

# **Volkswagen Settlement Fund Vehicle Replacement Program**

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Application Guide



**State of Idaho  
Department of Environmental Quality  
Air Quality Division  
1410 N Hilton  
Boise, ID 83706**

**January 2020**

**Applications due by March 30, 2020**

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## General Information

The Idaho Department of Environmental Quality (DEQ) is accepting applications for Volkswagen (VW) Settlement Environmental Mitigation Funds Vehicle Replacement Program (VRP) with an option for engine repower (replacement) to offset air pollution emitted by vehicles that violated the Clean Air Act. This annual, competitive application process will provide reimbursement for a percentage of the cost of eligible vehicle or engine replacements.

To be considered for funding in this 2020 cycle, completed applications must be received by March 30, 2020.

**If you have questions or need assistance with the required information, contact G. Michael Brown at (208) 373-0232 or [g.michael.brown@deq.idaho.gov](mailto:g.michael.brown@deq.idaho.gov) before the application deadline.**

## How to Apply

Before submitting an application for funding, DEQ recommends all applicants review the sections of Appendix D-2 (page 52) in the Environmental Mitigation Trust Agreement for State Beneficiaries that will apply to their funding request, along with *Idaho's Beneficiary Mitigation Plan* ([www.deq.idaho.gov/media/60181462/volkswagen-beneficiary-mitigation-plan.pdf](http://www.deq.idaho.gov/media/60181462/volkswagen-beneficiary-mitigation-plan.pdf)).

Applications should be completed electronically using Adobe Reader or Acrobat. The application must be signed by the individual responsible for authorizing and overseeing completion of the project. Electronic signatures are acceptable so long as it is an image or reproduction of the signatory's actual signature. Submit applications to [vwsettlement@deq.idaho.gov](mailto:vwsettlement@deq.idaho.gov), or mail signed copies to the following address:

Idaho Department of Environmental Quality  
Attn: VW Settlement Fund Application; G. Michael Brown  
1410 N. Hilton Street  
Boise, ID 83706

**Incomplete applications will not be considered.** This application and any supplemental information provided will be evaluated to determine which projects are selected. Ensure the provided contact information is accurate in the event DEQ needs to contact you or your organization for clarification and/or supplemental information. Applicants must respond to any request within 10 calendar days. **Applications must be postmarked by March 30, 2020, to be considered.** Approval/denial letters will be emailed to the applicants at the address provided on the application.

## 2020 VW Settlement Eligibility and Requirements

All projects must comply with stipulations and requirements specified in *Appendix D-2 of the VW State Trust Agreement* (<https://www.vwcourtsettlement.com/wp-content/uploads/documents/DOJ/Approved%20Appendix%20D-2.pdf>). DEQ will review and score all applications using the scoring criteria in this document. Upon selection, DEQ and the

applicants will enter into an agreement specifying the rebate requirements, terms, and conditions. Once DEQ and the applicant sign the agreement, applicants will be emailed a Notice to Proceed.

**Note: The date of purchase or incurred expenses associated with purchase of the new vehicle or engine must not pre-date the DEQ Notice to Proceed. Any vehicle or engine purchased prior to DEQ's Notice to Proceed will be ineligible for funding.**

### **Applicant Eligibility**

- Eligible applicants include government and nongovernment diesel vehicle owners (airport ground support equipment may also include spark ignition/gasoline engines).
- Applicants must own and operate the vehicles proposed for replacement.
- Applicants may submit one application for reimbursement for up to 10 eligible replacement vehicles or engines.
- DEQ may award reimbursement funds for a portion of the number of vehicles or a portion of the vehicle cost applied for.

### **Project Eligibility**

- Eligible vehicles include: Class 4–8 local freight trucks, Class 8 port drayage trucks, Class 4–8 school bus, Class 8 shuttle or transit buses, freight switchers, airport ground support equipment (GSE), forklifts, and port cargo handling equipment.
- Eligible projects include: vehicle replacement or engine repower. Existing vehicle requirements for repower and replacement include the following:
  - Diesel-powered vehicles, forklifts, and airport GSE (specific airport GSE may also include spark ignition/gasoline engines).
  - Must meet eligibility requirements specified by the Trust (Table 1. Funding eligibility.).
  - Able to start and move in all directions and have all operational parts.
  - Used in current applicant's business operations.
  - Must have a copy of vehicle/equipment title with no lien-holders and a current registration, as applicable, for each vehicle to be replaced.
- New vehicles and repower requirements include the following:
  - Must meet federal safety standards and required warranties.
  - Be powered by conventional ultra-low sulfur diesel, propane, compressed natural gas, electric, or hybrid engine.
    - New vehicles powered solely by gasoline engines are ineligible.
  - Airport GSE and forklifts may only be repowered with all-electric engines or replaced with all-electric vehicles.
  - Engine model year of new vehicle or new engine must be at least the year the vehicle is purchased/repowered or one year prior.
  - Replacement vehicles must be of similar size and used for a similar purpose as the replaced vehicle.
  - Not be in a larger weight class than the existing vehicle.
  - Operate in the same manner and over similar routes as the existing vehicle.
- In addition, applicants must agree to the following:
  - Register the new vehicle as required by state law, (if applicable).
  - Maintain insurance as required by law.

