

# Kentucky Energy and Environment Cabinet

## Volkswagen Environmental Mitigation Settlement Funding Level 3 Vehicle Charging Equipment Infrastructure Rebate Program Application Instruction Manual

### **Purpose:**

The Kentucky Energy and Environment Cabinet (“EEC”) is seeking applications for the installation and operation of Light Duty Zero Emission Vehicle (ZEV) Infrastructure, specifically Level 3 (DC fast) electric vehicle (EV) charging equipment at airports in the Commonwealth of Kentucky.

Funding for these projects is available through the Volkswagen Environmental Mitigation Settlement Funding allocated to Kentucky. This program will provide \$3,123,638 in funding.

Funding under this program is available for Public, Commercial and General Aviation airports located in Kentucky. Approved projects will receive funds on a reimbursable basis, as described below in the Reimbursement Timeline.

Funding will be awarded on a first-come, first-served basis for complete applications and will remain available until funds are exhausted.

### **Eligible Applicants:**

Eligible applicants for this program are Public Commercial and General Aviation airports located in Kentucky that wish to install and operate Level 3 (DC fast) EV charging infrastructure. These entities must be registered in the [Kentucky Vendor Self Service Portal](#).

Applicants under this program must intend to maintain operation and maintenance of the charging equipment in Kentucky for a minimum of three (3) years. All charging infrastructure must be fully installed and operational, and all invoices and reimbursement documentation must be submitted to the EEC’s Office of Energy Policy no later than August 1, 2027.

### **Eligible Projects:**

To qualify for reimbursement under this program, proposed electric vehicle charging stations must meet the following criteria:

1. Charging equipment must be Level 3. Each charging port shall provide a minimum of 50 kW of DC fast charging, with the ability to deliver this power simultaneously at all ports.
2. Electric vehicle charging equipment may be installed for the use of airport fleet vehicles, airport staff on-duty, and by the public utilizing airport services. Charging stations that are made available to the public have additional considerations detailed below.
3. Applicants must verify understanding that costs to implement the full project are reimbursable at a 50% cost reimbursement of eligible expenses. Eligible expenses are detailed in this application manual below.
4. Charging stations cannot be located within the 100-year floodplain. Use the [Kentucky Flood Hazard Portal](#) to verify site eligibility.

5. Sites shall be in compliance with all applicable local and state regulations.
6. Sites must demonstrate ability to maintain equipment and customer service of patrons for a period of no less than three (3) years.
7. Charging equipment made available to the public shall be networked.
8. Charging stations must be in compliance with [Kentucky's Excise Tax regulations for Level 3 charging](#).

### **Project Site Requirements**

Applicants must ensure that the proposed sites meet the following requirements:

1. All charging stations must be in a safe and well-lit location that is safely distanced from traffic circulation and has adequate ingress/egress points.
2. All charging stations must comply with all applicable federal, state and local laws, ordinances, regulations, and standards, including local electrical and building codes for EV charging.
3. All charging stations must have sufficient electrical capacity to support the proposed EV charging equipment. Applicants must include a letter from the local utility provider confirming that the site has adequate capacity to meet this requirement.
4. All charging stations must have signage that complies with all applicable local, state, and/or federal laws, ordinances, regulations, and standards.
5. All public facing charging stations must ensure an average of at least a 95% up time. Inability to fulfil this requirement may result in the government entity reimbursing the cabinet/fund an amount equal to the reimbursement provided under this program
6. Public charging stations must have on-site signage and shall be consistent with the requirements in the Federal Highway Administration (FHWA) Manual on Uniform Traffic Control Devices (MUTCD) revised in December 2023. This includes accessible signage that directs drivers to an EV charging station location and signage that provides information at the EV charging station location. More information can be found here at U.S. Department of Energy's (DOE) [Alternative Fuels Data Center](#).
7. Public charging stations must have a paved or hardscaped parking space(s) and spaces must comply with all Americans with Disabilities Act (ADA) requirements on pages 3 and 4 of the [ADA's Requirements for Workplace Charging Installation](#).
8. Public charging stations must include at least one Combined Charging System 1 (CCS1) connector per charging port. Additional connectors, including North American Charging Standard (NACS), may be included but are not required.

### **Electric Charging Equipment Requirements**

The following requirements apply to all charging stations to be funded under this program:

1. All chargers available to the public must be networked via an open source, non-proprietary communications protocol. Networking should allow for collection of usage

data and, if desired by the site host, electronic payment from station users.

