garbage Truck Electrification Project

General Information:

Applicant: Evergreen Waste Services			
Mailing Address: 619 Lambson Ln.			
City: New Castle	State: DE	Zip: 19720	County: New Castle
Daytime Phone: 302-635-7055		Alternate Phone:	
Email: marcus@evergreenws.com			
Equipment Owner (if different from Applicant): N/A			
Mailing Address:			
City:	State:	Zip:	County:
Daytime Phone:		Alternate Phone:	
Email:			

The following table lists **eligible mitigation actions** pursuant to the Environmental Mitigation Trust. Please select the eligible mitigation action(s) for which you are applying (Check all that apply).

Project Title: Environmental Justice Garbage Truck Electrification Project	
Type of Mitigation Action: Vehicle Replacement: <input checked="" type="checkbox"/> Engine Repower: <input type="checkbox"/>	
Type of Entity: Government: <input type="checkbox"/> Non-government: <input checked="" type="checkbox"/>	
Quantity	Vehicle Replacement: <u>5</u> Engine Repower: _____
Check all that apply	Eligible Mitigation Actions
<input checked="" type="checkbox"/>	Class 8 Local Freight Trucks and Port Drayage Trucks (engine model year 2009-1992) repowered with any new diesel or alternate fueled engine or all-electric engine, or replaced with any new diesel or alternate fueled or all-electric vehicle, with the engine model year in which the eligible large trucks mitigation action occurs or newer.
<input type="checkbox"/>	Class 4-8 school buses, shuttle buses, or transit buses (engine model year 2009 to 1992) repowered with any new diesel or alternate fueled or all-electric engine, or replaced with any new diesel or all-electric vehicle, with the engine model year in which the eligible bus mitigation action occurs or newer.
<input type="checkbox"/>	Freight switchers that operate 1000 or more hours per year repowered with any new diesel or alternate fueled or all-electric freight switcher certified to meet the applicable EPA emissions.
<input type="checkbox"/>	Ferries/Tugs - Unregulated, Tier 1 or Tier 2 marine engines repowered with Tier 3, Tier 4, alternate fueled, or all-electric engine, or upgraded with an EPA certified remanufacture system or an EPA verified engine upgrade.
<input type="checkbox"/>	Ocean Going Vessels - Marine shore power systems or components of such systems that enable a compatible vessel's main and auxiliary engines to remain off while the vessel is at berth.
<input type="checkbox"/>	Class 4-7 local freight trucks (engine model year 1992-2009) repowered with a new diesel, alternate fueled or all-electric engine, or replaced with any new diesel, alternate fueled or all-electric vehicle, with the engine model year in which the eligible medium trucks mitigation action occurs.
<input type="checkbox"/>	Airport Ground Support Equipment - (Tier 0, Tier 1, or Tier 2 diesel powered) uncertified or certified to 3 g/bhp-hr. or higher emissions spark ignition engine powered airport ground support equipment repowered with an all-electric engine, or replaced with the same airport ground support equipment or newer in an all-electric form.
<input type="checkbox"/>	Forklifts and Port Cargo Handling Equipment - Forklifts with greater than 8000 pounds (lbs.) of lift capacity and port cargo handling equipment repowered with an all-electric engine, or replaced with the same equipment or newer in an all-electric form.

Mitigation Action Description

Please provide a brief narrative describing how the project relates to Delaware's VW Environmental Mitigation Plan by reducing NOx emissions and how this project will benefit the State of Delaware. If additional space is needed please label (no more than one page) in your application "Title of Project, Mitigation Action Description."

Evergreen Waste Services is submitting this request for funding to the State of Delaware for 5 Nuvve DC fast chargers with bi-directional capabilities as well as funding to replace our 5 Diesel Refuse Trucks with electric versions. Located in a disadvantaged community, our legacy refuse trucks will be scrapped to provide the cleanest option on the market; an all-electric refuse truck fleet. Evergreen Waste Services will provide the 65% match needed to complete the project. Nuvve's charging solution for Evergreen Waste Services includes DC fast charging and infrastructure integrated with Nuvve's proven GIVe™ (Grid Integrated Vehicle) software, fleet management tools, site infrastructure planning and project management, and expert guidance throughout the fleet electrification process. By leveraging Nuvve's industry-leading vehicle-to-grid (V2G) platform, Evergreen Waste Services will increase the utilization of our EVs by allowing them to store and discharge energy when parked and plugged in, realize cost savings by charging when utility rates are low, and offer grid services that help stabilize the grid and prevent blackouts (where applicable).

Evergreen Waste Services' project will scrap 5 (1997) diesel class 8 garbage trucks in an EPA Priority County, New Castle, and the Overburdened Community (OBC) and Justice40 Environmental Justice Community, Southbridge, and replace with 5 Electric MD/HD garbage trucks. EPA/DEQ shows the following reduction due to our project; NOx (lb) 39,332.86, PM2.5 (lb) 967.79 and GHG (short tons) 8650.44. The population equates to 561,159 that, on average, suffers from 8.7 days per year with unhealthy levels of ozone pollution.

Evergreen Waste Services (EW) is a small, local company (LLC) established in 2010 that serves as the residential hauler of garbage, recycling and yard waste. In Delaware, we are the only company that offers pickups in Recycle, Garbage, and Yard Waste on the same day to all customers. We believe in being a good steward of the environment and making communities safer, cleaner and better places to raise your family and work. With a strong philosophy in volunteerism, our company strives to be a positive impact in the communities we serve. Please see: <https://evergreenws.com/community/>

EW is prepared to proceed and issue a purchase order as soon as we receive authorization to proceed from the Department of Natural Resources and Environmental Control. We will take possession of the new zero-emission vehicles six to nine months after a purchase order has been emitted to the licensed dealer for the purchase of 5 new electric garbage trucks. The purchase and installation of 5 Nuvve DC fast chargers will follow the same timeline as the vehicle deliveries to ensure that the project is complete in a timely manner. We have partnered with Nuvve and (OEM) with over 350+ EV and EVSE deployments on 5 continents. Our partner expertise, our business experience and ability to implement the project prior to the reimbursement, ensures that our Environmental Justice Garbage Truck Electrification Project will be implemented successfully, be replicable, financially feasible and produce measurable outcomes related to GHG reductions that benefit the entire state of Delaware.

Project Budget

All projects require a cost share. Please be as detailed as possible when completing your budget. The applicant is responsible for detailing the proposed budget associated with the project. This includes “eligible mitigation actions” which includes the equipment necessary for the project while the “ineligible mitigation action expenditures” includes all administrative expenses related to the project.

Eligible Mitigation Actions are those projects that qualify for funding under this RFP. See Section 6 “Eligible Mitigation Actions” in the RFP for additional information. Copy this form if more space is needed.