- Maintain the new vehicle according to the manufacturer’s recommendations for a minimum of three years from project completion report submittal date—failure to do so may result in DEQ demanding specific performance or reimbursement of the funds awarded.
- Not make modifications to the emission control system on the new vehicle or engine.
- Retain ownership of each new vehicle for three years after the date the rebate request is submitted by DEQ to the VW Trust.
  - **Note: If the new vehicle is sold before the end of the three-year period or if the new vehicle is used for purposes dissimilar from the purpose of the replaced vehicle, the Project Sponsor may be required to return up to the full amount of the rebate.**
- Allow DEQ, or their designee, to conduct a follow-up inspection of the new vehicle and related documents for three years after receipt of the rebate.

### Requirements

- For complete requirements and conditions, refer to the following:
  - *Volkswagen State Trust Appendix D-2* (State Trust) at [www.vwcourtsettlement.com/wp-content/uploads/documents/DOJ/Approved%20Appendix%20D-2.pdf](http://www.vwcourtsettlement.com/wp-content/uploads/documents/DOJ/Approved%20Appendix%20D-2.pdf).
  - The final vehicle replacement agreement between the applicant and DEQ will also include Terms and Conditions which will expand on the requirements listed below.
  - Standards of Responsibility: DEQ may, in its sole discretion, conduct additional due diligence to ensure the applicant’s fiscal responsibility, experience, and necessary technical, managerial, and financial capability to execute proposed projects.
- Existing vehicles must be scrapped/rendered inoperable and documented as such to receive reimbursement funds. Scrappage is described in Appendix D-2 of the State Trust as:

‘Scrapped’ shall mean to render inoperable and available for recycle, and, at a minimum, to specifically cut a 3-inch hole in the engine block for all engines. If any Eligible Vehicle will be replaced as part of an Eligible project, Scrapped shall also include the disabling of the chassis by cutting the vehicle’s frame rails completely in half.
- Once applications are submitted and the application period has closed, vehicles/engines proposed for replacement/repower may not be changed for different vehicles.
- Once applications are submitted and the application period has closed, vehicles/engines proposed for purchase may not be amended.
- The date of purchase cannot pre-date the signature date of the Notice to Proceed.
- All projects must be completed within three years of the Notice to Proceed notification date. If after three years a project has not been completed, unless delays have been coordinated with DEQ, funds will no longer be guaranteed for the project, and the applicant will need to reapply.

- Project funds are provided after the new vehicle has been purchased, the existing vehicle has been appropriately scrapped, and all required documentation has been submitted in an email to DEQ and approved by DEQ.
- Applicants must maintain ownership of each replacement vehicle for three years after the rebate request is submitted by DEQ to the VW Trust. If the replacement vehicle is sold before the end of the three-year period, or used for purposes other than as described in the application, the applicant may be required to return up to the full amount of the reimbursement. The amount required to be returned is at the discretion of the DEQ and will be determined on a case-by-case basis.
- DEQ will conduct random reviews of applicants to ensure settlement funds are spent in compliance with settlement requirements. DEQ may request copies of reimbursement documents or may request documentation from selectees to verify statements made on the application and payment forms. DEQ may also conduct site visits to confirm documentation is on hand and that the replacement vehicles are still in service.
  - Selectees must comply with site visit requests.
  - Selectees must retain all financial records, supporting documents, accounting books and other evidence of VRP activities for seven (7) years after the project completion report submittal date.

## **Funding Eligibility**

For the 2020 funding cycle, DEQ will be funding vehicle replacement projects to cover a percentage of the cost of replacing vehicles. These projects must fall within eligible mitigation actions (EMAs) 1, 2, 3, 6, 7, and 8 (Table 1). Except for specified airport GSE, only diesel-fueled vehicles and equipment are eligible for partial reimbursement of replacement costs.

