

Level 2 Electric Vehicle (EV) Charging Rebate Program

A Driving PA Forward Funding Program



pennsylvania

DEPARTMENT OF ENVIRONMENTAL
PROTECTION

Tom Wolf
Governor

Ramez Ziadeh
Acting Secretary

Version 4.0 – Effective July 5, 2022

Introduction

The Department of Environmental Protection values working with partners who share our view that diversity and equity are integral to success in restoring and protecting the environment for all Pennsylvanians. As we work to demonstrably improve the inclusivity of our programs and processes, we also encourage our partners to pursue increased inclusivity in their operations. In this way, Pennsylvania's natural resources are best protected as "the common property of all the people," as identified in our state constitution.

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I. Funding Opportunity Description

A. Background

Reducing emissions from diesel engines is one of the most significant air quality challenges facing the Commonwealth of Pennsylvania. To help Pennsylvania meet its diesel emissions reduction goals, the Wolf Administration has developed grant and rebate programs under the Driving PA Forward initiative to improve air quality in Pennsylvania and drive transformation from older, polluting diesel engines to clean technologies. New engine technologies like electric, compressed natural gas, propane, and clean diesel can significantly reduce pollutants from freight and delivery trucks, transit and school buses, cargo handling equipment, ocean going vessels in port, forklifts, tugs, and freight switchers that rely on older diesel technology.

The goal of the Governor's initiative is to permanently reduce NOx emissions by as much as 27,700 tons. Of the mobile source NOx emissions, diesel sources, including aviation, marine, and rail sources, account for approximately 61% of the emissions.

The Level 2 Electric Vehicle (EV) Charging Rebate Program is one of the Driving PA Forward financial incentive programs that the PA Department of Environmental Protection (DEP) has developed to fund Eligible Mitigation Actions (EMAs) from Pennsylvania's \$118.5 million allocation from the State Mitigation Trust, resulting from the emissions cheating lawsuit settlement.¹ Pennsylvania will have at least 10 years to use its allocation of the Trust to fund EMAs. All expenditures from the State Mitigation Trust will require the approval of the Trustee.²

B. Scope of Work

The primary goal of the Level 2 Electric Vehicle (EV) Charging Rebate Program is to improve Pennsylvania's air quality by reducing oxides of nitrogen (NOx) emissions. The Level 2 EV Charging Rebate Program will accomplish this by spurring widespread investment into EV charging infrastructure across Pennsylvania. Expanding the availability of EV charging opportunities and networks is expected to accelerate consumer and fleet adoption of battery electric and plug-in hybrid electric light-duty vehicles, thereby resulting in air quality improvement. DEP encourages projects located in priority areas, including nonattainment areas (National Ambient Air Quality Standards), Environmental Justice Areas, and high-pollution areas, in accordance with DEP's Beneficiary Mitigation Plan. DEP anticipates awarding a minimum of 70 percent of the available funds to projects in priority areas, such as those listed above.

¹ A \$2.866 billion environmental mitigation trust (State Mitigation Trust) was established by the Environmental Mitigation Trust Agreement for State Beneficiaries filed by the United States (U.S.) Department of Justice, with the U.S. District Court for the Northern District of California on October 2, 2017, in the case, *In Re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation* (No. 3:15-md-02672-CRB (N.D. Cal.), MDL No. 2672). Additional information about the case and the settlement are available on DEP's website.

² A Trustee, Wilmington Trust, N.A., was approved by the Court on March 15, 2017, to administer the State Trust Agreement and disburse the funds from the State Mitigation Trust.

The maximum allowable 15 percent of Pennsylvania's total State Mitigation Trust settlement award is being used to fund light-duty zero emission vehicle supply equipment (ZEVSE) projects. DEP implemented two incentive programs using this funding: a rebate for Level 2 electric vehicle supply equipment (EVSE), and a competitive grant program for DC Fast Charging and hydrogen fuel cell vehicle fueling projects. These guidelines are specific to the Level 2 EV Charging Rebate Program only.

C. What's New

1. The rebate table includes a new category of "Full Public Access, Networked, Priority County". See Section III for a definition of "Priority County".
2. The rebate table no longer differentiates between government-owned property and non-government-owned property.
3. New guidance on charging equipment replacement projects has been added to Section III.
4. Of an entity's \$100,000 active rebate cap, they can now have no more than \$50,000 of active rebates for projects not located within Environmental Justice communities.
5. Rebate applicants must now comply with Executive Order 2021-06 Worker Protection and Investment. See Section IX for more details.