Eligible Mitigation Actions					
Eligible Item	Make and Model	VIN or Serial Number	Number of Each Item	Cost per Item	Estimated Costs
Refuge Truck	LEACH model 2R11		5	\$ 604,650	3,023,250.00
Nuvve DCFC	RES-HD60-V2G		5	49,650.00	248,250.00
Infrastructure	N/A	N/A	5	\$25,000	125,000.00
Total Eligible Mitigation Action Costs					\$ 3,396,500.00

Ineligible Mitigation Action Expenditures are those administrative expenses that do not qualify for funding under this announcement. See Section 8 “Ineligible Mitigation Action Expenditures” under this RFP for additional information. If additional space is needed please label pages in your application “Title of Project, Proposed Budget”

Ineligible Mitigation Action Expenditures				
Ineligible Item	Description	Number of Each Item	Cost per Item	Estimated Costs
Total Ineligible Mitigation Action Expenditures (no match requirement)				\$

Total Budget Summary	
Total Eligible Mitigation Actions (from above)	\$ 3,396,500.00
Total Ineligible Projects Mitigation Action Expenditures (from above)	\$
Total Costs	\$ 3,396,500.00
Cost Share Percentage (See Section 7 “Cost Share” of the RFP)	% 45
Total Cost share required from VW Mitigation Funds (matching funds)	\$ 1,528,425.00
Are you willing to accept funds from the DERA grant? If no, please explain below.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Estimated NOx Reductions

Please describe and calculate the NOx reductions achieved for this project using the Diesel Emission Quantifier (DEQ) on the EPA website. Estimate the NOx emission reductions from the project in terms of dollar per ton of NOx using the DEQ found at <https://www.epa.gov/cleandiesel/diesel-emissions-quantifier-deq>. Attach a separate summary calculation worksheet generated by the DEQ for each vehicle or piece of equipment and label pages in your application "Title of Project, Estimated NOx Reductions."

PLEASE SEE ATTACHMENTS FOR ALL INFORMATION AS IT IS ALL PROVIDED- TITLE, DEQ RESULTS, INSURANCE

Diesel Emission Quantifier (DEQ) Inputs	Vehicles & equipment proposed for replacement or repower (Leave fields blank that do not apply)			
Vehicle or Engine Group	Class 8 Refuge	Class 8 Refuge	Class 8 Refuge	Class 8 Refuge
VIN				
Engine Serial Number	<i>SEE ATTACHED REGISTRATIONS</i>			
Propulsion Engine (marine)				
Total Auxiliary Engines (Marine)				
Vehicle Make				
Vehicle Model				
Vehicle Model Year				
Engine Make				
Engine Model				
Engine Model Year				
Engine Cylinder Displacement				
Number of Engine Cylinders				
Retrofit Year				
Engine Tier				
Engine Horsepower				
Annual Fuel Used (gal/yr)				
Annual Usage Rate (hrs)				
Annual Miles				
Annual Idling Hours				
Fuel Type				
Remaining Life				
Normal Attrition Year				
Proposed Fuel Type				
Technology Cost				

Class 8

Evergreen Waste Services Environmental Justice Garbage Truck Project

NOx Reduction Attachment and DEQ Data Analysis

Group Name: Refuse Hauler

Type Onroad	Engine Model Year 1997	Fuel Type ULSD (diesel)
Target Fleet Refuse Hauler	Upgrade Year 2023	Annual Fuel Gallons 6,210
Class Class 8	Remaining Life 5	Diesel-equivalent Gallons 6,210
Sector Municipal		Annual Miles Traveled 23,646
Quantity 1		Annual Idling Hours 50

[Edit Group](#)
[Copy This Group](#)
[Delete](#)

Upgrades to Refuse Hauler

Action	Upgrade	Cost per Unit		Percent Reduction				
		Upgrade	Labor	NO _x	PM2.5	HC	CO	CO ₂
Edit Delete	Vehicle Replacement - All-Electric	\$604,650	\$0	100	100	100	100	100

Emission Results

Here are the combined results for all groups and upgrades entered for your project.¹

<u>Annual Results (short tons)²</u>	NO _x	PM2.5	HC	CO	CO ₂	Fuel ³
Baseline for Upgraded Vehicles/Engines	0.682	0.027	0.024	0.159	69.9	6,210
Amount Reduced After Upgrades	0.682	0.027	0.024	0.159	69.9	6,210
Percent Reduced After Upgrades	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
<u>Lifetime Results (short tons)²</u>	NO _x	PM2.5	HC	CO	CO ₂	Fuel ³
Baseline for Upgraded Vehicles/Engines	3.411	0.134	0.121	0.795	349.3	31,050
Amount Reduced After Upgrades	3.411	0.134	0.121	0.795	349.3	31,050
Percent Reduced After Upgrades	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
<u>Lifetime Cost Effectiveness (\$/short ton reduced)</u>	NO _x	PM2.5	HC	CO	CO ₂	Fuel ³
Capital Cost Effectiveness ⁴ (unit & labor costs only)	\$177,279	\$4,503,706	\$4,996,379	\$761,031	\$1,731	
Total Cost Effectiveness ⁴ (includes all project costs)	\$995,832	\$25,298,666	\$28,066,157	\$4,274,938	\$9,723	

¹ Emissions from the electrical grid are not included in the results.

² 1 short ton = 2000 lbs.

Remaining Life

Refuse Hauler: Municipal | Refuse Hauler | Class 8
Vehicle Replacement - All-Electric

5 years

Evergreen Waste Services Environmental Justice Garbage Truck Project

NOx Reduction Attachment and DEQ Data Analysis

Group Name: Refuse Hauler

Type Onroad	Engine Model Year 1997	Fuel Type ULSD (diesel)
Target Fleet Refuse Hauler	Upgrade Year 2023	Annual Fuel Gallons 6,210
Class Class 8	Remaining Life 5	Diesel-equivalent Gallons 6,210
Sector Municipal		Annual Miles Traveled 23,646
Quantity 1		Annual Idling Hours 50

[Edit Group](#)
[Copy This Group](#)
[Delete](#)

Upgrades to Refuse Hauler

Action	Upgrade	Cost per Unit		Percent Reduction				
		Upgrade	Labor	NO _x	PM2.5	HC	CO	CO ₂
Edit Delete	Vehicle Replacement - All-Electric	\$604,650	\$0	100	100	100	100	100

Emission Results

Here are the combined results for all groups and upgrades entered for your project.¹

<u>Annual Results (short tons)²</u>	NO _x	PM2.5	HC	CO	CO ₂	Fuel ³
Baseline for Upgraded Vehicles/Engines	0.682	0.027	0.024	0.159	69.9	6,210
Amount Reduced After Upgrades	0.682	0.027	0.024	0.159	69.9	6,210
Percent Reduced After Upgrades	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
<u>Lifetime Results (short tons)²</u>						
Baseline for Upgraded Vehicles/Engines	3.411	0.134	0.121	0.795	349.3	31,050
Amount Reduced After Upgrades	3.411	0.134	0.121	0.795	349.3	31,050
Percent Reduced After Upgrades	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
<u>Lifetime Cost Effectiveness (\$/short ton reduced)</u>						
Capital Cost Effectiveness ⁴ (unit & labor costs only)	\$177,279	\$4,503,706	\$4,996,379	\$761,031	\$1,731	
Total Cost Effectiveness ⁴ (includes all project costs)	\$995,832	\$25,298,666	\$28,066,157	\$4,274,938	\$9,723	

¹ Emissions from the electrical grid are not included in the results.

² 1 short ton = 2000 lbs.

