

Environmental Mitigation Fund

Oregon allocation \$68,239,143.96

The state must designate a recipient agency certifying that the state has authority to receive or direct the funds, all applicable laws will be followed, claims for injunctive relief under environmental or common law are waived, all documentation and public records will be made publicly available, notice provided to federal agencies of the availability of these funds and the process for considering requests for use of litigation funds from these agencies and that the state will not deny registration of subject vehicles on the basis of defeat devices, whether repaired or not.

The Allocation will be available to the state with initial funds allocated over a three year period with all funds intended to be disbursed no later than 15 years after the award date.

The state must submit a mitigation plan within approximately 210 days of the decree being finalized that provides a general outline of the type of activities to be supported, the goals to be met, consideration of relief for areas disproportionately impacted by pollution and general description of the range of emission benefits to be realized.

Allowable Mitigation Actions

In all cases, for replacement projects, an older vehicle is scrapped; for repower projects, it is not clear but likely the older engine is scrapped. Funds may also be used as nonfederal match for any project deemed eligible for funding under DERA grant guidelines.

Class 4- 8 trucks, school buses, shuttle buses, transit buses (model years 1992 – 2006, except school buses up to and including model year 2012).

Non-government owned

- 40% for engine repower with new diesel or alternative fueled engine
- 25% for new diesel or alternatively fueled vehicle, e.g. CNG, propane, hybrid
- 50% for new diesel or alternatively fueled dray¹ truck
- 75% for engine repower to all electric engine, including charging infrastructure
- 75% for new all electric vehicle, including charging infrastructure

Government owned

- 100% for engine repower with new diesel or alternatively fueled engine
- 100% for new diesel or alternatively fueled vehicle, e.g. CNG, propane, hybrid
- 100% for engine repower to all electric engine, including charging infrastructure
- 100% for new all electric vehicle, including charging infrastructure

¹ Used in transporting freight to and from port and intermodal railyard facilities.

Freight Switchers (pre-Tier 4 operating more than 1000 hours per year)

Non-government owned

40% for engine repower with new diesel or alternative fueled engine, including generator sets

25% for new diesel or alternatively fueled vehicle, e.g. CNG, propane, hybrid, generator sets

75% for engine repower to all electric engine, including charging infrastructure

75% for new all electric vehicle, including charging infrastructure

Government owned

100% for engine repower with new diesel or alternative fueled engine, including generator sets

100% for new diesel or alternatively fueled vehicle, e.g. CNG, propane, hybrid, generator sets

100% for engine repower to all electric engine, including charging infrastructure

100% for new all electric vehicle, including charging infrastructure

Ferries/Tugs (Vessels with Tier 0, Tier 1 or Tier 2 engines eligible only)

Non-government owned

40% for engine repower with new diesel (Tier 3 or 4) or alternative fueled engine

75% for engine repower to all electric engine, including charging infrastructure

Government owned

100% for engine repower with new diesel (Tier 3 or 4) or alternative fueled engine

100% for engine repower to all electric engine, including charging infrastructure

Airport ground support equipment (Tier 0, Tier 1 or Tier 2 engines or uncertified or certified to 3 gm/bhp-hr spark ignited engine eligible only)

Non-government owned

75% for engine repower to all electric engine, including charging infrastructure

75% for new all electric vehicle, including charging infrastructure

Government owned

100% for engine repower to all electric engine, including charging infrastructure

100% for new all electric vehicle, including charging infrastructure

Forklifts (Forklifts with greater than 8000 pounds lift capacity including reach stackers)

Non-government owned

75% for engine repower to all electric engine, including charging infrastructure

75% for new all electric vehicle, including charging infrastructure

Government owned

100% for engine repower to all electric engine, including charging infrastructure

100% for new all electric vehicle, including charging infrastructure

Ocean going vessel shorepower

Non-government owned

25% for costs associated with shore-side system

Government owned

100% for costs associated with shore-side system

Light duty vehicle zero emission vehicle supply equipment (Up to 15% of each state's allocation maybe used for projects in this category. Includes Level 1, 2 or fast charging infrastructure located in a public place, workplace or multi-unit dwelling or fueling equipment capable of dispensing hydrogen at a pressure of 70 megapascals located in a public place.)

100% of the cost to purchase, install and maintain charging equipment available to the public at a government owned property

80% of the cost to purchase, install and maintain charging equipment available to the public at a non-government owned property

60% of the cost to purchase, install and maintain charging equipment available at a workplace or multi-unit dwelling but not to the general public

33% of the cost to purchase, install and maintain hydrogen fuel cell vehicle supply equipment capable of dispensing at least 250 kg/day, available to the public

25% of the cost to purchase, install and maintain hydrogen fuel cell vehicle supply equipment capable of dispensing at least 100 kg/day, available to the public