D. Focus on Environmental Justice

Environmental Justice (EJ) is the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation and enforcement of environmental laws, regulations, and policies. EJ embodies the principles that communities should not be disproportionately exposed to adverse environmental impacts and anyone can have a seat at the table in the decision-making process that affects their environment.

Pennsylvania DEP identifies an EJ Area where 20 percent or more individuals live at or below the federal poverty line, and/or 30 percent or more of the population identify as non-white minority, based on data from the U.S. Census Bureau and the federal guidelines for poverty. In many instances, industrial sources of pollution are disproportionately concentrated in and around these EJ Areas, which negatively effects health and severely impacts quality of life for those living and working there.

The Commonwealth of Pennsylvania encourages any project which would attempt to mitigate pollution in EJ Areas. Any Driving PA Forward grant or rebate project proposal received by DEP, which provides clear environmental benefit to a EJ area, may receive additional consideration in the application review process.

For more information on Environmental Justice, please contact the DEP Office of Environmental Justice at:

P.O. Box 2063

Harrisburg, PA 17101

RA-EPOEJ@pa.gov or (484) 250-5818

E. Important Information

1. Interested organizations must submit their rebate applications before beginning project installation. Installation costs incurred before the application date will not be considered under any circumstance.
2. After completing the charging equipment project and submitting for rebate voucher redemption, applicants should be prepared for a total payment processing time of at least 5-7 months.

II. Applicant Eligibility

A. Eligible Applicants

Organizations that own or operate an eligible location may apply for a Level 2 EV Charging Rebate. Eligible applicants include:

1. Businesses – corporations, partnerships, sole proprietorships, limited liability companies, business trusts or other legal business entities incorporated in or registered with the Pennsylvania Department of State, Bureau of Corporations and Charitable Organizations, to do business in the Commonwealth.
2. Incorporated Nonprofits – An organization incorporated as a non-profit under Pennsylvania law or registered with the Pennsylvania Department of State, Bureau of Corporations and Charitable Organizations, to do business in the Commonwealth.
3. State, Local, or Tribal Government Agencies – a State or local government agency (including a school district, municipality, city, county, special district, transit district, joint powers authority, or port authority, owning fleets purchased with government funds), and a tribal government or native village. The term ‘State’ means the several States, the District of Columbia, and the Commonwealth of Puerto Rico.
4. Air Quality or Transportation Organizations – Local, regional or multi-state air quality or transportation organizations that include a Pennsylvania state government agency, a municipal government, or a municipal authority as a member, and
 - a. own or operate a diesel fleet located or operating predominately in Pennsylvania, or
 - b. have partnered with or is acting as a project manager for another eligible entity listed in this section.
5. Metropolitan or Rural/Regional Transportation Planning Organizations – Organizations as defined by the U.S. Department of Transportation at 49 U.S.C. § 5303(b) that are located in Pennsylvania.
6. Federal Government Agencies – Federal agencies that have custody, control, or management of land (including, but not limited to, Clean Air Act Class I and II areas) within or contiguous to the territorial boundaries of the Commonwealth.

B. Ineligible Applicants

1. Businesses not incorporated in or registered with the Pennsylvania Department of State, Bureau of Corporations and Charitable Organizations, to do business in the Commonwealth.

2. Individuals applying as individuals, not on behalf of an eligible applicant. Please note, sole proprietors are eligible to apply as a business.

C. Eligible Locations

1. Publicly accessible government owned property
2. Publicly accessible non-government owned property
3. Workplace property where the charging stations can serve either employee and/or light duty fleet vehicles.
4. Multi-unit dwelling (MUD) property where MUD refers to two or more individual residential housing units within a single building. This includes, but is not limited to, apartment buildings and condominiums, and excludes individually owned townhouses, rowhouses and mobile homes.

III. Level 2 EV Charging Rebate Information

A. Available Funding

Applications will be accepted, reviewed, and approved on a first-come, first-served basis. Funding is available at the rebate levels identified in Table 1. These guidelines and associated rebate levels are final and will be in effect until all remaining funds allocated to this Program are awarded.