Remaining Life

Refuse Hauler: Municipal | Refuse Hauler | Class 8
Vehicle Replacement - All-Electric

5 years

Evergreen Waste Services Environmental Justice Garbage Truck Project

NOx Reduction Attachment and DEQ Data Analysis

Group Name: Refuse Hauler

Type Onroad	Engine Model Year 1997	Fuel Type ULSD (diesel)
Target Fleet Refuse Hauler	Upgrade Year 2023	Annual Fuel Gallons 6,210
Class Class 8	Remaining Life 5	Diesel-equivalent Gallons 6,210
Sector Municipal		Annual Miles Traveled 23,646
Quantity 1		Annual Idling Hours 50

[Edit Group](#)
[Copy This Group](#)
[Delete](#)

Upgrades to Refuse Hauler

Action	Upgrade	Cost per Unit		Percent Reduction				
		Upgrade	Labor	NO _x	PM2.5	HC	CO	CO ₂
Edit Delete	Vehicle Replacement - All-Electric	\$604,650	\$0	100	100	100	100	100

Emission Results

Here are the combined results for all groups and upgrades entered for your project.¹

<u>Annual Results (short tons)²</u>	NO _x	PM2.5	HC	CO	CO ₂	Fuel ³
Baseline for Upgraded Vehicles/Engines	0.682	0.027	0.024	0.159	69.9	6,210
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Remaining Life

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Vehicle Replacement - All-Electric

5 years

Proposed Project Location

Define the project area. Please note the following:

1. if the project is sited near a major highway or transportation corridor, shipping route, or near a shipping logistics center,
2. is the project in an environmental justice (EJ) area or related location that receives a disparate proportion of environmental impacts,
3. if the project avoids environmentally sensitive areas or areas containing critical habitats.

Indicate if the proposed project is located in a non-attainment and air quality maintenance areas. If additional space is needed please label page (no more than one) in your application "Title of Project, Proposed Project Location.

Our project will scrap 5 (1997) diesel class 8 garbage trucks in an EPA Priority County, New Castle, and EJ Community, Southbridge, and replace with 5 Electric MD/HD garbage trucks. EPA/DEQ shows the following reduction due to our project; NOx(ib)39,332.86, PM2.5(ib) 967.79 and GHG (short tons) 8650.44. The population equates to 561,159 that, on average suffers from 8.7 days per year with unhealthy levels of ozone pollution. Our location is off of 1-495, the six lane freeway also serves freight traffic to the Port of Wilmington and industrial areas.

Project Timeline

All projects must be completed within one (1) year of signing a final contract or MOU. The milestones included in this template are provided as guidance. Applicants may substitute other milestones that suit their purpose, please be as detailed as possible.

Project Timeline	
Milestone	Estimated Date
Project Equipment Purchase Made and all permitting aquired if applicable	September 2022
Equipment Delivery	March 2023
Equipment Installation (if applicable) EVSE Installation by Nuvve	Oct.- Nov. 2022
Submit Proof of Scrapping of Replaced Vehicle or Engine (pictures) and Certificate of Destruction, Bill of Sale, and an Invoice to the Department	March 2023

[*We will adhere by the 1-year timeline, September 1, 2022 through December 31, 2023 as stipulated in the RFP. However, we are ready to start whenever the contract is signed. Our project is "shovel ready."](#)

Ability to be Replicated throughout the State

Provide a brief narrative to explain how the proposed project has the ability to be replicated throughout the state with other fleets or for public access. If additional space is needed please label (no more than one page) in your application "Title of Project, Replication.

Our project is replicable as we have vetted best practices in refuge truck electrification projects and aligned ourselves with experienced partners with over 350 EVSE deployments related to MD/HD fleet electrification. Nuvve is Evergreen's vendor of choice to electrify 5 refuge trucks by providing a 60kW DC fast charger and EVSE turn-key solution for infrastructure, training and installation. Nuvve's EVSE turn-key solution includes warranties, infrastructure and installation services, site design, utility connection services, assistance in permitting, EVSE site training, energy management software, data collection software, and software training. Nuvve will provide on-site training and maintenance to Evergreen's Transportation Team. We are implementing a cost-efficient project through financing packaging the refuge trucks, infrastructure and chargers. This is a very easy and cost-efficient way to electrify a MD/HD fleet. By choosing a budget friendly and simplified approach to deploying an electric fleet, we will act as a model for electrification in Delaware.

Collaboration with Other Entities in the State

Provide a brief narrative to demonstrate that the project includes collaborative efforts between the applicant and project team. If additional space is needed please label the narrative (no more than one page) in your application "Title of Project, Collaboration."

With support from Senator Carper's Office, we have partnered with Nuvve as our EVSE turnkey solution vendor who has deployed over 350 Vehicle to Grid EVSE fleet electrification projects on 5 continents. Nuvve holds a patent portfolio for V2G technology after more than 25 years of R&D development. Nuvve's V2G concept was first developed by Nuvve's co-founder, Professor Willett Kempton, at the University of Delaware to harness offshore wind energy. This dynamic technology created in Delaware will now be used to create a resilient and reliable electric school bus deployment and electrical grid at the same time.

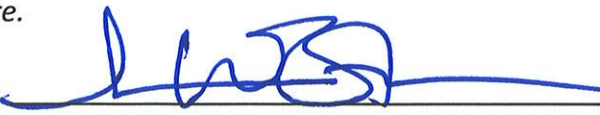
Economic Development

Provide a brief narrative to explain how the project creates and/or retains local jobs for Delawareans and serves as an economic development engine for local Delaware based companies. If additional space is needed label the narrative (no more than one page) in your application "Title of Project, Economic Development."

In alignment with the U.S. Employment Plan (USEP), we have chosen to source "Made in America" assets that will be deployed. Nuvve DC fast chargers are made in the United States. Nuvve's co-founder founded Nuvve and Vehicle to Grid Technology at the University of Delaware. Nuvve will use certified technicians from Delaware during the installation process of the EVSEs.

Certification

The Applicant certifies that they have been authorized by the Equipment Owner to submit this application. The Equipment Owner agrees to comply with all requirements of Delaware's Volkswagen Environmental Mitigation Plan and that the information provided is true, accurate, and complete.

Applicant's Signature:  Date: 2/20/2022

Equipment Owner's Signature: _____ Date: _____
(If different from Applicant)



1/13/2022

Nuuve

Price quote

Proposal

Qty	Description	Price
1	BYD 8R chassis- Extended range battery 403 kWh	\$395,000
	Estimated delivery from Ca. to LaBrie for body Upfit	\$10,000
1	LaBrie /Leach 25 yard rear loader body	\$127,290
	Estimated delivery from N.J. to Delaware	\$8,000
		\$540,290
	If this is a municipal purchase, it is FET Exempt.	
	If Not a Municipal purchase FET must be included (12%- \$474 Tire credit)	\$64,360
		\$604,650
	This quote is valid thru 5/1/22	

PO Box 2611 • 290 SECAUCUS ROAD, SECAUCUS, NJ 07094 • tel (201) 866-5570 • fax (201) 319-0812 • www.hudsoncountymotors.com





WITTKÉ

SANITATION EQUIPMENT CORP.

80 Furler Street

Totowa, NJ 07512

PHONE: 973-837-8915 FAX: 973-837-8919



January 10, 2022

We are pleased to submit our quotation for (1) New LEACH model 2RIII 25 cubic yard rearload refuse body that will be mounted on your BYD electric trucks.

It will have the following body options

- 25 yard leach model 2RIII
- Commercial tailgate weldment
- Chromium slides in lieu of rollers
- 12,000# drum winch with latch and guide plates
- 2 LED strobe lights front
- Multifunction LED strobe lights rear (2 upper and 2 lower)
- 2 additional back up led lights 1 on each rub rail
- Neutral interlock
- Pump shut off both sides tailgate
- Body service hoist
- Mounting for electric vehicle
- 1 LED hopper light
- Color 5.6" rear camera
- Rubber mud flaps front of tandem
- Rocker switches in dash
- 1 year body warranty
- Back up alarm
- Bolt on rear steps
- Customer will have to review all wording on Labrie supplied quotes for terms, limitations, delivery, and taxes.