For the replacement of diesel vehicles with all-electric vehicles, DEQ will also fund up to 45% of the cost of infrastructure for charging new all-electric vehicles. Infrastructure is the equipment used to enable the use of electric powered vehicles (e.g., electric vehicle charging station). Eligible infrastructure costs are limited to the costs necessary for, and directly connected to, the acquisition, installation, operation and maintenance of new zero emission vehicles supply equipment. Trust Funds shall not be made available or used to purchase or rent real-estate, other capital costs (e.g., construction of buildings, parking facilities, etc. or general maintenance (maintenance other than of the Supply Equipment).

**Table 1. Funding eligibility.**

Eligible Mitigation Action	Description	Eligibility
EMA 1	Class 8 local freight trucks and port drayage trucks (eligible large trucks)	Large trucks include 1992–2009 engine model year diesel-powered Class 8 local freight or drayage with GVWR 33,001 lbs or more.
EMA 2	Class 4–8 school buses, shuttle buses, or transit buses (eligible buses)	Buses include 2009 engine model year or older diesel-powered Class 4–8 school buses, shuttle buses, or transit buses, with GVWR 14,001 lbs or more..
EMA 3	Freight switchers	Freight switchers include pre-Tier 4 diesel-powered switcher locomotives (manufactured before 2015) that operate 1,000 or more hours per year.
EMA 6	Class 4–7 local freight trucks (medium trucks)	Medium trucks include 1992–2009 engine model year diesel-powered class 4-7 local freight trucks with GVWR between 14,001 and 33,000 lbs.
EMA 7	Airport ground support equipment (GSE)	Airport GSE includes the following: 1. Tier 0, Tier 1, or Tier 2 diesel-powered airport GSE 2. Uncertified, or certified to 3 grams per brake horsepower-hour or higher emissions, spark ignition engine powered airport GSE.
EMA 8	Forklifts and port cargo handling equipment	Includes forklifts with greater than 8,000 lb lift capacity.

*Notes:*

EMA 4—Projects in this category do not include vehicle replacement.

EMA 5—Projects in this category do not include vehicle replacement.

EMA 9—Light duty zero emission vehicle supply equipment is addressed by a separate application package.

EMA 10—Diesel Emission Reduction Act option is addressed by DEQ’s Diesel Emission Reduction Program.

Vehicle classifications are delineated by gross vehicle weight rating (GVWR). Classifications and examples of these vehicles are listed in Table 2:

**Table 2. Vehicle classifications by GVWR.**

Classification	Weight (lb)	EPA Emissions Category	Examples
Class 4	14,001–16,000	Light Heavy Duty	<ul style="list-style-type: none"> <li>• School bus</li> <li>• Box truck</li> <li>• Conventional moving truck</li> <li>• City delivery/walk-in van</li> </ul>
Class 5	16,001–19,500		<ul style="list-style-type: none"> <li>• School bus</li> <li>• Large city delivery/walk-in van</li> <li>• Bucket truck</li> </ul>
Class 6	19,501–26,000	Medium Heavy Duty	<ul style="list-style-type: none"> <li>• School bus</li> <li>• Single axle delivery van</li> <li>• Beverage truck</li> </ul>
Class 7	26,001–33,000		<ul style="list-style-type: none"> <li>• School bus</li> <li>• City transit bus</li> <li>• Refuse truck</li> <li>• Furniture delivery truck</li> <li>• Medium semi-tractor</li> </ul>
Class 8	>33,001	Heavy Duty	<ul style="list-style-type: none"> <li>• School bus</li> <li>• Tour bus</li> <li>• Fire truck</li> <li>• Dump truck</li> <li>• Cement mixer</li> <li>• Heavy semi-tractor</li> </ul>

## Reimbursement Funding Levels

DEQ determined reimbursement levels based on typical new vehicle costs. Table 3 provides examples of new vehicle costs for different vehicle types with different vehicle power options.

**Table 3. New vehicle pricing examples.**

Vehicle Type	Diesel	Alternate Fuel		All Electric
		Propane	Compressed Natural Gas	
School Bus	\$100,000	\$120,000	\$175,000	\$275,000
Dumper/Sander/Snow	\$95,000 - \$190,000	Unknown	\$120,000 - \$215,000	Unknown
Tractor Trailer/Port Drayage	\$140,000 - \$170,000	Unknown	\$30,000 – \$230,000	\$300,000
Class 4–7 Local Freight	\$60,000 - \$110,000	Unknown	\$100,000 - \$150,000	Unknown
Forklift, Sitting	a	a	a	\$45,000
Forklift, Standing	a	a	a	\$25,000
Port Cargo, Yard Truck	a	a	a	\$250,000
Port Cargo, Gantry/Straddle Carrier	a	a	a	\$800,000
Airport Ground Support	a	a	a	\$30,000
Electric Vehicle Charging Infrastructure	—	—	—	\$200,000

Notes: Example pricing determined through vendor coordination; pricing is for example purposes only and does not suggest limitations for application purposes. (—) indicates not applicable.

a) Ineligible for VW settlement funding unless associated with all-electric replacement equipment/vehicles.