Thus far, approximately 40% of Level 2 EV Charging Rebate Program funds have supported projects located in Environmental Justice (EJ) Areas. Should the proportion of total funds supporting EJ communities decrease DEP may restrict project eligibility to those located in EJ communities, or otherwise revise the program to increase the proportion of EJ investment back above 40%. The guidelines in effect at the time of application determine the rebate level. Therefore, if the guidelines version and rebate levels change after a complete and eligible application is submitted, the guidelines and rebate levels in effect at the time the application was submitted will apply to that project, even if that application is not approved until after the changeover to the new guidelines.

B. Rebate Amounts and Categories

The Level 2 EV Charging Rebate Program will provide rebates either as a maximum dollar amount or as a percentage of project costs, whichever is less. The program will provide maximum rebates of \$4,000 per plug for Full Public Access and Networked charging projects located in Priority Counties, \$3,500 per plug for Full Public Access and Networked projects in all other counties, \$3,000 per plug for Multi-Unit Dwelling projects and \$2,500 per plug for All Other Eligible Projects, including workplace charging and equipment replacement projects. Please note that the per-plug amounts are not fixed for every project. The final rebate amount for a project may also be capped at a percentage of final project costs, as identified in Table 1. Rebates can be applied to project costs directly connected to equipment acquisition, installation, operation, and maintenance (see Section IV.D. for a list of eligible project costs). The final rebate amount will ultimately be determined by the per-plug rebate amount multiplied by the number of plugs, or percent of total project cost, whichever is less.

Table 1. Project Rebate Amounts

<u>Project Type</u>	<u>Maximum Rebate per Plug</u>	<u>OR</u> <u>(whichever is less)</u>	<u>Maximum % of Total Project Cost</u>
Full Public Access, Networked, Priority County	\$4,000	or	70%
Full Public Access, Networked, All Other Counties	\$3,500	or	60%
Multi-Unit Dwelling	\$3,000	or	50%
All Other Eligible Projects	\$2,500	or	40%

1. For purposes of this rebate program, Full Public Access, Networked projects must;
 - meet the definition of “networked” below,
 - offer a minimum of 80 hours of availability per week to the public without restriction,
 - and be located at a site that is reasonably expected to be visited by the public during the hours of availability.

For example, if all nearby businesses or other attractions are closed between 9 p.m. and 6 a.m. every night then those hours do not count toward the 80 hours of public availability. Projects proposing to offer non-networked charging equipment, public access at less than the required 80 hours per week, or significant restrictions, such as, but not limited to, physical barriers (fences, gates, etc.), customer/visitor-only parking, access codes, membership requirements, or seasonal availability are eligible to apply using the All Other Eligible Projects category.

Full Public Access, Networked projects located in “Priority Counties” are eligible for a higher rebate amount. DEP has identified 44 counties as a priority for public charging station investment through this program. These 44 counties are collectively home to 25% of Pennsylvania’s population but have thus far been the location of projects receiving only 7% of rebate funds. Please see below for the Priority County criteria and list of qualifying counties.

- Counties with a population of at least 100,000 people that have thus far received less than half as much rebate investment compared to the state-wide average, on a per capita basis. The following eight counties meet this criterion.
 - Beaver, Berks, Cambria, Erie, Fayette, Lebanon, Mercer, and Washington
- All counties with a population of less than 100,000 people. The following 36 counties meet this criterion.
 - Armstrong, Bedford, Bradford, Cameron, Carbon, Clarion, Clearfield, Clinton, Columbia, Crawford, Elk, Forest, Fulton, Greene, Huntingdon,

Indiana, Jefferson, Juniata, Lawrence, McKean, Mifflin, Montour, Northumberland, Perry, Pike, Potter, Snyder, Somerset, Sullivan, Susquehanna, Tioga, Union, Venango, Warren, Wayne, Wyoming

2. Multi-Unit Dwelling projects must primarily serve two or more residences within a single building, such as apartments or condos. The parking spaces associated with the charging equipment cannot be reserved for a specific individual or residence but can be reserved for residents and/or visitors of all the associated residences, so long as the same restrictions apply to all other similar parking spaces.
3. Projects that do not meet the Full Public Access or Multi-Unit Dwelling requirements may use the All Other Eligible Projects category. This includes projects with fewer than 80 hours of public access, projects with no public access, and public access projects that use non-networked EVSE. Common examples of projects in this category are workplace employee charging, workplace fleet charging, and public charging that uses non-networked EVSE. Projects in this category are still required to have one parking space associated with each charging plug. Projects at individual residences are not eligible for any rebate category. Parking spaces reserved for specific individuals or dwelling units are not eligible for any category.