NET COST FOR BODY: \$ 127,289.60 each

If acceptable a properly executed purchase order will be required before order is placed. Price includes freight painting and mounting on your chassis. Chassis build codes must be furnished and approved by engineering prior to placing order. Chassis will ship to body manufacturer for mounting. Once completed unit will be picked up in Totowa. Price will be firm for 60 days

Respectfully Submitted;

BY: Sanitation Equipment Corp

Carla Iommetti- Manager

BYD 8R Refuse Truck (Class 8)



Specifications:

- GVWR: 66,000 lbs
- Range: 60+ mile working range
- Battery Capacity: 295 kWh
- Maximum Power: 430 hp
- Maximum Torque: 812 lb-ft
- Charging Power: 40 kW AC / 120 kW DC (CCS1)

Nuvve DC Heavy Duty Charging Station

V2G | 60KW | DC CCS | HEAVY-DUTY

The Nuvve DC Heavy-Duty Charging Station (RES-HD60-V2G) is designed specifically for vehicle-to-grid (V2G) applications and is the ideal solution for the rapid, smart charging of heavy-duty fleet vehicles such as electric school buses. The RES-HD60-V2G is fully controllable through Nuvve's fleet management app and our V2G platform (GIVe™) enables unidirectional charging of any vehicle or bidirectional V2G charging and grid-connected building load management services when connected to a V2G-compatible vehicle.

KEY FEATURES

✓ **CCS1 CONNECTOR (COMBO)**

✓ **UL-1741 SA**

✓ **IEEE 1547**

✓ **95% EFFICIENCY**



POWERFUL, RELIABLE CHARGES

The Nuvve DC Heavy-Duty Charging Station (RES-HD60-V2G) features a CCS1 connector that can charge any vehicle with combo connector and discharge V2G-compatible vehicles with Nuvve software integration. It is designed to meet all utility safety standards in North America to enable interconnection of vehicles as a distributed energy resource.



YOUR FLEET'S CHARGING ACTIVITY AT A GLANCE

Drivers and fleet managers can remotely monitor and configure the charging of their buses via a fleet management app and trigger instant charging if needed.*

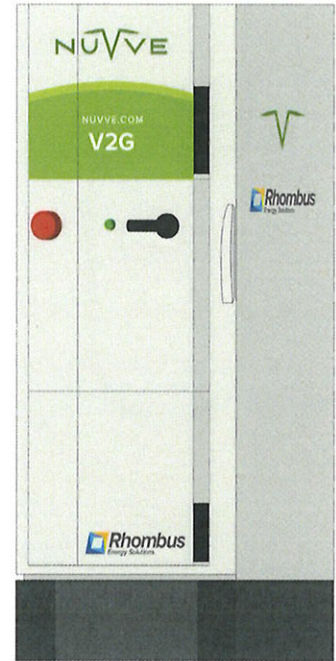


INTELLIGENT GRID SERVICES

Nuvve's solution is fully scalable to fit your needs and can perform a variety of grid services including frequency regulation, demand response, demand charge management, and time-of-use rate arbitrage, depending on region and interconnection.

Technical Specs RES-HD60-V2G

AC SPECIFICATIONS (POWER)	
Bidirectional Capable	Yes
Rated Power	60 kW/kVA
Utility Grid Voltage	480 Vac-3P
Max Rated Utility Current	79 Aac @ 480VAC (60 Hz)
Wiring	3 phase WYE (L1, L2, L3, Neutral, Ground)
Utility Grid Frequency (Hz)	60
Power Factor Range	+/- 0.5
THD for Linear Loads	<5%
Charging Efficiency	>95%
Grid Isolation	Galvanic, Integrated
DC OUTPUT	
Maximum Power	60 kW
Voltage Operating Range	270Vdc to 870Vdc
Maximum Current	+/- 200A (charging cable limited)
Connector and Cable	CCSI, up to 8m (25 ft)
ENERGY METERING	
AC Energy Meter	+/- 1% from 10% to full scale
MECHANICAL	
PCS Dimensions	800mm x 622mm x 2083mm (31.5"W x 24.5"D x 82"H)
PCS Weight	748 kg (1600 lbs)
Dispenser Dimensions	559mm x 432mm x 1905 mm (22"W x 17"D x 75"H)
Dispenser Weight	68 kg (150 lbs) (configuration dependent)
ENVIRONMENTAL	
Cooling	Air cooled
Environmental Rating	NEMA 3R
Operating Ambient Temp.	-20°C to 45°C (-4 to 113°F)
Storage Temperature Range	-30°C to 60°C (-22 to 140°F)
Humidity	0 to 95% (non-condensing)
Altitude	De-rated over 2,000m (1.2 miles) above sea level
COMMUNICATION & CONTROL	
Network Interface	Ethernet, WiFi, 3G, 4G, LTE
EV Communication	DIN 70121, SAE J1772 , ISO 15118-2, ISO 15118-20, & custom implementations
Cloud Management	OCPP 1.6J compliant & Nuve proprietary protocol
CERTIFICATION, SAFETY, COMPLIANCE	
Certifications	UL1741-SA, UL 2202, UL 2231, IEEE 1547.1 & CSA C22.2 No. 107.1-16



Charging Station



Dispenser

© 2022 Nuve Holding Corp. All rights reserved. Version 6.0. All product specifications as of January 2022 and are subject to change. Please contact Nuve for updated information. Charging station and dispenser not to scale.



Company Address 2488 Historic Decatur Rd.
 Suite #200
 San Diego, CA 92106
 US

General Information

Quote Number	00000238	Prepared By	Dick Johnson
Created Date	3/15/2022	Phone	(215) 498-2111
Expiration Date	7/1/2022	Email	djohnson@nuvve.com

Prepared for

Account Name	Evergreen Waste Services LLC	Name	Marcus Stevens
Description	Submission for VW Grant Application	Email	marcus@evergreenws.com
		Phone	302-635-7055

Address Information

Bill To Name	Evergreen Waste Services LLC	Ship To Name	Evergreen Waste Services LLC
Bill To	19 Lambson Ln, New Castle, DE 19720 New Castle, DE 19720 USA		

Product	Product Code	Product Description	List Price	Sales Price	Quantity	Total Price
Commissioning for Nuvve Rhombus DC (1st unit per site)	COM-RH-1UNIT	Commissioning for Nuvve Rhombus DC (60kW and 125kW) per PCS (1st unit per site)	\$1,500.00	\$1,500.00	1.00	\$1,500.00
Commissioning for Nuvve Rhombus DC (from 2nd unit per site)	COM-RH-OVR1UNIT	Commissioning for Nuvve Rhombus DC (60kW and 125kW) per PCS (2nd and all consecutive units per site)	\$500.00	\$500.00	4.00	\$2,000.00
Dispenser Nuvve Rhombus GEN2 (CCS)	DISP-RH-CCS-GEN2	Generation 2 dispenser for Nuvve Rhombus DCFC Power Control System (60kW and 125kW)	\$10,700.00	\$10,700.00	5.00	\$53,500.00
GIVE Platform Subscription 5 years	SW-NV-GIVE-5Y	GIVE Platform Subscription (per EVSE) 5 years	\$1,250.00	\$1,250.00	1.00	\$1,250.00
PCS Nuvve Rhombus 60kW DC (w/o dispenser)	PCS-RH-HD60-V2G	Nuvve Rhombus DCFC 60kW Power Control System (w/o dispenser)	\$38,000.00	\$38,000.00	5.00	\$190,000.00
Standard OEM Warranty Nuvve Rhombus DC (2 years)	WTY-RH-DC	Standard Nuvve Rhombus DC (60kW and 125kW) warranty included w/ EVSE purchase - 2 years	\$0.00	\$0.00	5.00	\$0.00

Total Price \$248,250.00
 Grand Total \$248,250.00

You acknowledge that V2G functionality is not guaranteed since it is highly dependent upon the vehicle manufacturer's technology capabilities, as well as the local electric distribution utility interconnection requirements. All V2G functionality must be through Nuvve's software and is not available for third party control.