Table 4–Table 7 list the EMAs allowed under the State Trust for the 2020 funding cycle, along with maximum reimbursement levels. When applying for funds for multiple vehicles, applicants must use the funding levels provided in this section when determining the aggregate funding request. DEQ may award reimbursement funds for a portion of the funding value requested on the application.

**Note:**

- **Final rebate amounts will be based on the applicable percentage (see Tables 4-7) of estimates provided with the application package, or the final invoice, whichever is less. Any increase in “New Total Vehicle/Engine Costs” above the estimates included in the application is the responsibility of the Project Sponsor.**
- **Once applications are submitted and the application period has closed, vehicles proposed for replacement/repower may not be changed for different vehicles.**
- **DEQ may, at its discretion, utilize Diesel Emission Reduction Act (DERA) grant funding for the purpose of rebate payments if the associated project meets DERA grant requirements. The appropriate funding source will be identified after project selection. This will not affect the selection process or rebate amount.**

**Table 4. EMA 1—Class 8 local freight trucks and port drayage trucks (eligible large trucks).**

Replacement/Repower	Diesel	Alternate Fuel	All Electric <sup>(a)</sup>
Government	40%	40%	45%
Nongovernment	25%	25% <sup>(b)</sup>	45%

- a) DEQ will also fund 45% of the cost of infrastructure for charging new all-electric vehicles.
- b) 40% for Drayage.

**Table 5. EMA 2—Class 4-8 school buses, shuttle buses, or transit buses (eligible buses).**

Replacement/Repower	Diesel	Alternate Fuel	All Electric <sup>(a)</sup>
<u>School bus</u>			
Government	25%	40%	45%
Nongovernment	25%	25%	45%
<u>Government-owned shuttle/transit bus</u>			
Government-owned shuttle/transit bus	40%	40%	45%
<u>Nongovernment-owned shuttle/transit bus</u>			
Nongovernment-owned shuttle/transit bus	25%	25%	45%

- a) DEQ will also fund 45% of the cost of infrastructure for charging new all-electric vehicles.

**Table 6. EMA 6—Class 4-7 local freight trucks (medium trucks).**

Replacement/Repower	Diesel	Alternate Fuel	All Electric <sup>(a)</sup>
Government	40%	40%	45%
Nongovernment	25%	25% <sup>(b)</sup>	45%

- a) DEQ will also fund 45% of the cost of infrastructure for charging new all-electric vehicles.
- b) 40% for Drayage.

**Table 7. EMAs 7 and 8—Airport ground support equipment and forklifts and port cargo-handling equipment.**

Replacement/Repower	Forklift	Airport Ground Support	Cargo Handling
Government and nongovernment	75%	75%	45%
Government and nongovernment port, yard tractor	—	—	50%
Government and nongovernment port, straddle carrier	—	—	35%

*Note:* The State Trust only allows for replacement of port cargo-handling equipment with all-electric vehicles. DEQ will also fund 45% of the cost of infrastructure for charging new all-electric vehicles.

**Note:** EMA 3 - Funding levels for EMA 3 (freight switchers) will be determined on a per project basis.

## **Scoring Criteria**

DEQ will review and score all completed applications for eligible projects following the matrix in Table 8. Scoring criteria descriptions are found after the table. While all criteria are addressed in the application, applicants should provide any additional information they want included in the review.

