



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

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Karyn E. Polito
Lieutenant Governor

Kathleen A. Theoharides
Secretary

Martin Suuberg
Commissioner

MassDEP VW Settlement Semiannual Report

January 1, 2021 – June 30, 2021

This information is available in alternate format. Contact Michelle Waters-Ekanem, Director of Diversity/Civil Rights at 617-292-5751.

TTY# MassRelay Service 1-800-439-2370

MassDEP Website: www.mass.gov/dep

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Massachusetts is a beneficiary under the Volkswagen (VW) *Environmental Mitigation Trust Agreement for State Beneficiaries* (VW Settlement). The Massachusetts Department of Environmental Protection (MassDEP) is the designated Lead Agency for Massachusetts under the VW Settlement and is responsible for, among other duties, developing the beneficiary mitigation plan (BMP) for Massachusetts, which describes how the Commonwealth will spend its funding allocation. The VW Settlement contains provisions requiring semiannual reporting:

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 30 (for the preceding six-month period of July 1 to December 31) and July 30 (for the preceding six-month period of January 1 to June 30) of each year, each Beneficiary shall submit to the Trustee a semiannual report describing the progress implementing each Eligible Mitigation Action during the six-month period leading up to the reporting date (including a summary of all costs expended on the Eligible Mitigation Action through the reporting date). Such reports shall include a complete description of the status (including actual or projected termination date), development, implementation, and any modification of each approved Eligible Mitigation Action. Beneficiaries may group multiple Eligible Mitigation Actions and multiple sub-beneficiaries into a single report. These reports shall be signed by an official with the authority to submit the report for the Beneficiary and must contain an attestation that the information is true and correct and that the submission is made under penalty of perjury.

MassDEP submitted its first semiannual report to the trustee, Wilmington Trust (WT), on February 12, 2020, which covered the period of October 28, 2019 to December 31, 2019. MassDEP submitted its second semiannual report on July 30, 2020, which covered the period of January 1, 2020 to June 30, 2020. MassDEP submitted its third semi-annual report on January 27, 2021, which covered the period of July 1, 2020 to December 31, 2020. This fourth semiannual report covers the period of January 1, 2021 to June 30, 2021.

MassDEP issued a *Final Massachusetts Volkswagen Settlement Beneficiary Mitigation Plan* (BMP),¹ submitted to WT on December 10, 2018, and an *Amendment* to the BMP,² submitted to WT on December 17, 2019, which established plans for \$40,759,663.66 of the \$75,064,424.40 Massachusetts allocation of the VW Settlement. The current status of Massachusetts' VW implementation is summarized below.

¹ <https://www.mass.gov/doc/massachusetts-volkswagen-settlement-beneficiary-mitigation-plan-december-2018/download>

² <https://www.mass.gov/doc/amendment-to-massachusetts-volkswagen-settlement-beneficiary-mitigation-plan-december-2019/download>

Eligible Mitigation Action (EMA)	BMP Equipment and Installation Budget	Status
EMA 2: Electric transit buses	\$22,000,000	D-4 form submitted to WT October 3, 2019 ³ reserved \$10,977,992 for electric transit buses, charging infrastructure, installation and administrative costs in connection with designated regional transit authorities. ⁴ D-4 form submitted to WT December 23, 2020 ⁵ increased the amount reserved for electric transit bus equipment and installation to \$22,000,000, plus reserved \$2,697,409.32 for EMA 2 projects under the VW Open Solicitation discussed below and \$3,660,624.02 for total EMA 2 administrative costs. The following payments have been made: \$3.9 million to BYD Coach and Bus LLC for six electric transit buses delivered to Martha’s Vineyard Transit Authority; \$3,882,804 to Proterra Inc. for four electric transit buses and six charging stations delivered to Pioneer Valley Transit Authority (PVTA); and \$168,678.83 to PVTA for charger installation. Procurements are in process for an additional eight transit buses and four dual-port charging stations for PVTA, and six buses and three dual-port charging stations for Greater Attleboro Taunton Transit Authority.
EMA 9: Light duty electric vehicle supply equipment (EVSE)	The maximum allowed 15%. (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 allowed 15%.)	D-4 form submitted to WT August 28, 2019 reserved \$5,750,000 for EVSE, installation and administrative costs for the three Massachusetts Electric Vehicle Incentive Program (MassEVIP) offerings detailed below. D-4 form submitted to WT February 21, 2020 ⁶ increased reserved amount to \$12,948,613.21 (\$11,259,663.66 for EVSE and installation and \$1,688,949.55 for administration), and liquidated a \$3,459,157.95 portion for estimated 2020 grants (\$3 million for EVSE and installation and \$459,157.95 for administration). In the current reporting period, 18 grantees received \$251,200.46 for EVSE at 18 distinct locations. To date, 87 projects have received \$1,040,829.74 in funding. More detail on EMA 9 spending is provided below.