All Equipment shall be shipped FOB (meaning, the Free on Board trade term as published by the International Chamber of Commerce and entitled Incoterms 2020) from Nuvve's shipping point, with title and risk of loss passing from Nuvve to Customer at such point. While title of the EV Storage Resources will have transferred to Customer, should the Customer desire to engage Nuvve to provide warehousing and related services, then Customer agrees to Nuvve's Warehousing Policy.

TERMS AND CONDITIONS OF SALE
 See attached Nuvve Terms and Conditions of Sale

ENVIRONMENTAL MITIGATION PLAN ATTACHMENT

A Copy of Delaware's Environmental Mitigation Plan is attached.



DELAWARE DEPARTMENT OF
**NATURAL RESOURCES AND
ENVIRONMENTAL CONTROL**

Volkswagen Environmental Mitigation Plan

**December 2018
As amended on
February 2020
June 2021**

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I. BACKGROUND

On October 18, 2016, an initial Partial Consent Decree was finalized between the U.S. Justice Department, the Volkswagen (VW) Corporation, and its subsidiaries regarding the installation and use of emissions testing defeat devices in approximately 590,000 2.0 and 3.0 liter engine vehicles sold and operated in the United States beginning with model 2009 through 2014. A second partial settlement was approved for the 3.0 liter engine class of vehicles on May 17, 2017. Use of these defeat devices has increased air emissions of nitrogen oxide (NOx), resulting in adverse impacts to air quality and violating the federal Clean Air Act. NOx emissions contribute to the formation of ground-level ozone, which impairs lung function and cardiovascular health.

The Environmental Mitigation Trust Agreement for State Beneficiaries (Trust) dated October 2, 2017 has been established as part of the Partial Consent Decrees. Funds are to be used for environmental mitigation projects that reduce emissions of nitrogen oxides (“NOx”) where the Subject Vehicles were, are, or will be operated. The Trust Agreement is intended to fully mitigate the total, lifetime excess NOx emissions from the Subject Vehicles where the Subject Vehicles were, are, or will be operated.

The State of Delaware has been allocated approximately \$9.6 million from the Environmental Mitigation Trust based on the number of affected vehicles in Delaware. Delaware applied for Beneficiary status on November 27, 2017 and officially became eligible to receive funds on January 29, 2018. Wilmington Trust, as the court appointed Trustee, holds all funds and will disburse the funds upon receiving a state submitted work plan and budget. The Trust establishes a process to administer and receive the funds, including the development of a mitigation plan, and the types of mitigation projects eligible for funding¹.

¹ Appendix D of the Partial Consent Decree MDL No. 2672 CRB (JSC)

In addition to projects that reduce NO_x emissions, under the partial consent decree, states may allocate up to 15% of the funds towards zero emission vehicle fueling and charging infrastructure (i.e. Hydrogen fueling and electric vehicle charging stations).

II. OVERVIEW, OBJECTIVES AND FUNDING PRIORITIES

On behalf of the State of Delaware, the Department of Natural Resources & Environmental Control (DNREC) has developed this Proposed Environmental Mitigation Plan to provide the public with insight into the state's vision and overall approach to use the mitigation trust funds. The primary goal of the State of Delaware's mitigation plan is to improve and protect ambient air quality by implementing eligible mitigation projects that will achieve significant and sustained reductions in NO_x emission exposures in the following:

- Areas with poor air quality;
- Areas with historical air quality issues; and
- Areas that receive a disproportionate quantity of air pollution from diesel vehicles.

In accordance with Appendix D of the Partial Consent Decree,² this Proposed Environmental Mitigation Plan specifically describes:

- The funding priorities established to guide the planning, solicitation, and project selection processes,

² Section 4.1 Beneficiary Mitigation Plan, Appendix D of the Partial Consent Decree MDL No. 2672 CRB (JSC).

-
- The categories of eligible mitigation projects anticipated to be appropriate to achieve the stated goals and the assessment of the allocation of funds anticipated to be used for each type of eligible mitigation project,
 - How the state may consider the potential beneficial impact of the selected eligible mitigation projects on air quality in areas that historically bear a disproportionate share of the air pollution burden, and
 - The anticipated ranges of emission benefits that would be realized by implementation of the eligible mitigation projects identified in the Environmental Mitigation Plan.

In addition to the above listed Environmental Mitigation Plan components, DNREC will seek and consider public comments on the State of Delaware's Proposed Environmental Mitigation Plan, which will be included in the final plan as required by the Consent Decree³.

The State of Delaware has the discretion to adjust its objectives and specific spending plan when necessary to achieve the plan's goal; for that reason, this plan is a living document. The State of Delaware will provide updates of the mitigation plan to the Trustee and on DNREC's public webpage about Delaware's actions for meeting the requirements of the Partial Consent Decree and the Mitigation Trust, at:

<http://www.dnrec.delaware.gov/air/Pages/VWMitigationPlan.aspx>

This Proposed Environmental Mitigation Plan is not a solicitation for projects. As such, this plan does not include details on the competitive application.

³ <https://www.epa.gov/enforcement/third-partial-and-30l-second-partial-and-20l-partial-and-amended-consent-decree>

III. PHASED FUNDING APPROACH AND ELIGIBLE APPLICANTS

DNREC is proposing a phased-in plan for the State of Delaware's allocation of funding. A phased plan will allow the state to:

- Build transparency and involve the public in reviewing and revising the plan between phases;
- Learn which projects work best, and modify requests for proposals in subsequent phases to focus on the most effective projects;
- Allow the state to identify environmental justice areas; and
- Allow the state to adjust priorities and investments based on the newest and most up-to-date vehicle technology.

The first phase of funding will be the first step in achieving our goals for the program. The phases of funding are:

- **Phase 1: \$3,225,560.99 (2018-2023)** – DNREC proposes to replace old diesel school buses with new cleaner school buses over a five year period.
- **Phase 2: \$361,374.75 (2019-2020)** – DNREC offered a competitive RFP for projects in all categories. Two projects were determined by eligibility criteria set forth in the plan. These projects are described in Phase 2.
- **Phase 3: \$2,234,590 (2020-2021)** – DNREC will allocate 15% of the funds for electric vehicle supply equipment. Projects will consist of the replacement of five (5) government-owned dump trucks and a competitive RFP where applications will be accepted for projects in all categories as well as school bus replacements

with private transportations providers. Projects will be determined by the eligibility criteria set forth in the plan.

- **Phase 4: Up to \$3.8 million (2022-2023)** – Projects will consist of a competitive RFP where applications will be accepted for projects in all categories as well as school bus replacements with private transportations providers. Projects will be determined by the eligibility criteria set forth in the plan.

Delaware’s allocation of Trust funds is \$9,676,682.97 (0.33% of the total \$2.9 billion in Trust funds made available to states and Tribes). DNREC has proposed that Trust funds will be requested and made available for mitigation projects. A detailed project timeline can be found in **Table 1**.