**Table 8. DEQ scoring matrix.**

<b>Criteria</b>	<b>Low</b>	<b>Medium</b>	<b>High</b>	<b>Possible Points</b>
Air quality priority areas	Projects not located in air quality priority areas  <i>5 points</i>	Projects located in maintenance area and area of concern counties: Portneuf Ada Bonner Canyon Benewah Lemhi  <i>15 points</i>	Projects located within current nonattainment area counties: Franklin Shoshone  <i>25 points</i>	<u>25</u>
Population impacted (see Scoring Criteria Descriptions)	Bottom one-third weighted demographic index  <i>5 points</i>	Middle one-third weighted demographic index  <i>10 points</i>	Top one-third weighted demographic index  <i>20 points</i>	<u>20</u>
NOx emission priority counties	Less than 750 tons/year: Washington Valley Owyhee Benewah Boise Franklin Clark Teton Clearwater Gem Lewis Lemhi Custer Butte Adams Camas  <i>5 points</i>	750–1,500 tons/year: Minidoka Nez Perce Boundary Payette Blaine Jefferson Latah Bear Lake Caribou Shoshone Idaho Oneida Fremont Lincoln Madison  <i>10 points</i>	More than 1,500 tons/year: Ada Kootenai Canyon Bannock Elmore Bonner Bingham Bonneville Jerome Twin Falls Cassia Gooding Power  <i>20 points</i>	<u>20</u>
Cost effectiveness for NOx reductions	Bottom one-third cost/ton NOx reduction  <i>5 points</i>	Middle one-third cost/ton NOx reduction  <i>10 points</i>	Top one-third cost/ton NOx reduction  <i>15 points</i>	<u>15</u>
Voluntary funding match greater than requirements	>1% but <3%  <i>5 points</i>	4%–6%  <i>10 points</i>	>7%  <i>15 points</i>	<u>15</u>
Applicant experience <sup>(a)</sup>	<1 year  <i>1 point</i>	1–5 years  <i>3 points</i>	>5 years  <i>5 points</i>	<u>5</u>
<b>Total possible points awarded</b>				<b>100</b>

(a) Includes experience that directly or indirectly correlates to efficient project execution.

## Scoring Criteria Descriptions

### Air Quality Priority Areas

Areas designated as nonattainment, maintenance areas, or as areas of concern are given more points (Figure 1).