³ <https://www.vwenvironmentalmitigationtrust.com/sites/default/files/2020-02/VW%20EMA02%20electric%20transit%20buses%20D-4%20CommishSigned%2010-3-2019%20%28web%29.pdf>

⁴ As indicated in the December 2018 BMP, p.4, “Trust Funds can be used for the actual administrative expenditures associated with implementing an eligible mitigation project, but not to exceed 15% of the total cost of such eligible mitigation project. The Commonwealth will review each mitigation project to determine the appropriate level of administrative expenditure and does not expect to use the entire 15% for this purpose.”

⁵ <https://www.vwenvironmentalmitigationtrust.com/sites/default/files/2021-06/VW%20EMA2%20Appendix%20D-4%20revision%201%2012-22-2020%20MS%20signed.pdf>

⁶ <https://www.vwenvironmentalmitigationtrust.com/sites/default/files/2020-03/VW%20MassEVIP%20D-4%20revision%201%202-20-2020%20MS%20signed%20%28web%29.pdf>

Eligible Mitigation Action (EMA)	BMP Equipment and Installation Budget	Status																																																																																																					
Open Solicitation: was open to any EMA except EMA 9 (EVSE) and EMA 10 (Diesel Emissions Reduction Act (DERA))	\$7,500,000	MassDEP has submitted D-4 forms for EMA 1, Large Trucks, ⁷ EMA 2, Buses, ⁸ EMA 4, Ferries/Tugs ⁹ and EMA 6, Medium Trucks, ¹⁰ to reserve funds for projects awarded under the Open Solicitation. More detail on Open Solicitation spending is provided below. The distribution of grant amounts across EMA categories is as follows (no grants were selected for EMA 3):																																																																																																					
		<table border="1"> <thead> <tr> <th colspan="2">EMA</th> <th colspan="3">As of December 20, 2019</th> <th colspan="3">As of December 31, 2020</th> </tr> <tr> <th></th> <th></th> <th># Grantees</th> <th># projects</th> <th>Planned Spending</th> <th># Grantees</th> <th># projects</th> <th>Planned Spending</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Large Trucks</td> <td>13</td> <td>32</td> <td>\$2,926,378.25</td> <td>12</td> <td>31</td> <td>\$2,902,220.90</td> </tr> <tr> <td rowspan="3">2</td> <td>School Bus</td> <td>4</td> <td>10</td> <td>\$1,499,905.32</td> <td>4</td> <td>10</td> <td>\$1,499,905.32</td> </tr> <tr> <td>Shuttle Bus</td> <td>2</td> <td>3</td> <td>\$697,504.00</td> <td>2</td> <td>3</td> <td>\$697,504.00</td> </tr> <tr> <td>Transit Bus</td> <td>1</td> <td>4</td> <td>\$500,000.00</td> <td>1</td> <td>4</td> <td>\$500,000.00</td> </tr> <tr> <td>4</td> <td>Ferries</td> <td>2</td> <td>3</td> <td>\$194,659.80</td> <td>2</td> <td>3</td> <td>\$191,778.75</td> </tr> <tr> <td>5</td> <td>Ocean Going Vessel Shorepower</td> <td>1</td> <td>1</td> <td>\$100,000.00</td> <td>1</td> <td>1</td> <td>\$100,000.00</td> </tr> <tr> <td>6</td> <td>Medium Trucks</td> <td>7</td> <td>8</td> <td>\$859,877.32</td> <td>8</td> <td>9</td> <td>\$859,877.32</td> </tr> <tr> <td rowspan="2">7</td> <td>Airport Ground Support Equipment (GSE) (replacing gasoline)</td> <td>1</td> <td>31</td> <td>\$440,930.31</td> <td>1</td> <td>31</td> <td>\$440,930.31</td> </tr> <tr> <td>Airport GSE (replacing diesel)</td> <td>1</td> <td>4</td> <td>\$169,140.00</td> <td>0</td> <td>0</td> <td>\$0</td> </tr> <tr> <td>8</td> <td>Cargo Handling Equipment</td> <td>1</td> <td>3</td> <td>\$111,605.00</td> <td>0</td> <td>0</td> <td>\$0</td> </tr> <tr> <td>Total</td> <td></td> <td>30</td> <td>99</td> <td>\$7,500,000.00</td> <td>27</td> <td>92</td> <td>\$7,192,216.60</td> </tr> </tbody> </table>	EMA		As of December 20, 2019			As of December 31, 2020					# Grantees	# projects	Planned Spending	# Grantees	# projects	Planned Spending	1	Large Trucks	13	32	\$2,926,378.25	12	31	\$2,902,220.90	2	School Bus	4	10	\$1,499,905.32	4	10	\$1,499,905.32	Shuttle Bus	2	3	\$697,504.00	2	3	\$697,504.00	Transit Bus	1	4	\$500,000.00	1	4	\$500,000.00	4	Ferries	2	3	\$194,659.80	2	3	\$191,778.75	5	Ocean Going Vessel Shorepower	1	1	\$100,000.00	1	1	\$100,000.00	6	Medium Trucks	7	8	\$859,877.32	8	9	\$859,877.32	7	Airport Ground Support Equipment (GSE) (replacing gasoline)	1	31	\$440,930.31	1	31	\$440,930.31	Airport GSE (replacing diesel)	1	4	\$169,140.00	0	0	\$0	8	Cargo Handling Equipment	1	3	\$111,605.00	0	0	\$0	Total		30	99	\$7,500,000.00	27	92	\$7,192,216.60
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⁷ <https://www.vwenvironmentalmitigationtrust.com/sites/default/files/2021-07/VW%20EMA1%20Appendix%20D-4%2012-22-2020%20MS%20signed%20%28web%29.pdf>