Projects seeking to replace existing charging equipment are only eligible for the All Other Eligible Projects category, even if the project would otherwise be eligible for a different rebate category. DEP will only fund the replacement of charging equipment that is no longer functional, is obsolete, or that does not meet the minimum charging equipment specifications of this program, such as a power level below 7.2 kW per plug. Projects seeking to replace charging equipment previously funded through this program are not eligible for any rebate category.

The term “networked” refers to a combination of EVSE components and software that allows for centralized management, administration, communication, diagnostics, and data collection. To be considered networked, projects must maintain a minimum of three years of network subscription and be capable of tracking and reporting charger usage data.

C. Maximum Active Rebate Amount

DEP will issue no more than \$100,000 in Level 2 EV Charging Rebate vouchers in total to any one entity at any time. Projects not located within Environmental Justice (EJ) Areas may account for no more than \$50,000 of an entity’s active rebates at any time. If an entity has reached a voucher maximum amount, regardless of the number of vouchers issued, the entity may submit additional rebate applications only after DEP approves the redemption of the vouchers previously issued, or the applicant withdraws some or all of the vouchers. To determine if a project is located in an Environmental Justice community search for the address on Pennsylvania DEP’s [EJ Viewer](#) with the four “EJA Census Block Group 2015” and “EJA Census Tract 2015” and respective 0.5 mile buffer layers active.

Entities with ownership in common and significant overlap in their operations or functions, such as sharing employees and/or performing highly similar work, will be considered one

entity for the purposes of this program even if they have different federal tax identification numbers. As examples, a business that owns an LLC performing similar work using the same employees as the parent organization would not be allowed to use the LLC as a separate entity, while a municipal authority that has a different purpose and governing body than the municipality that created it would be considered its own entity.

D. Maximum Plugs per Project Site

DEP will award rebates for no more than 12 charging plugs per project site. A project site is generally a single physical address but some large buildings and facilities, such as malls, parking garages, etc. may have multiple physical addresses but are still considered one project site for the purposes of this program. DEP will make case-by-case determinations when different addresses for a single building each represent distinctly different purposes and functions, such as a parking garage with two entirely separated parking services. EVSE funded and installed without financial assistance through this program do not count toward the 12-plug maximum per project site.

E. Project Period

Applications to the Level 2 EV Charging Rebate Program must be submitted prior to the start of project installation. Successful applicants will be issued a rebate voucher that secures the approved rebate amount for 180 days. The voucher recipient must complete the project and provide all required documentation prior to the voucher expiration date.

If an applicant initiates project installation after the application date and prior to DEP approval, no costs will be reimbursed if the application is not ultimately approved.

Applicants with vouchers that reach the expiration date prior to project completion and submission of final documentation may reapply for a new voucher. DEP does not guarantee that a new voucher will be issued. If a new voucher is issued, retroactive project costs going back to the original application date may be considered.

After the Level 2 EV Charging Rebate Program awards all remaining funds, any active projects at that time will be given a minimum of 90 additional days to complete their projects as they will lose the ability to reapply for a new rebate voucher if they experience project delays.

F. Funding Type

The Level 2 EV Charging Rebate Program is offering funding as a rebate / voucher program. This means a rebate / voucher recipient will pay all project costs and submit proof that project invoices have been paid, proof of project work completion, and other documentation with a voucher redemption request to DEP. If DEP approves the voucher redemption request, DEP will submit the rebate request to the Trustee, who then transfers the funds to DEP for disbursement to the voucher holder. DEP will not approve voucher redemption requests for unpaid invoices. Detailed invoice requirements and voucher redemption submission instructions will be included in the notification message to successful applicants.

IV. Program Requirements

A. Project Requirements

1. Level 2 Electric Vehicle Supply Equipment (EVSE) only.
2. Minimum of 2 plugs per project.
3. Maximum of 12 plugs per project site, regardless of the number of applications submitted for that location.
4. **A separate application is required for each unique charging location** (address).
5. Projects must be installed by a qualified licensed professional according to all federal, state, and local rules, including applicable permitting and inspection requirements.
6. Chargers must be maintained and operated for a minimum of three years from the date of project completion.
7. Project installation may not begin prior to the date of the application (with exclusions for applicants that re-apply for projects previously approved).
8. Rebate recipients will be required to submit one year of charger utilization data for each of the three years after project completion. See Section VIII for more detail on reporting requirements.
9. Rebate recipients for Full Public Access projects will be required to register the location with the Alternative Fuel Data Center station locator tool at www.afdc.energy.gov/.