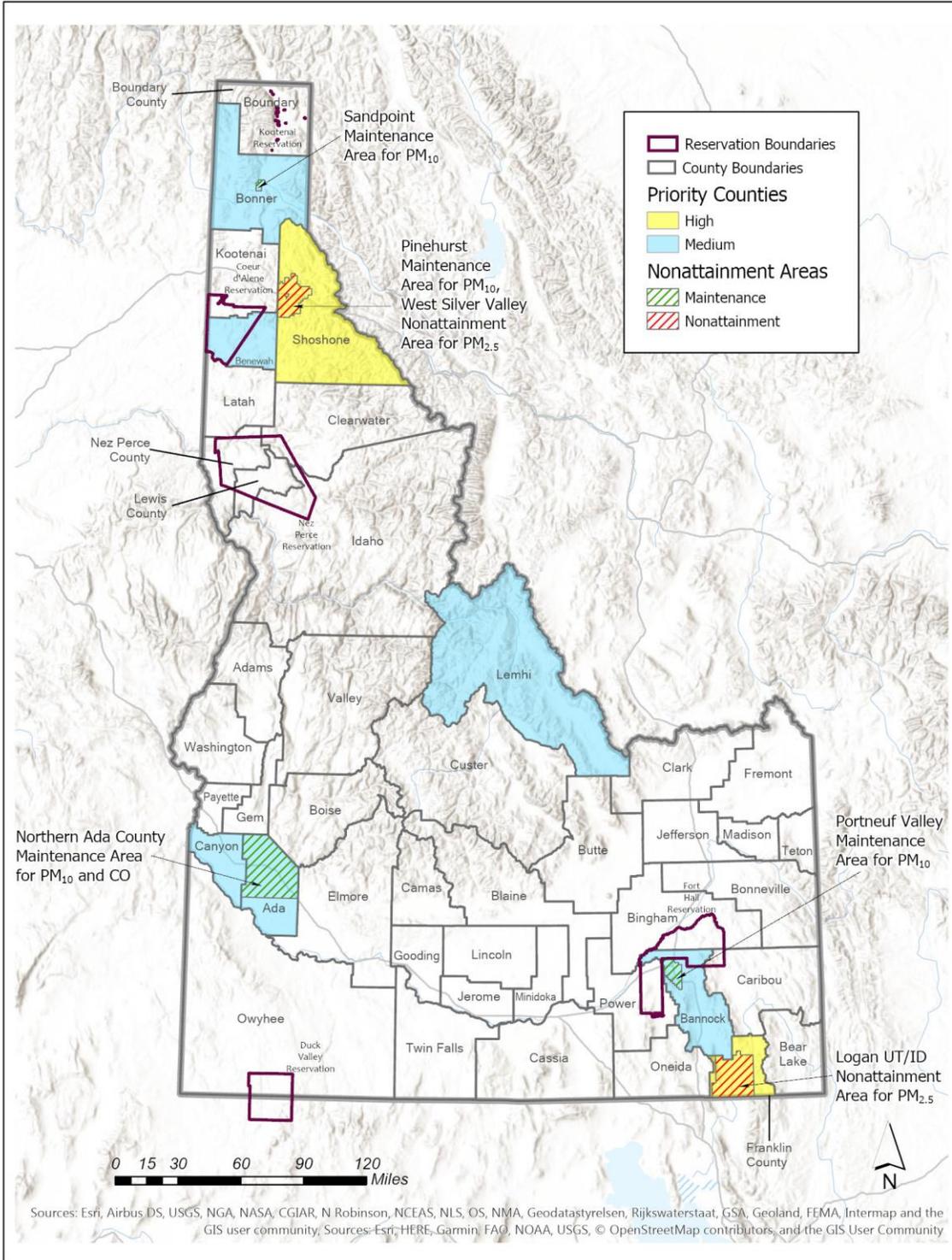


Figure 1. Air quality priority areas.

## **Population Impacted**

DEQ will develop a demographic index for each county in Idaho based on data used by EPA's Environmental Justice Screening and Mapping Tool. DEQ will use average hours of operation per year and percentage of time vehicles are operated in specific counties to calculate a weighted demographic index per application. The weighted demographic index will be scored relative to competing applications submitted during this period.

## **NOx Emission Priority Counties**

Projects in counties with higher diesel oxides of nitrogen (NOx) emissions currently impacting the public will be awarded points in this category. Points are scored based on a range of NOx emissions for the associated county. DEQ has identified those counties with higher NOx emissions in Figures 2–4, and summarized in Table 8.

## **Cost Effectiveness for NOx Reductions**

DEQ will use EPA's [Diesel Emission Quantifier](#) to determine the lifetime tons of NOx emissions reduced. Cost effectiveness will be calculated by using the lifetime tons of NOx emission reduced and the requested funding amount to determine the cost per ton of reduced NOx emissions (see "[Quantifying Emission Reductions](#)" heading below for the methodology).

Project submissions will be scored relative to competing project submissions during that application period; the top one-third most cost-effective projects will receive the highest number of points. Projects in the middle and lower thirds will receive fewer points.

For example, if a diesel school bus was replaced at a cost of \$25,000 to the State Trust, and EPA's Quantifier estimates that 1.5 tons of NOx would be reduced over the project's lifetime, the cost per ton of NOx emission reductions would be \$16,605. As an additional example, if the reimbursement was \$35,000 toward the purchase of a new bus, then the cost per ton of NOx emission reductions would be \$23,248.

## **Voluntary Funding Match Greater Than Reimbursement Limits**

Applicants that provide voluntary cost share or matching dollars above those required within this application package will score points in this category. Changes to voluntary cost share amounts are not permitted after application is submitted.

## **Applicant Experience**

Government and nongovernment entities should describe demonstrated experience and existing administrative and programmatic structure in place for implementing diesel reduction or offset projects.