⁸ Ibid 5

⁹ <https://www.vwenvironmentalmitigationtrust.com/sites/default/files/2020-11/VW%20EMA4%20Appendix%20D-4%209-2-2020%20MS%20signed%20%28web%29.pdf>

¹⁰ <https://www.vwenvironmentalmitigationtrust.com/sites/default/files/2021-06/VW%20EMA6%20Appendix%20D-4%2012-22-2020%20MS%20signed.pdf>

A number of grant programs were announced on January 18, 2019; see press release at <https://web.archive.org/web/20210515215603/https://www.mass.gov/news/baker-polito-administration-announces-grant-programs-to-reduce-vehicle-air-pollution-under-the>. These programs included three MassEVIP offerings totaling \$5 million under EMA 9 EVSE, and a \$7.5 million Open Solicitation open to all EMAs except EMA 9 (EVSE) and EMA 10 (DERA). On December 29, 2020 MassDEP announced \$4 million in enhancements to the three existing MassEVIP offerings and the addition of a fourth MassEVIP program for Direct Current Fast Charging (DCFC) EVSE; see press release at <https://www.mass.gov/news/baker-polito-administration-announces-availability-of-additional-4-million-to-fund-electric>. A matrix comparing details of the MassEVIP program features can be found at <https://www.mass.gov/doc/matrix-of-massevip-grant-programs/download>.

- The Open Solicitation was opened January 18, 2019 with a March 18, 2019 application deadline. Selected Grantees were announced on December 20, 2019.¹¹ Some Grantees for this program have completed their projects, and some Grantees are in the process of implementing their projects. Grantees first receive an approval letter with contract forms to sign, then are sent an executed contract. The contracts between MassDEP and Grantees allow 18 months to complete projects. Due to the COVID-19 emergency, MassDEP has worked with Grantees to review and extend timelines as necessary. Application links and materials can be found at: <https://www.mass.gov/how-to/apply-for-a-vw-open-solicitation-grant>. See the following two tables for Open Solicitation project status through June 30, 2021, and disbursements during this reporting period.

Open Solicitation status through June 30, 2021

EMA		Planned as of December 20, 2019	Planned as of June 30, 2021	Payments this Reporting Period	Payments through June 30, 2021	Remaining
1	Large Trucks	\$2,926,378.25	\$2,902,220.90	\$1,321,371.20	\$1,321,371.20	\$1,580,849.70
2	School Bus	\$1,499,905.32	\$1,499,905.32	\$287,936.00	\$287,936.00	\$1,211,969.32
	Shuttle Bus	\$697,504.00	\$697,504.00	\$0	\$0	\$697,504.00
	Transit Bus	\$500,000.00	\$500,000.00	\$0	\$0	\$500,000.00
4	Ferries	\$194,659.80	\$191,778.75*	\$0	\$191,778.75	\$0
5	OGV Shorepower	\$100,000.00	\$100,000.00	\$0	\$0	\$100,000.00
6	Medium Trucks	\$859,877.32	\$859,877.32	\$471,948.00	\$471,948.00	\$387,929.32
7	Airport GSE (replacing gasoline)	\$440,930.31	\$440,930.31	\$0	\$0	\$440,930.31
	Airport GSE (replacing diesel)	\$169,140.00	\$0	N/A	\$0	\$0
8	CHE	\$111,605.00	\$0	N/A	\$0	\$0
Total		\$7,500,000.00	\$7,192,216.60	\$2,081,255.20	\$2,273,033.95	\$4,919,182.65