2. All equipment proposed under this grant program must meet Underwriters Laboratory (UL) standards for EV charging equipment.
3. All equipment must be ADA compliant.
4. All charging station equipment must meet the minimum requirements for safety testing by a Nationally Recognized Testing Laboratory (NRTL) recognized by the Occupational Safety and Health Administration (OSHA). The equipment must be listed and labeled as required by the National Electrical Code (NEC) section 625.5 and be Federal Communication Commission (FCC) compliant.
5. Electric Vehicle Supply Equipment (EVSE) Enclosure: The EVSE enclosure must be constructed for use outdoors in accordance with UL 50E Standard for Safety for Enclosures for Electrical Equipment, Environmental Considerations, Type 3R exterior enclosure or equivalent.
6. The EVSE must be capable of operating without any decrease in performance over an ambient temperature range of minus 22 to 122 degrees Fahrenheit with a relative humidity of up to 95%.
7. The EVSE must incorporate a cord management system or method to eliminate potential for cable entanglement, user injury, or connector damage from lying on the ground.
8. For public chargers, applicants must explain how they will ensure:
  - a. Clear use instructions and customer support contact information. Customer service support must be available by telephone to assist customers with difficulties accessing or operating the equipment.
  - b. Interoperable, open-source and non-proprietary connectors for charging, payment options and communication between equipment, network and the vehicle.
  - c. Effective communication with EV drivers when a station is not working. This may depend on the system you employ, or the company you work with to install and/or operate the chargers. A description of the plan needs to be provided.
  - d. Protection from damage to ground and wall-mounted equipment, including protection from vehicle collision (guard posts, wheel stops, curb protection, or wall-mounted barriers).
  - e. Installation performed in a professional manner in accordance with industry standard best practices, and with all state and local government laws and ordinances.

### **Payment Methods**

Unless charging is permanently provided free of charge to customers, charging stations must:

1. Provide for secure payment methods, accessible to persons with disabilities, which, at a minimum, shall include a contactless payment method that accepts major debit and credit

cards, and either an automated toll-free telephone number or a short message/messaging system (SMSW) that provides the EV charging customer with the option to initiate a charging session and submit payment;

2. Not require a membership for use;
3. Not delay, limit or curtail power flow to vehicles on the basis of payment method or membership; and
4. Provide access for users that are limited English proficient and accessibility for people with disabilities. Automated toll-free phone numbers and SMS payment options must clearly identify payment access for these populations.

**Eligible Costs:**

Per 2020 Regular Session Kentucky House Bill 352 (“20RS HB 352”), Electric Vehicle Charging Stations shall be reimbursed 50% of **Eligible Costs**. For purposes of this program, Eligible Costs are costs necessary for, and directly connected to, the acquisition, installation, operation and maintenance of new light duty zero emission vehicle supply equipment including:

1. Design costs,
2. Labor,
3. New charging station units and associated equipment,
4. Conduit, signage at the parking spot, bollards, cable/wiring and electrical service box disconnects,
5. Concrete or asphalt addition or replacement,
6. Paint striping and stenciling of the charging station parking spaces, and
7. Annual network and maintenance fees for up to 3 years.

**Ineligible Costs:**

Ineligible costs include costs that are not directly related to the project. In addition, the following costs, even if they are directly related to the project, are ineligible:

1. Leased equipment.
2. Used, refurbished, or remanufactured equipment.
3. Purchase, rent, or lease of real estate.
4. Capital costs such as construction of buildings, parking facilities, etc.
5. Any expenses incurred before the agreement is fully executed including applicant’s expense for preparing the eligibility and cost proposals.
6. Debts, late payment fees, finance charges or contingency funds, interest, and investment management fees.

7. Attorney fees and any administrative costs.
8. Lobbying, lobbyists, and political contributions.
9. Mark-up on purchases and/or subcontracts.
10. Taxes, except sales tax on eligible equipment and expenses.
11. Permit fees and activities addressing permit issues.
12. Activities addressing enforcement actions that involve a financial penalty.
13. Memberships (including subscriptions and dues).
14. Food, refreshments, entertainment, gifts, prizes and decorations.
15. Salaries, merit awards, bonuses, donations and fundraising.
16. Computer(s), tablets, software or mobile communication devices unless unique to the project and specifically approved by Kentucky EEC as a direct expense.
17. Paper studies, research projects or surveys including feasibility studies or surveys to determine interest in the installation of electric vehicle charging stations.
18. Proposals for any type of vehicle demonstration or demonstrations of existing technologies for public outreach/education.