B. Equipment Requirements

1. EVSE must be new. Previously installed or rebuilt equipment is ineligible.
2. EVSE must be capable of providing a minimum of 7.2 kW output electric power at each plug, concurrently.
3. All charging ports must use SAE J1772 compliant plugs.
4. Charging equipment must be certified through the Nationally Recognized Testing Laboratory (NRTL) program to demonstrate compliance with appropriate product safety test standards. Underwriter's Laboratory (UL) is part of the NRTL program. The complete list of accredited NRTLs can be found online: <https://www.osha.gov/dts/otpca/nrtl/nrtllist.html>.
5. The materials used to install the charging equipment should have a similar or longer expected useful life than the charging equipment itself, whenever feasible.
6. For Full Public Access projects that require customer payment, more than one form of common payment option must be accepted.
7. EVSE must have a minimum of one-year manufacturer's warranty.

C. Equipment Considerations

1. DEP encourages the use of Energy Star certified EVSE. The list of certified EVSE can be found here: <https://www.energystar.gov/productfinder/product/certified-evse/results>
2. Applicants may wish to consider the growing number of level 2 EVSE products capable of charging outputs greater than 7.2 kW, as an increasing number of new vehicles can utilize faster charging speeds.
3. When looking to install networked EVSE applicants should consider if the equipment is compliant with Open Charge Point Interface (OCPI), which enables communication between charging equipment service providers to enhance the charging customer

experience, and if the equipment is compliant with Open Charge Point Protocol (OCPP) which ensures that the station owner can switch to a different networking service provider in the future if they wish.

D. Site Requirements

1. Charging sites must be located within the Commonwealth of Pennsylvania to be eligible for a rebate.
2. If the property/site is not owned by the applicant, the rebate applicant must provide a signed letter from the landowner indicating approval of the project.
3. Projects must include at least one designated and clearly marked EV parking space per plug.
4. Public access sites must be clearly identified with signage that directs users to the site and appropriate parking spaces.
5. Public access sites must be easily accessible and adequately lit.
6. Public access sites must be available for use by the public for at least 80 hours per week without access restrictions.
7. A Full Public Access project must be located at a site that is reasonably expected to be visited by the public during the hours of public availability.
8. A project is ineligible for this rebate program if the proposed location serves primarily as an individual residential home, even if a home-based business is operated out of the residence or a home office is present.

E. Project Costs

1. Eligible Projects Costs – All project costs must be necessary for, and directly connected to, the acquisition, installation, operation, and maintenance of the EV charging system. Project costs may include, but are not limited to, the following:
 - a. EVSE purchase cost
 - b. EVSE installation costs
 - c. Project design costs
 - d. Local permit costs
 - e. Electric service upgrades
 - f. Connecting EVSE to electrical service
 - g. Networking charges (maximum of 3 years, if paid in advance prior to voucher redemption)
 - h. EVSE maintenance contracts (maximum of 3 years, if paid in advance prior to voucher redemption)
 - i. Signage for public access projects
 - j. Lighting for public access projects
2. Ineligible Project Costs – DEP will not consider costs associated with the following:
 - a. EVSE leasing costs
 - b. Purchase or rental of real estate
 - c. Construction or general maintenance of buildings and parking facilities
 - d. Administrative costs
 - e. Electric supply costs

V. General Conditions

A. Public Disclosure of Application Documents

Level 2 EV Charging Rebate Program applications and supporting documentation are public documents and subject to disclosure to the public upon request. Please note that all documentation and records used to support a funding request submitted to the Trustee of the State Mitigation Trust, and all documentation and records in support of all expenditures of State Mitigation Trust funds, are required to be made publicly available, subject to applicable laws governing the publication of confidential business information and personally identifiable information. This may include information from the application and attachments, or reimbursement request documentation submitted by successful applicants during the rebate period. Directions are provided in the Application Instructions for this program on how to format and submit any information that the applicant wishes the Commonwealth to consider as proprietary or confidential.