*\$2,881.05 was saved due to completed projects that cost less than anticipated

¹¹ Press release at <https://www.mass.gov/news/baker-polito-administration-awards-75-million-in-grants-to-further-electrify-transportation> and list of selected Grantees at <https://www.mass.gov/doc/list-of-volkswagen-settlement-open-solicitation-grant-recipients-december-2019/download>

Open Solicitation Disbursements – January 1, 2021 through June 30, 2021

Date Disbursed	EMA	Grantee	Project	Fuel	# of Projects	Amount
3/10/21	1	City of Pittsfield	Dump Truck	Diesel	2	\$333,765.60
3/10/21	6	City of Pittsfield	Dump Truck	Diesel	1	\$93,592.00
3/25/21	1	Town of Grafton	Dump Truck	Diesel	1	\$182,040.00
4/8/21	1	Town of Wilbraham	Dump Truck	Diesel	2	\$304,380.00
5/13/21	1	City of Medford	Dump Truck	Diesel	3	\$360,748.00
6/3/21	1	Town of Amherst	Dump Truck	Diesel	1	\$140,437.60
6/4/21	6	City of Salem	Dump Truck	Diesel	1	\$53,450.64
6/7/21	6	Town of Westborough	Dump Truck	Diesel	2	\$135,836.00
6/8/21	6	Town of Dennis	Dump Truck	Diesel	1	\$112,020.00
6/9/21	2	Highland Electric Transportation Inc.	School Bus & Charging Infrastructure	Electric	1	\$287,936.00
6/29/21	6	Town of Arlington	Dump Truck	Diesel	1	\$77,049.36
Total disbursed 1/1/2021 through 6/30/2021					16	\$2,081,255.20
Cumulative total disbursed through 6/30/2021					19	\$2,273,033.95

Note: all projects in the table above are for vehicle replacements

- MassEVIP: Public Access Charging (PAC):* The first round of \$2 million was opened January 18, 2019 with a March 18, 2019 application deadline. Selected Grantees were announced on November 20, 2019; see press release at <https://www.mass.gov/news/baker-polito-administration-awards-2-million-in-grants-to-support-public-access-charging-for>. Some Grantees for this program have completed their projects, and some Grantees are in the process of implementing their projects. Grantees first receive an approval letter with contract forms to sign, then are sent an executed contract. The contracts between MassDEP and Grantees allow 180 days to complete projects. Due to the COVID-19 emergency, MassDEP has worked with Grantees to review and extend timelines as necessary. In addition to the \$2 million awarded in the first round, MassDEP allocated an additional \$1.5 million to reopen the PAC program on a rolling basis in December 2020. Application links and materials can be found at: <https://www.mass.gov/how-to/apply-for-massevip-public-access-charging-incentives>. See the following table for project status through June 30, 2021.

MassEVIP: PAC status through June 30, 2021	# of Projects	\$ Funding	# of Charging Ports
Projects with approvals issued but without executed contracts	42	\$842,262.49	176
Projects with both approvals and executed contracts	48	\$1,310,473.37	234
Completed projects	29	\$527,268.32	97
Savings from completed projects that cost less than anticipated		\$72,484.87	
Projects that received approvals and/or executed contracts but were withdrawn	49	\$1,201,464.25	219
Total	168	\$3,953,953.30	726

- MassEVIP: Multi-unit Dwelling and Educational Campus (MUDC) charging:* The Multi-unit Dwelling (MUD) program was first opened on January 18, 2019 and expanded to include educational campuses on December 29, 2020. MassDEP has allocated \$1.5 million to the MUDC program and accepts applications on a rolling basis. Application links and materials can be found at <https://www.mass.gov/how-to/apply-for-massevip-multi-unit-dwelling-educational-campus-charging-incentives>. Some Grantees for this program have completed their projects, and some Grantees are in the process of implementing their projects. Grantees first receive an approval letter with contract forms to sign, then are sent an executed contract. The contracts between MassDEP and Grantees allow 180 days to complete projects. Due to the COVID-19 emergency, MassDEP has worked with Grantees to review and extend timelines as necessary. See the following table for project status through June 30, 2021.