**Reimbursement Timeline:**

- **The Application Period** for the Kentucky Level 2 Electric Vehicle Charging Infrastructure Rebate Program funded by the Volkswagen Environmental Mitigation Funds will open on April 13th, 2026, and will remain open until all funding is allocated to eligible projects with completed applications.
- Approved applicants shall be notified of project approval for reimbursement. Work may begin on the approved project after the entity is notified by the Kentucky EEC that its application has been approved and the potential funding amount has been reserved for their project.
- Payment of project expenses will take place on a reimbursement basis. The approved applicant must have all EV charging equipment operational, notify the EEC contact of the opportunity for visual inspection, and submit all back-up documentation for project costs before reimbursement can occur. **Request for reimbursement must be sent by August 1<sup>st</sup>, 2027.**

**Additional Considerations:**

Any information submitted in response to the solicitation for the State of Kentucky's Level 3 Charging Infrastructure Program funded through the Volkswagen Environmental Settlement Fund, will be considered public records and subject to disclosure to the public. The VW EMT Beneficiary Mitigation Plan and all documentation and records submitted by Kentucky in support of each funding request will be available to the public on the EEC VW Webpage, which is accessible at <https://eec.ky.gov/Energy/Programs/Pages/Volkswagen-Settlement.aspx>.

Any and all documents submitted by an applicant in response to this call for projects shall be available for public inspection after contract award pursuant to the Kentucky Open Records Act, KRS 61.870 to 61.884 ("the Act"). When responding to a request to inspect records submitted in response to this application process, the Commonwealth will not redact or withhold any information or documents unless the records sought are exempt from disclosure pursuant to KRS 61.878 or other applicable law. Similarly, no such documents shall be exempt from public disclosure, regardless of the Offeror's designation of the information contained therein as "proprietary," "confidential," or otherwise, except in cases where the requested documents (or information contained therein) would be excluded from application of the Act under KRS 61.878(1)(c)

Summarized details regarding the expenditure of Trust Funds by Kentucky EEC (e.g., cumulative totals for categories of eligible mitigation actions identified in the Beneficiary Mitigation Plan, identification of recipients of Trust funds and their project scopes) will be maintained on the EEC webpage.

Documentation and records supporting all expenditures of the Trust Funds by Kentucky will be made publicly available. The general public may request such information by submitting an open records request to Kentucky EEC. Specific request instructions are provided on the EEC Webpage, including the name, title, and contact information for the EEC staff tasked with responding to such records requests. By submitting an application for a grant, applicants agree to allow the use of applicant and project information as provided in application and grant documents to be published or distributed in various print or electronic media publications.

Kentucky EEC reserves the right to decline to award funds to applicants that have failed to submit a complete application.

By signing the application, the Applicant certifies that:

- He/she understands the requirements of this program and that he/she will comply with these requirements;
- He/she understands that costs to implement the full project are reimbursable at a 50% cost reimbursement of eligible expenses;
- He/she understands they must collect EV station usage data for three full consecutive years after all program requirements have been met, including striping and signage, and provide to OEP upon request.
- All vendors will be selected in accordance with applicable State public contracting laws; and
- He/she, along with any other officers, directors, owners, partners, employees, or agents of the applicant organization is (are) not presently debarred, suspended, proposed for debarment, or declared ineligible for an award by any State or Federal agency.

Once reimbursement under this program has taken place, if a site is damaged through natural disaster or vandalism during the three (3) year period required for operation, the government entity will be required to replace the charging infrastructure at its own expense.

**APPLICATION REQUIREMENTS:**

Applicants must complete and provide the items listed below in their grant application. Details for completing the items below are provided in this Application Manual.

**Supporting Documentation:**

The complete application must include:

- The unit of Government applying for funding under this solicitation;
- The Universal Entity Identifier (UEI) #;
- The name and role in the unit of Government of the authorized person submitting the application;
- Project Information;
- Site information including the physical address where the EV Charging site will be located; and
- Proof that the local utility has been contacted and the project discussed with the local utility.

**Where to submit**

Application forms are located at <https://eec.ky.gov/Energy/Programs/Pages/Volkswagen-Settlement.aspx>. A complete submittal will consist of the signed, completed application form and documentation as outlined above.

Questions regarding the application process and eligibility should be sent via email to: [hailey.mullins@ky.gov](mailto:hailey.mullins@ky.gov).