Table 1 - Tentative Timeline of Events

Event	Time Frame
Court approves the partial settlement	October 25, 2016
Court Approves Trustee	March 15, 2017
Court Approves Trust	October 2, 2017
Delaware files Beneficiary Certification Application	November 27, 2017
Trustee Certifies Delaware as a Beneficiary	January 29, 2018
Public Comment on the draft Mitigation Plan	March 28, 2018
Delaware finalizes preliminary Mitigation Plan	December 2018
Delaware initiates Phase 1 – year 1 projects	Quarter 4 2018
Delaware releases RFP – Phase 2	January 28, 2019
Delaware selects Phase 2 projects	Quarter 3 2019
Delaware finalizes Phase 1 – year 1 projects	Quarter 4 2019
Public Comment opens on Draft Phase 3 Plan	December 2019
Delaware initiates Phase 1 – year 2 projects	Quarter 1 2020
Delaware initiates Phase 2 projects	Quarter 1 2020
Delaware releases an RFP on Phase 3 projects.	Quarter 1 2020
Delaware selects Phase 3 projects	Quarter 3 2020
Delaware finalizes Phase 1 – year 2 projects	Quarter 4 2020
Delaware finalizes Phase 2 projects	Quarter 4 2020*
Delaware initiates Phase 1 – year 3 projects	Quarter 1 2020*
Delaware initiates Phase 3 projects	Quarter 1 2020*
Delaware finalizes Phase 1 – year 3 projects	Quarter 4 2021*
Delaware finalizes Phase 3 projects	Quarter 4 2021*
Delaware releases an RFP on Phase 4 projects	Quarter 1 2022*
Delaware initiates Phase 1 – year 4 projects	Quarter 1 2022*
Delaware selects Phase 3 projects	Quarter 3 2022*
Delaware finalizes Phase 1 – year 4 projects	Quarter 4 2022*

Event	Time Frame
Delaware initiates Phase 4 projects	Quarter 1 2023*
Delaware finalizes Phase 3 projects	Quarter 4 2023*

*Dates are estimates and are subject to change.

DNREC will maintain and make publically available all documentation submitted in the support of each funding request on the VW Settlement project website⁴.

IV. SUMMARY OF PHASED SPENDING APPROACH

Phase 1 - School Bus Replacement Program:

The Department has recommended that Phase 1 funding be used to replace diesel school buses with cleaner school buses. DNREC's 2014 Emissions Inventory has concluded that up to 72% of in-state NO_x emissions can be attributed to the transportation sector. Delaware's emissions from heavy and medium duty vehicles (which include school buses) are becoming an increasingly larger source of overall mobile source emissions for nitrogen oxides (NO_x), as shown in Figure 1.

Research shows NO_x emissions will be reduced by 11 percent just by replacing a diesel school bus with a new propane school bus⁵.

⁴DNREC Website: <http://www.dnrec.delaware.gov/air/Pages/VWMitigationPlan.aspx>

⁵ Propane education and Research Council - <https://www.propanecouncil.org/>

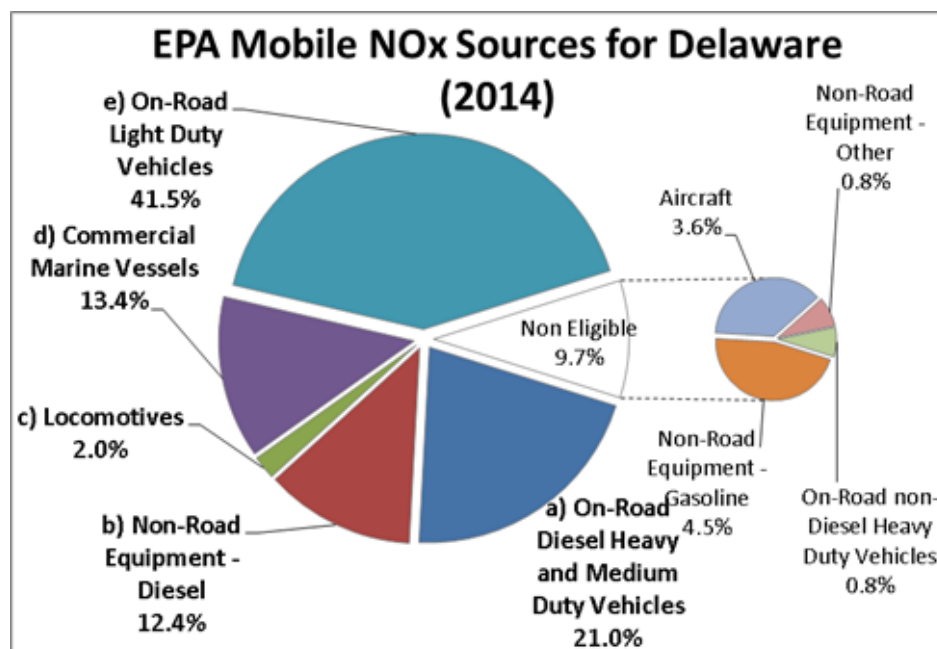


Figure 1 - Mobile NOx Sources for Delaware (Source 2014 NEI v1)

Studies have demonstrated that older, more polluting diesel school buses present significant health risks for the students who typically ride the bus. This includes the exacerbation of pre-existing pulmonary disorders such as asthma. Asthma is the most common long-term childhood disease, making newer and cleaner buses an urgent priority. Additionally, children are more susceptible to air pollution because their respiratory systems are still developing and they have faster breathing rates than do adults⁶.

Lastly, replacing school buses with buses that operate on cleaner burning fuel will assist the Department in reducing emissions in Delaware's environmental justice (EJ) areas. Environmental Justice is the act of equity among all races, ethnicities, income, and social classes of people and includes any census tract with a poverty level of 20% or higher and where 30% or more are considered minorities. The Department's mission relative to environmental justice ensures that no particular area receives disproportionate environmental impacts due to air pollution.

⁶ American Lung Association – <http://www.ala.org>

Phase 1 - Program Requirements:

In Phase 1, the Department proposes and continues to use up to 1/3 of the allocated Trust funds or \$3,225,560.99 to provide funds to the Department of Education for the replacement of school buses with cleaner burning fuel. The Department is proposing a cost share of 30% for government-owned school bus replacements.

To be eligible, each school bus being replaced must be:

- 1) Scrapped and destroyed at the time of replacement;
- 2) Owned and operated in Delaware;
- 3) Equipped with a model year 1992 to 2009 engine;
- 4) Serve a public school district or a charter school in Delaware where at least 40% of the students are disparately impacted as shown in **Table 2 and 3**;
- 5) Each new bus purchased must be of equivalent size as the bus being replaced;
- 6) The bus must be replaced with a current model year or newer; and
- 7) The replaced school bus must be fueled by propane or clean diesel.