MassEVIP: MUDC status through June 30, 2021	# of Projects	\$ Funding	# of Charging Stations
Projects with approvals issued but without executed contracts	10	\$226,237.51	41
Projects with both approvals and executed contracts	9	\$153,843.70	31
Completed projects	20	\$237,404.82	52
Projects that received approvals and/or executed contracts but were withdrawn	2	\$21,383.99	5
Total	41	\$638,870.02	129

- MassEVIP: Workplace and Fleet Charging (WPF):* The Workplace Charging (WPC) program was first opened on January 18, 2019 with \$1.5 million and was expanded to include charging stations for fleets on December 29, 2020 with an additional \$1 million. It accepts applications on a rolling basis. Application links and materials can be found at <https://www.mass.gov/how-to/apply-for-massevip-workplace-fleet-charging-incentives>. Some Grantees for this program have completed their projects, and some Grantees are in the process of implementing their

projects. Grantees first receive an approval letter with contract forms to sign, then are sent an executed contract. The contracts between MassDEP and Grantees allow 180 days to complete projects. Due to the COVID-19 emergency, MassDEP has worked with Grantees to review and extend timelines as necessary. See the following table for project status through June 30, 2021.

MassEVIP: WPF status through June 30, 2021	# of Projects	\$ Funding	# of Charging Stations
Projects with approvals issued but without executed contracts	14	\$140,922.45	31
Projects with both approvals and executed contracts	50	\$620,519.31	153
Completed Projects	105	\$1,375,263.50	323
Projects that received approvals and/or executed contracts but were withdrawn	88	\$745,073.23	178
Total	257	\$2,881,778.49	685

MassEVIP Disbursements – January 1, 2021 through June 30, 2021

Date Disbursed	Grantee	Charging Station Location	Program	# of Stations	# of Ports	Amount
1/28/2021	IndusPad LLC	46 Stafford St Lawrence	WPF	5	10	\$21,915.00
1/28/2021	Drummer Boy Homes Association, Inc.	13 Drummer Boy Way Lexington	MUDC	1	2	\$4,326.00
1/28/2021	Collaborative Innovation Works, LLC (CI Works)	11 Chestnut Street Amesbury	WPF	5	10	\$21,630.00
1/28/2021	Mathieu Ford Sales, INC	664 Spring Street Winchendon	WPF	3	6	\$13,149.00
1/28/2021	Orange Innovation Center LLC	131 West Main St. Orange	WPF	2	4	\$8,826.00
1/28/2021	Hudson Hotel LLC	121 Coolidge St Hudson	WPF	1	2	\$3,491.25
1/28/2021	BPR 293 EQUITY PARTNERS, LLC	293 Boston Post Road Marlborough	WPF	5	10	\$22,806.00
1/28/2021	MTP EQUITY PARTNERS, LLC	200 Nickerson Rd Marlborough	WPF	5	10	\$22,806.00
1/28/2021	JHM Depot Drive LLC	4 Home Depot Drive Plymouth	WPF	2	4	\$6,982.50
1/28/2021	City of Newburyport	331 High St Newburyport	PAC	1	2	\$7,673.69
4/20/2021	Munters Corporation	79 Monroe Street Amesbury	WPF	5	10	\$21,630.00
4/20/2021	446 Main Street Owner LLC	446 Main Street Worcester	WPF	5	10	\$21,600.00
4/20/2021	30 Tozer Rd LLC	30 Tozer Rd Beverly	WPF	5	9	\$20,595.00

Date Disbursed	Grantee	Charging Station Location	Program	# of Stations	# of Ports	Amount
4/20/2021	Sterling and Francine Clark Art Institute	225 South St Williamstown	WPF	3	6	\$12,978.00
4/20/2021	Mill Street Condominium Association Sub Association Phase II III and IV	51 Mill St Hanover	WPF	4	8	\$9,588.00
4/20/2021	320 Washington St Realty Trust	320 Washington St Norwell	WPF	2	4	\$4,614.00
4/20/2021	Kensington at Chelmsford LLC	225 Littleton Rd Chelmsford	MUDC	1	2	\$4,525.02
4/20/2021	20 Cabot Owner LLC	20 Cabot Rd Medford	MUDC	5	10	\$22,065.00
Total disbursed 1/1/2021 through 6/30/2021			18 projects	60	119	\$251,200.46
Cumulative total disbursed through 6/30/2021			87 projects	233	449	\$1,040,829.74

Note: all charging stations in the table above are Level 2 (240-volt)

In accordance with Section 5.3 of the Volkswagen *Environmental Mitigation Trust Agreement for State Beneficiaries*, I attest that the information contained in this report is true and correct and that this submission is made under penalty of perjury.

Signature: _____

Date: _____

8/30/21

MassDEP Commissioner Martin Suuberg