

**Responses to Questions**  
**MassDEP Volkswagen Open Solicitation**  
**September 12, 2023**

*The following are the responses of the Massachusetts Department of Environmental Protection (MassDEP) to questions regarding the Volkswagen (VW) and Refuse Truck Electric Solicitation issued on July 26, 2023. The deadline for asking questions was 5 p.m. September 11, 2023.*

<b>Question</b>	<b>MassDEP Response</b>
<b>Eligibility</b>	
Are mini excavators eligible?	No, mini excavators do not fit into any eligible mitigation action (EMA) categories allowed under the VW Settlement.
Are pick-up trucks eligible?	No, pick-up trucks are smaller than the minimum eligible Class 4 (14,001 pounds) vehicle size.
Do you accept railcar movers under the freight switcher category?	The VW Settlement defines “Freight Switcher” to “mean a locomotive that moves rail cars around a rail yard as compared to a line-haul engine that move[s] freight long distances.” If the railcar mover is a locomotive, it is eligible. If a railcar mover is not a locomotive, it is not eligible.
Are propane forklifts eligible?	No, only diesel-powered existing forklifts are eligible.
Are you able to confirm that fleets running diesel-powered terminal trucks (aka yard trucks, yard tractors, hostlers, etc.) at warehouses, distributions centers, intermodal rail yards, and other cargo handling operations are eligible to replace these vehicles with pure-electric terminal trucks using incentives from this opportunity?	MassDEP considers cargo handling operations that are not located on the water to be ports eligible for VW EMA 8 (Forklifts and Port Cargo Handling Equipment) in this solicitation. The VW Settlement defines “Port Cargo Handling Equipment” to “mean rubber-tired gantry cranes, straddle carriers, shuttle carriers, and terminal tractors, including yard hostlers and yard tractors that operate within ports.” MassDEP’s understanding is that a terminal tractor is also known as a “yard truck” and is therefore eligible.
Would a small commercial composting company that provides curbside waste and recycling collection be eligible for the VW or Refuse Truck Electric Solicitation Grant?	Such an entity is only eligible for the refuse truck portion of this solicitation if it is contracted by a municipality. It is not eligible for the refuse truck portion of this solicitation if it is not contracted by a municipality. Such an entity is eligible for the VW portion of this solicitation whether or not it is contracted by a municipality.
Are refuse trucks eligible that do not do curbside pickup, but pick up at other municipal locations?	Yes, MassDEP considers refuse trucks picking up in municipal locations such as parks and housing developments to be curbside pickup vehicles eligible to be replaced under the refuse truck portion of this solicitation. Such a truck may be eligible for the VW portion of this

Question	MassDEP Response
	solicitation, which does not have an eligibility criterion regarding curbside pickup.
Does a waste truck that solely picks up municipal waste from a transfer station to take to a waste facility (i.e., no curbside pickup) qualify?	Such a waste truck would not be eligible for the refuse truck portion of this solicitation, which requires an entity to provide curbside waste and/or recycling collection. Such a waste truck may be eligible for the VW portion of this solicitation, which does not have an eligibility criterion regarding curbside pickup.
Is there a mileage minimum like with the DERA grants?	No.
<b>Environmental Justice Areas</b>	
The vehicle is garaged outside an Environmental Justice (EJ) community, but the route the vehicle travels is within an EJ community. How should I put this on my application?	“No” should be selected to answer the application question “Is the project located in an area that contains an Environmental Justice area?” because this question refers to the garage location of the vehicle. The applicant should then provide information about the route traveling through EJ communities in the space provided for “General vehicle route information.”
<b>Funding</b>	
Can ARPA funding be used in conjunction with this grant?	MassDEP does not prohibit combining ARPA funds with this solicitation; however, timing and the ARPA rules affect the ability to combine funds. For example, this solicitation requires that “Vehicles/engines/equipment must not be ordered, and no eligible installation work should be done, until Grantee receives an approval letter from MassDEP.” Thus, if an applicant has been awarded ARPA funds, any vehicles/engines/equipment that have already been ordered are not eligible under this solicitation. The ARPA rules and guidance must be consulted for their numerous limitations on ARPA eligibility and conditions under which ARPA allows and prohibits combining funding.
Can these funds be combined with MOR-EV funds for the same project?	No.
Is leasing allowed under this program? Will MassDEP entertain joint applications from leasing companies and waste contractors if they meet all the other eligibility requirements for service to our municipality?	No, MassDEP is not allowing leasing as part of this solicitation.

<b>Question</b>	<b>MassDEP Response</b>
Should quotes from vendors include eligible and ineligible costs?	Yes, all costs, eligible and ineligible, should be itemized on the quote.
Should only eligible costs be entered in the application?	No, the “upgrade unit cost” and “upgrade labor cost” that applicants enter in the application should match the total costs on quotes. MassDEP will review quotes to determine eligible costs.
<b><i>Scrappage</i></b>	
Is scrappage required for each project?	Yes.
Can a vehicle be scrapped with different functions than its replacement?	No, the replacement equipment must serve the same function as the original equipment.
Can applicants looking to scrap their vehicle(s) cancel insurance for said vehicle(s) prior to scrapping, or can the cancellation only be conducted post-scrap?	Equipment must be in use as of the date the application is submitted; MassDEP does not have any requirements on whether or when insurance must be in effect for vehicles that will be scrapped.
<b><i>Charging Stations</i></b>	
For the refuse truck projects, will the grant support a mobile charger, or is it only conventional standalone or wall mounted?	MassDEP’s preference is for hardwired chargers, but MassDEP will consider applications that submit a detailed explanation of the need for a mobile charger and a plan to keep the charger safe from damage or theft.
Is the funding only for L2 stations or is L3 allowed?	Applicants may apply for any level of charging their equipment can accept, e.g., level 1, 2 or 3 (also known as Direct Current Fast Charging).