B. Additional Conditions

The awarding of grant funding is subject to the following conditions:

1. DEP may consider past performance of applicants who have received state funded grants and rebate incentives when determining rebate eligibility. DEP reserves the right to not award or withhold funds to applicants that have not completed projects or have failed to adhere to Program requirements. This determination will be made by DEP on a case-by-case basis.
2. All projects must be compliant with all applicable local, state, and federal laws and must adhere to DEP guidance and policies.
3. Applicants must not have any outstanding obligations (financial or otherwise) to the Commonwealth and must not have any unresolved environmental violations.
4. Grantees must secure all permits or approvals otherwise required for the project to proceed, including permits required by DEP.
5. All government and for-profit business entity employers in the Commonwealth of Pennsylvania are subject to PA Prevailing Wage Act requirements. To be eligible for funding from this Program, applicant must already be compliant with the Act. Compliance with this Act will be verified with the PA Department of Labor & Industry, upon receiving an application for rebate funding.
 - a. Applicants shall ensure, where necessary, that construction projects with a cost more than \$25,000 that may be subject to PA's Prevailing Wage Act requirements are paid appropriate wages commensurate with the Act.
 - b. It is solely the responsibility of the applicants to ensure the act is followed where applicable.
6. In addition to the Prevailing Wage Act above, any government or for-profit entity applying for grant funding from any Commonwealth agency, must also comply with PA Executive Order 2021-06, Worker Protection and Investment:
 - a. Applicants are required to pay all employees working in their organizations a minimum wage that meets or exceeds the Commonwealth's minimum wage, as prescribed in PA Executive Order 2016-02, Minimum Wage for Employees of the Commonwealth and of Organizations Receiving State Contracts.

- b. Beginning July 1, 2019, and annually thereafter, the minimum wage shall be increased by of \$0.50 until July 1, 2024, when the minimum wage reaches \$15.00. Thereafter, the minimum wage rate would be increased by an annual cost-of-living adjustment using the percentage change in the Consumer Price Index for All Urban Consumers (CPI-U) for Pennsylvania, New Jersey, Delaware and Maryland. The applicable amount shall be published in the Pennsylvania Bulletin by March 1 of each year to be effective the following July 1.
- c. Additionally, applicants must ensure any contractors, consultants, or lessors which will be compensated for work or costs related to Commonwealth grant- or rebate-funded projects, must also be compliant with the requirements identified above, if applicable. It is the applicant's/grantee's sole responsibility to notify any potential contractor, consultant, or lessor of these requirements and ensure compliance of these third parties prior to the expenditure of any project funds.

Failure to comply with the provisions in the Prevailing Wage Act and PA Executive Order 2021-06, may result in the termination of the grant agreement contract or rebate voucher, resulting in the loss of project funding. For more information about the applicability of the Prevailing Wage Act and Executive Order 2021-06 requirements, please see Section applicants should contact the Department of Labor and Industry at 717-787-5279 or 800-932-0665 or visit the web site at www.dli.pa.gov

VI. How to Apply

- A. DEP will only accept rebate applications submitted through the Department of Community and Economic Development's (DCED) Electronic Single Application website, eGrants, at: <https://www.esa.dced.state.pa.us/Login.aspx>. Please see the Level 2 EV Charging Rebate Program Application Instructions guide for detailed, step-by-step instructions for registering in eGrants and applying for the rebate.
- B. All applications will require the following information, at minimum, to be submitted via eGrants:
 1. Applicant name, address, EIN, contact information
 2. Project location type
 - a. Public Space
 - b. Multi-Unit Dwelling
 - c. Workplace Employee
 - d. Workplace Fleet
 3. Location/address of the project
 4. Rebate Project Category
 - a. Full Public Access, Networked, Government Owned Property
 - b. Full Public Access, Networked, Non-Government Owned Property
 - c. Multi-Unit Dwelling
 - d. All Other Eligible Projects
 5. Number of plugs and spaces

6. Itemized project quotes or detailed engineer estimates (refer to Section IV.D. for eligible project costs)
7. Charging unit information
 - a. Manufacturer
 - b. Model
 - c. Charging capacity in kW
 - d. Warranty period
7. Identification of permits needed along with the issue or anticipated issue dates
8. All applicants seeking a rebate of at least \$10,000 must verify their compliance with Executive Order 2021-06, Worker Protection and Investment. Please see section V for more details.