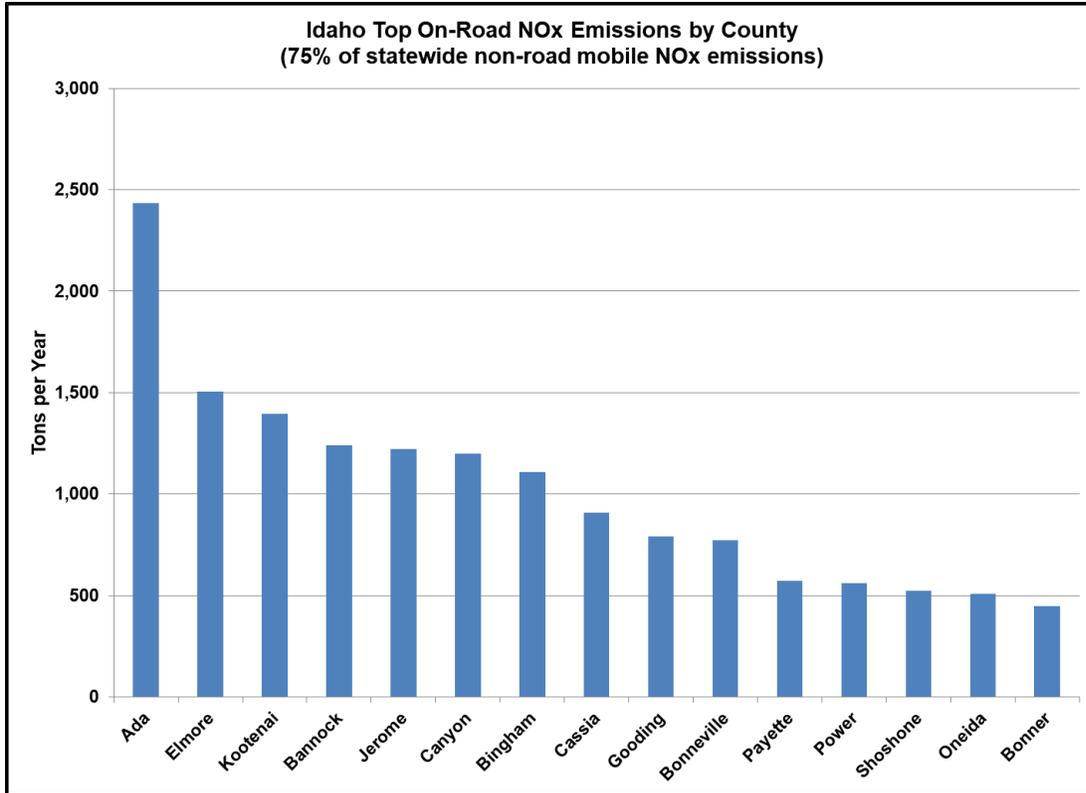


Figure 2. Top Idaho counties for on-road diesel NO<sub>x</sub> emissions for 2014 (2014 NEI).

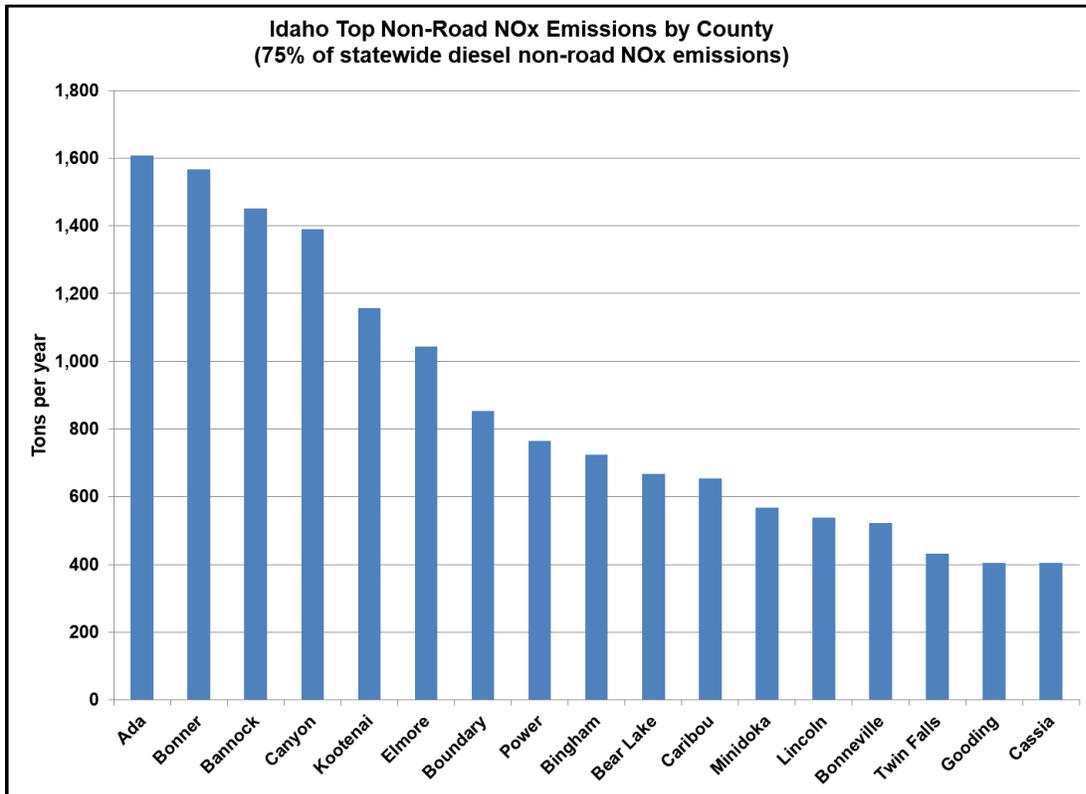


Figure 3. Top Idaho counties for non-road diesel NO<sub>x</sub> emissions for 2014 (2014 NEI).