Table 2 - Percentage of Disparately Impacted Students by School District

County	School District	Disparately Impacted (%)
New Castle	Appoquinimink	13.2
	Brandywine	29.8

County	Christina	42.9
	Colonial	39.8
	New Castle Co. Vo-Tech	27.6
	Red Clay	34.1
	Smyrna	24.9
Kent County	Caesar Rodney	30.5
	Capital	48.9
	Lake Forest	39.4
	Milford	41.2
	Polytech Vo-Tech	17.0
Sussex County	Cape Henlopen	29.0
	Delmar	14.2
	Indian River	36.0
	Laurel	47.4
	Seaford	47.7
	Sussex Technical	16.6
	Woodbridge	41.9

Table 3 - Percentage of Disparately Impacted Students by Charter School

County	Charter School	Disparately Impacted (%)
New Castle County	Academia Antonia Alonso	57.3
	Charter School of New Castle	51.4
	Delaware Academy of Public Safety and Security	39.9
	Delaware Design-Lab High School	29.9
	East Side Charter School	79.3
	First State Montessori Academy	11.6
	Freire Charter School	48.9
	Gateway Lab School	42.3
	Great Oaks Charter School	55.8
	Kuumba Academy Charter School	62.2
	Las Americas Aspira Academy	25.4
	MOT Charter School	5.3
	Moyer (Maurice J.) Academy	20.0
	Newark Charter School	8.0
Odyssey Charter School	14.4	
Prestige Academy	73.4	
Kent County	Academy of Dover	67.8
	Campus Community Charter School	40.0
	Early College High School at Delaware State University	33.1
	First State Military Academy	24.9
	Positive Outcomes Charter School	30.2
	Providence Creek Academy Charter School	18.0
Sussex County	Sussex Academy	9.0

Phase 2 - Competitive RFP Program:

In phase 2 of the plan, the Department proposed to provide up to 1/3 of the allocated Trust funds or \$3,225,560.99 in 2019 for the replacement of eligible mitigation

actions⁷. The Department will issue a competitive request for proposals (RFP) for projects that reduce nitrogen oxide (NOx) emissions from the transportation sector.

The following mitigation project types will be eligible for use of the VW Settlement Funds per the Trust Agreement found in Appendix D-2:

- 1.) Class 8 Local Freight Trucks and Port Drayage Trucks (Eligible Large Trucks)**
- 2.) Class 4-8 School Bus, Shuttle Bus, or Transit Bus (Eligible Buses)**
- 3.) Freight Switchers**
- 4.) Ferries/Tugs**
- 5.) Ocean Going Vessels (OGV) Shorepower**
- 6.) Class 4-7 Local Freight Trucks (Medium Trucks)**
- 7.) Airport Ground Support Equipment**
- 8.) Forklifts and Port Cargo Handling Equipment**

Environmental Benefits:

The retrofit, repower, or replacement of eligible vehicles and equipment may provide a wide range of emission benefits based on many variables, including the type of vehicle or engine replaced, the initial age of the engine, and the engine power rating.

⁷ The Department anticipates spending \$361,674.75 in Volkswagen Environmental Mitigation Trust Funds for Phase 2. The remaining \$2.8M will rollover to Phase 3 which will provide approximately \$6.0M to spend.

Each of the 8 project categories outlined in the VW Settlement Environmental Mitigation Plan will result in the following combined environmental benefits:

- Tons of pollution reduced or avoided over the lifetime of the zero emissions vehicle supply equipment, specifically, NO_x, PM_{2.5}, GHGs such as CO₂ and black carbon,
- Net reduction in gallons of diesel fuel and/or other fossil fuels used,
- Improved ambient air quality and human health in communities located in nonattainment areas, areas with historical air quality issues, or in areas that bear a disproportionate share of the air pollution burden, as well as benefits to the local economy, and the welfare of residents in such communities, and
- Reduced public exposure to diesel particulate matter, which the U.S. EPA has classified as a likely human carcinogen.

Additionally, based on current EPA exhaust emission standards for NO_x:⁸

- Heavy duty highway vehicles may provide up to a 96% reduction in NO_x emissions per vehicle, based on replacing a model year 1992 engine with a model year 2007 engine,
- Non-road equipment replacements, depending on the type of equipment and engine power rating, may provide between a 20% and 95% reduction in NO_x emissions per engine,
- In locomotives, replacing the oldest (Tier 0) engine with the newest (Tier 4) engine may provide up to an 89% NO_x reduction per engine,

⁸ EPA exhaust emission standard data retrieved from: <https://www.epa.gov/emission-standards-reference-guide>.

- In commercial marine vessels, an upgrade or repower of a ferry or tug engine may provide up to an 80% NOx reduction for each vessel, and
- Shorepower projects may reduce all NOx exhaust emissions from many ocean-going vessels.

These anticipated ranges of emission benefits were used to inform the plan's funding priorities, categories of eligible mitigation projects, and funding allocation considerations for each category of eligible mitigation projects. It is important to note that the range of emission benefits mentioned above are for individual engines and actual NOx emissions reductions will vary based on the type of projects received for funding consideration and the eligible mitigation projects ultimately funded. However, in order to achieve the goal of the state mitigation plan, it is a priority to fund sizeable projects designed to achieve the greatest emission reduction for the dollar (i.e., capital cost effectiveness in dollars/ton).

The cost shares and requirements involved for each vehicle or equipment repower or replacement will be equivalent to the terms of the Diesel Emission Reduction (DERA)⁹ grant. Cost shares identified in **Table 4** are based on the FY2017 State Clean Diesel Program Guide¹⁰.

⁹ The DERA program is a Congressionally-authorized project that enables the U.S. EPA to offer assistance for actions reducing diesel emissions. Thirty percent of the annual DERA funds are allocated to the DERA Clean Diesel State Grant Program. States and territories that match the base amount dollar per dollar receive an additional amount of EPA DERA funding to add to the grant (50% of the base amount). Trust funds can be used for states or territories non-federal match on a 1:1 basis.

¹⁰ 2017 FY2017 State Clean Diesel Program Guide - <https://www.epa.gov/sites/production/files/2017-02/documents/fy17-state-program-guide-2017-02.pdf>

Table 4 - Cost Shares for Eligible Mitigation Actions

Eligible Mitigation Action	Activity	Vehicle and Equipment Eligibility (Engine Model Year or Tier)	VW Funding	Cost Share Required
Class 8 Local Freight Trucks and Port Drayage Trucks (Eligible Large Trucks) & Class 4-7 Local Freight Trucks (Eligible Medium Trucks)	Engine replacement with new diesel or alternate fueled engine	1992-2009	40%	60%
	Engine replacement with new all-electric engine	1992-2009	60%	40%
	Vehicle replacement with new diesel or alternate fueled vehicle	1992-2009	25% (50% for Drayage)	75% (50% for Drayage)
	Vehicle Replacement with all-electric vehicle	1992-2009	45%	55%
Class 4-8 School Bus, Shuttle Bus, or Transit Bus (Eligible Buses)	Engine replacement with new diesel or alternate fueled engine	2009 and older	40%	60%
	Engine replacement with new all-electric engine	2009 and older	60%	40%
	Vehicle replacement with new diesel or alternate fueled vehicle	2009 and older	25%	75%
	Vehicle Replacement with all-electric vehicle	2009 and older	45%	55%
Freight Switchers	Engine replacement with new diesel or alternate fueled engine or generator sets that are EPA certified	Pre-Tier 4	40%	60%
	Engine replacement with new all-electric engine	Pre-Tier 4	60%	40%
	Locomotive replacement with new diesel or alternate fueled freight switcher that is EPA certified	Pre-Tier 4	25%	75%
	Locomotive replacement with	Pre-Tier 4	45%	55%

Eligible Mitigation Action	Activity	Vehicle and Equipment Eligibility (Engine Model Year or Tier)	VW Funding	Cost Share Required
	new all-electric freight switcher			
Ferries/Tugs	Engine replacement with new Tier 3 or 4 diesel or alternate fueled engine	Pre-Tier 3	40%	60%
	Engine replacement with new all-electric engine	Pre-Tier 3	60%	40%
	Certified Remanufacture System or Verified Engine Upgrade	Pre-Tier 3	40%	60%
Ocean Going Vessels	Costs associated with shore-side system	n/a	25%	75%
Airport Ground Support Equipment	Engine replacement with new all-electric engine	Pre-Tier 3	60%	40%
Forklifts and Port Cargo Handling Equipment	Equipment replacement with new all-electric equipment	8000+ lbs lift capacity	45%	55%

Non-government and government entities are eligible to apply for funding to implement mitigation projects. Project funding will be awarded through a competitive process in accordance with Delaware's procurement laws¹¹. Any unspent funds remaining at the end of Phase 2 will be rolled into a subsequent Phase.