Questions regarding the registration, access, and use of the eGrants application system should be directed to the DCED Customer Service Center at 1-800-379-7448 between the hours of 8:30 a.m. to 5:00 p.m. EST Monday through Friday.

Inquiries related to the project requirements, application requirements, and other aspects of this rebate program should be directed to the Bureau of Air Quality at 717-787-9495, or RA-EPVWMITIGATION@pa.gov.

VII. Webinar Information

A webinar recording that provides a detailed overview of the program, along with a walk-through demonstration of the application process, is available to view at the Driving PA Forward website under the Level 2 EV Charging Rebate heading. An additional presentation reviewing the changes to the program may also be posted on the Driving PA Forward website in the future.

Link to the Driving PA Forward homepage: <http://www.depgis.state.pa.us/drivingpafoward/>.

VIII. How to Redeem a Rebate Voucher

The rebate recipient must submit the information listed below following project completion to redeem the rebate voucher. Upon DEP approval of the final documentation, including final project report, DEP will apply to the Trustee of the State Mitigation Trust for the funds. Due in part to the application processing time required by the Trustee, payment of the rebate may take at least 75 days after the request is submitted to the Trustee, which may be several weeks after the recipient's rebate redemption documentation is approved. Applicants should plan for at least 5 to 7 months between rebate redemption submission and final reimbursement. Submission instructions for redeeming the voucher will be included in the voucher packet provided to successful applicants. Required documentation includes:

- A. Final Rebate Calculation Worksheet
- B. Copy of invoices of all eligible project costs

- C. Proof of payment of all eligible project costs
- D. Two photos of each charging unit (one photo of the installed charging unit showing the unit and its associated parking space(s), and one photo of the unit's serial number)
- E. Payment Information Request Form (form provided)

IX. Reporting Requirements

- A. All rebate recipients will be required to submit charging usage information annually for three (3) years following completion of the project, beginning one (1) year after project completion. DEP will identify the submission annual due dates and provide reporting instructions upon completion of the project.
- B. If a rebate recipient fails to submit the information by its due date, DEP will not review and may suspend other rebate applications and voucher redemption requests from that recipient until the reporting requirement is fulfilled.
- C. The information submitted to DEP will identify one year of charging utilization data. The following information will be requested from each project:
 - 1. Weekly number of hours the EVSE is available for various charging purposes
 - 2. Method(s) of collecting usage information
 - 3. Number of charging events
 - 4. Electricity consumed
 - 5. Charging time
 - 6. Out of service time (time when station is unavailable due to maintenance or repair)
 - 7. Total cost charged to customers
 - 8. Number and duration of service interruptions
 - 9. Types of fees charged to users and methods of collection, if applicable

DEP anticipates that varying levels of data may be available based on the level and type of software and hardware used in the project. DEP will only require rebate recipients to provide requested data that is available to them.

X. Worker Protection and Investment

On October 21, 2021, Governor Tom Wolf signed Executive Order 2021-06, *Worker Protection and Investment*. The Executive Order affirms that the Commonwealth is responsible for ensuring that every worker in Pennsylvania has a safe and healthy work environment and the protections afforded them through labor laws. To that end and in accordance with the Executive Order, prior to being awarded a contract or grant, contractors and grantees of the Commonwealth must certify that they are in compliance with all applicable Pennsylvania state labor and workforce safety laws including:

- 1. Construction Workplace Misclassification Act
- 2. Employment of Minors Child Labor Act
- 3. Minimum Wage Act

4. Prevailing Wage Act
5. Equal Pay Law
6. Employer to Pay Employment Medical Examination Fee Act
7. Seasonal Farm Labor Act
8. Wage Payment and Collection Law
9. Industrial Homework Law
10. Construction Industry Employee Verification Act
11. Act 102: Prohibition on Excessive Overtime in healthcare
12. Apprenticeship and Training Act
13. Inspection of Employment Records Law

Contractors and grantees must also certify compliance with Unemployment Compensation tax requirements and Workers' Compensation insurance requirements.

To ensure compliance with these statutes, Contractors and Grantees will be required to submit the Worker Protection and Investment Certification Form BOP-2201 in response to all procurement solicitations (invitations for bids, requests for proposals, requests for quotes, emergency procurements and sole source procurements) and grant applications and or requests for applications for grants. Contracts and grants will not be executed with prospective contractors or grantees until such certification form is received.