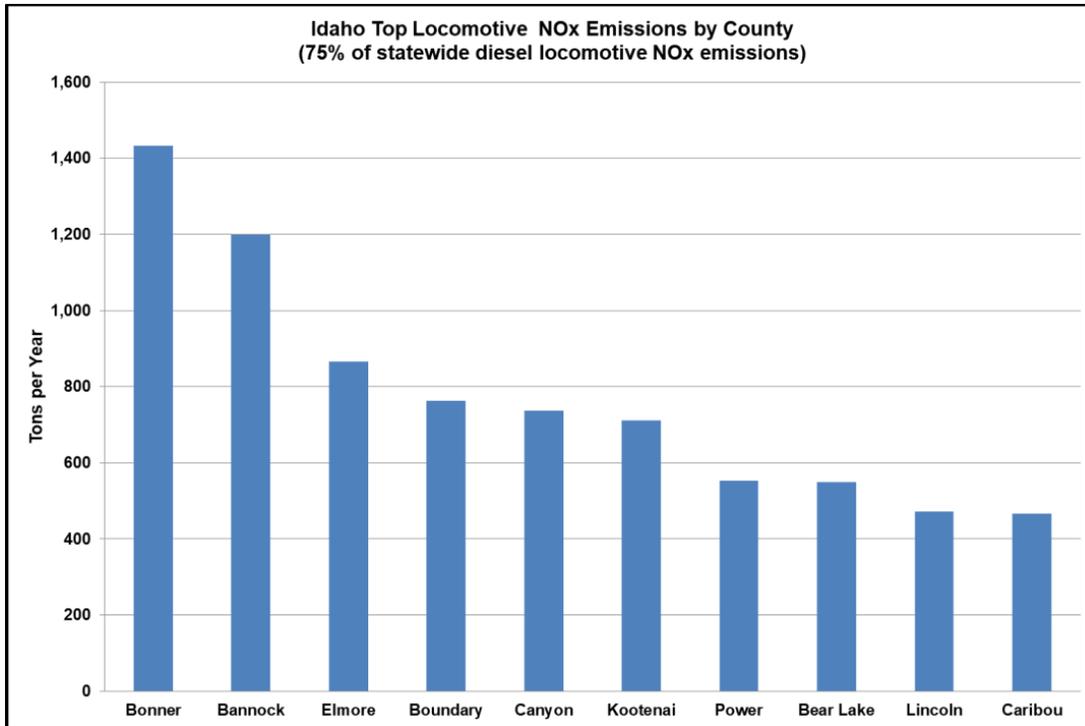


Figure 4. Top Idaho counties for locomotive diesel NOx emissions for 2014 (2014 NEI).

### Quantifying Emission Reductions

DEQ will quantify the emission reductions resulting from the project by using the information included in a complete application. Emission reductions will be estimated using EPA's Quantifier (<https://cfpub.epa.gov/quantifier/index.cfm?action=main.home>). When the Quantifier cannot be used because of the type of project and limitations to the model, emissions will be quantified using the [Alternative Fuel Life-Cycle Environmental and Economic Transportation Tool](https://greet.es.anl.gov/afleet) (<https://greet.es.anl.gov/afleet>).

With the vehicle information included in the application, DEQ will use the maximum remaining useful vehicle life as allowed by the Quantifier (Table 9) to determine lifetime NOx emission reductions. Other variables used by the Quantifier to calculate the lifetime emission reductions include, but are not limited to, the following:

- Existing and new vehicle and equipment type
- Existing and new engine model year
- Existing and new vehicle class (GVWR)
- Annual mileage, fuel consumption, and idling hours
- Existing and new fuel type
- Cost of the action taken (i.e., the funding requested by the applicant from the State Trust)

EPA's Quantifier compares the difference between emissions projected to be generated by both (existing and new) vehicles over the remaining life of the existing vehicle to determine the projected reductions and cost per ton of emissions reduced.

**Table 9. EPA diesel emission quantifier remaining life assumptions.<sup>(a)</sup>**

<b>Fleet</b>	<b>Size or Type</b>	<b>Median Life (years)</b>	<b>Maximum Life (years)</b>
On-road	All	19	30
Nonroad	HP ≤ 50	10	20
	51 ≤ HP ≤ 300	15	30
	HP ≥ 301	20	40
Locomotive	Switch	60	70
	Line haul	30	40
	Passenger	25	30

a) EPA's Quantifier uses *remaining life of the existing vehicle* to calculate lifetime emission reductions associated with a project. Actual remaining life depends on the age of the vehicle at the time of the project, as well as usage, maintenance, and climate. Remaining life is calculated by taking either the maximum life or the median life value and subtracting the current age of the vehicle based on model year. DEQ will use the maximum life for this calculation. For example, if the on-road vehicle replacement occurs in 2019, and the existing vehicle is a model year 2005, the remaining life would be 30 - (2019-2005) = 16 years.