Diesel Emission Reduction Act (DERA):

The Department may leverage the projects in all phases in order to received additional Diesel Emission Reduction Act (DERA) grant funding. Any source type applying for grant funding will be subject to the requirements of the DERA State Clean

¹¹ Delaware Procurement laws can be found at <http://mymarketplace.delaware.gov/>

Diesel Grant Program, including but not limited to general eligibility, project evaluation criteria, eligible project and administrative expenditures, cost-share, and funding restrictions.

The projects submitted via the RFP will be reviewed by a Department established Project Selection Committee. The committee will select and rank project applications based on a set “Project Scoring Criteria/Matrix” developed by the Department as shown in **Table 5** expressly for this purpose.

Phase 2, Phase 3, and Phase 4 Program Requirements:

To be eligible, each vehicle or piece of equipment to be repowered or replaced must be:

- 1) Scrapped and destroyed at the time of replacement;
- 2) Owned and operated in Delaware;
- 3) Equipped with an eligible model year engine or Tier level;
- 4) Serve an environmental justice area;
- 5) Each new vehicle or engine purchased must be of appropriate /equivalent size as the vehicle or engine being replaced; and
- 6) The new vehicle must be replaced with a current model year or newer.

Volkswagen RFP Scoring Matrix:

The Department has developed a project RFP scoring criteria/matrix. Each application submitted will be scored based on the factors outlined in the matrix in **Table 5**. The number of projects that are selected for funding in each phase will depend on the applications received and interest by vehicle and equipment owners.

The following criteria will be used by the grant Review Committee to review and score applications received for the VW Mitigation Funds:

Table 5 - VW Settlement RFP Award Criteria

Project Award Criteria	Points Possible	Points Awarded	Comments
<p>Measurable, verifiable reduction in NOx emissions</p> <ul style="list-style-type: none"> - The project will produce a net reduction in NOx emissions in the State and result in a measurable, verifiable reduction in NOx per ton of emissions using the Diesel Emission Quantifier. - Projects must meet eligibility requirements of Appendix D-2 of the VW Mitigation Plan 	30		
<p>Project Budget</p> <ul style="list-style-type: none"> -The proposed budget is thorough, robust, realistic and cost effective. - The applicant must show a detailed budget with all cost shares explained. 	15		
<p>Proposed Project Location</p> <ul style="list-style-type: none"> - The project is sited near a major highway or transportation corridor, shipping route, or near a shipping logistics center. - This project will address an environmental justice (EJ) area or related location that receives a disparate proportion of environmental impacts. - The project avoids environmentally sensitive areas or areas containing critical habitats. -Priority will be given to projects in non-attainment and air quality maintenance areas. 	15		
<p>Project Timeline</p> <p>The proposed project must define when the project will commence and will end.</p>	15		

Project Award Criteria	Points Possible	Points Awarded	Comments
Ability to be Replicated throughout the State - The proposed project has the ability to be replicated throughout the state with other fleets or for public access.	10		
Collaboration with other Entities in the State - The project includes collaborative efforts between the applicant and project team (an anchor fleet or fleets, utility/fuel provider, vehicle dealer, or manufacturer).	10		
Economic Development - The project creates and/or retains local jobs for Delawareans. - The project serves as an economic development engine for local Delaware based companies.	5		
Total Points	100		

Status Update of Phase 2 Program:

The Department selected two projects for replacement in 2020 under the Request for Proposal NAT19001-VWEMTFP. The Department is partnering with Waste Management, Inc. of Delaware in the replacement of ten (10) solid waste collection units as compressed natural gas (CNG) for the first project. The waste collection units will serve in New Castle and Sussex County, which are both designated as non-attainment areas. This project will use combined Diesel Emission Reduction Act (DERA) grant funds (\$316,019.00) and Volkswagen Mitigation Trust Funds (\$183,981.00).

For the second project, the Department is partnering with The Teens Warehouse, Inc. to replace one diesel school bus with new, electric school bus with associated electric vehicle supply equipment. The electric bus will serve New Castle County. Funds shall cover up to 45% of the cost of an eligible replacement vehicle powered by an engine certified to the 2019 model year or newer standards and the charging infrastructure associated with the new all-electric vehicle. The project will cost \$177,693.75. As previously described, any funds remaining from Phase 2 will rollover

to Phase 3. The Department estimates that \$2.8M will remain in Phase 2 so Phase 3 will have approximately \$6.0M available.

Status Update of Phase 3 Program:

The Department selected two projects for replacement in 2021 under the Request for Proposal NAT20002-VWEMTFP. The Department is partnering with Sutton Bus & Truck Company in the replacement of eight (8) diesel school buses with propane buses. The school buses will serve in New Castle County, which is a designated non-attainment area. This project will use combined Diesel Emission Reduction Act (DERA) grant funds (\$57,143.00) and Volkswagen Mitigation Trust Funds (\$128,857.00).

For the second project, the Department is partnering with Bowman Bus Service to replace one diesel school bus with new, clean diesel school bus that will serve Kent County. The project will cost \$25,750.00. Funds shall cover up to 25% of the cost of an eligible replacement bus powered by an engine certified to the 2019 model year or newer. Any funds remaining from Phase 3 will rollover to Phase 4.

During Phase 3 of this funding, DNREC's Division of Climate, Coastal, and Energy will receive 15% (\$1.45M) of the Trust funds to administer a competitive grant program for the deployment of electric vehicle supply equipment (EVSE). Specifically, these funds will be utilized to incentivize the construction and operation of DC Fast Charging stations in the state to provide residents and travelers with convenient and consistent access to electric vehicle supply equipment. Grant funding will be provided for the material costs of publically available DC Fast Charging Stations installed within the state of Delaware. Eligible entities for grant funding will include Delaware-based businesses, not-for-profit organizations, government entities, and educational institutions. Project proposals will be submitted through competitive Request for Proposal process and will be evaluated based on criteria in the categories of:

- Estimated greenhouse gas reductions

-
- Proximity to Alternative Fuel Corridors and proximity to high traffic volume routes
 - Accessibility regarding payment options
 - Thoroughness of the Operations and Maintenance Plan
 - Overall project budget and cost effectiveness

The RFP for Electric vehicle supply equipment will be released in Quarter 4 of 2021. Additionally, the Department will allocate up to \$700,000 to replace five (5) Class 8 government-owned dump trucks with the Division of Fish and Wildlife. These vehicles will be used around the state.

Phase 4 - A Hybrid Program:

The Department estimates that \$3.8M remains from all spending for Phase 4. A competitive request for proposals (RFP) will be released in Quarter 1 2022. In the Competitive RFP, the Department will pursue the following projects:

- School bus replacements with the privately-owned school bus contractors. In Delaware, private school bus contractors provide 2/3 of transportation services to Delaware schools. The Department will allocate funds in the replacement of propane or clean diesel school buses. The contractors are eligible for a 25% cost share and school bus replacements must match the criteria established in Phase 1 - Program Requirements and Phase 2 – Competitive RFP Program.
- All other eligible mitigation actions. The remaining Trust funds will be used for the replacement of eligible mitigation actions listed in Phase 2 – Competitive RFP Program.