In addition, the Pennsylvania Department of Labor and Industry has created a public list of businesses that have been found to be non-compliant with Pennsylvania state labor and workforce safety law which will be published on its [public-facing website](#). Agencies are required to ensure that prospective contractors or grantees are not on the list prior to awarding any contract or grant. Contractors and grantees who appear on the list can be removed by remedying their statutory noncompliance. Contact information for addressing compliance status is available on the list website.

These requirements of the Executive Order are currently in effect. Questions should be directed to the contracting or granting agency.

XI. Glossary

All definitions are for the purposes of this funding program and may vary from other commonly used definitions.

‘Air Quality or Transportation Organizations’ – local, regional or multi-state air quality or transportation organizations that include a Pennsylvania state government agency, a municipal government, or a municipal authority as a member, and

1. own or operate a diesel fleet located or operating predominately in Pennsylvania, or
2. have partnered with or are acting as a project manager for another eligible entity listed in this section.

‘Business’ – corporations, partnerships, sole proprietorships, limited liability companies, business trusts or other legal business entities incorporated in or registered with the Pennsylvania Department of State, Bureau of Corporations and Charitable Organizations, to do business in the Commonwealth.

‘Charging Network’ – refers to a data management system utilized by EVSE and connected via cellular, WIFI, or other form of connection. The charging network enables remote management and diagnostics of the EVSE, as well as interaction by customers to identify station locations and assess charger status/availability. The charging network also enables collection and download of detailed charger and vehicle utilization data.

‘Commonwealth’ – Commonwealth of Pennsylvania.

‘DC Fast Charging (DCFC)’ – a high power (50KW - 350KW), fast charging method used to resupply an EV battery using Direct Current electricity, typically 208/480V 3 phase.

‘DEP’ – Pennsylvania Department of Environmental Protection.

‘Electric vehicle or equipment’ – a vehicle or engine that uses electric motors and motor controllers for propulsion or operation of mechanical equipment in place of more common power sources such as the internal combustion engine (ICE).

‘Federal Government Agency’ – Federal agencies that have custody, control, or management of land (including, but not limited to, Clean Air Act Class I and II areas) within or contiguous to the territorial boundaries of the Commonwealth.

‘Government’ – a State or local government agency (including a school district, municipality, city, county, special district, transit district, joint powers authority, or port authority, owning fleets purchased with government funds), and a tribal government or native village. The term ‘State’ means the several States, the District of Columbia, and the Commonwealth of Puerto Rico.

‘Grantee’ – an applicant that has an executed grant agreement with DEP.

- ‘Infrastructure’ – the equipment used to enable the use of electric powered vehicles (e.g., EV charging station).
- ‘Level 2 EV Charging’ - EV Supply Equipment that provides alternating current at 208/240V up to 19.2 kW for charging an EV battery.
- ‘Light-duty vehicles’ – Class 1 and 2 vehicles that have a Gross Vehicle Weight Rating of less than 10,000 lbs.
- ‘Metropolitan or Rural/Regional Transportation Planning Organizations’ – organizations as defined by the U.S. Department of Transportation at 49 U.S.C. § 5303(b), that are located in Pennsylvania.
- ‘Non-Profit’ – an organization incorporated as a non-profit under Pennsylvania law or registered with the Pennsylvania Department of State, Bureau of Corporations and Charitable Organizations, to do business in the Commonwealth.
- ‘Publicly Accessible’ – filling station that is available for public use, without restrictions, 24 hours per day, 7 days per week. Examples of restrictions include club or membership card access restrictions, or site limitations, such as, a station being located behind a gated fence or within a parking lot requiring a fee to enter.
- ‘Rebate Voucher Holder’ – an applicant that has successfully secured funding for their rebate project, and has received the funding voucher and redemption instructions from DEP.
- ‘SAE J1772’ – a type of special electrical connector and North American standard for alternating current (AC) Level 2 charging of an electric vehicle.
- ‘Trustee’ – Wilmington Trust, N.A., the firm approved by the Court to administer the State Trust Agreement and disburse the funds from the State Mitigation Trust.
- ‘Zero Emission Vehicle (ZEV)’ – a vehicle that produces no emissions from the onboard source of power (e.g., all-electric or hydrogen fuel cell vehicles).
- ‘Zero Emission Vehicle Supply Equipment’ – equipment permanently installed at a site for recharging or refueling an electric or hydrogen fuel cell vehicle.