

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Authorizing Executive Director to Execute the Grant Agreement with Ohio Environmental Protection Agency to Accept a Diesel Mitigation Trust Fund Grant and Approving the Disposal of Personal Property

WHEREAS, the Ohio Turnpike and Infrastructure Commission (“Commission”) is authorized by Section 5537.04(A)(13) of the Ohio Revised Code to receive and accept grant funds for or in aid of the maintenance or operation of the Ohio Turnpike; and

WHEREAS, the Ohio Environmental Protection Agency (“Ohio EPA”) has a Diesel Mitigation Trust Fund (DMTF) grant program with the purpose of removing older more polluting diesel engines from use and replacing or repowering them with clean diesel, alternative fuel or electric engines; and

WHEREAS, the Ohio EPA’s DMTF grant program is funded with dollars allocated to the State of Ohio from the Volkswagen Mitigation Trust Fund, as part of a court-ordered settlement to offset excess air pollution emitted by some Volkswagen vehicles that violated the Clean Air Act; and

WHEREAS, the Commission staff submitted an application to the Ohio EPA for a DMTF grant to replace fifteen (15) heavy duty local freight trucks that have engine model year 1992 through 2009 engines with vehicles that have engine model year 2018 or newer; and

WHEREAS, the trucks to be replaced are currently used for pre-treating and snow and ice removal during winter month operations and general road maintenance, including but not limited to, traffic management, aggregate and asphalt hauling, as well as, equipment transportation throughout the remaining months of the year at the Castalia, Amherst, Boston, Hiram and Canfield maintenance sections; and

WHEREAS, the Commission will use the new trucks to be purchased with the DMTF grant funds for these same purposes stated above; and

WHEREAS, the Commission has been notified by the Ohio EPA that it is eligible to receive DMTF grant funds in the total amount up to \$375,000.00 to purchase new trucks to replace the fifteen (15) trucks described above; and

WHEREAS, the Executive Director and Chief Engineer have recommended that the Commission participate in this program in order to improve the overall fuel efficiency and reduce the fuel emissions of its existing snow and ice removal equipment, and enhance the efficiency of its roadway maintenance operations; and

WHEREAS, the Commission must execute a grant agreement with the Ohio EPA to receive the grant funds and the General Counsel has determined that the Commission may lawfully enter into an agreement to accept the DMTF grants funds; and

WHEREAS, pursuant to the DMTF grant agreement, the Commission must permanently scrap the old engines and chassis and the Commission must authorize the disposal of the fifteen (15) heavy duty local freight trucks in this manner.

NOW, THEREFORE, BE IT

RESOLVED that the Executive Director is authorized to enter into a grant agreement with the Ohio EPA for grant funds in the total amount up to \$375,000.00 available under the Diesel Mitigation Trust Fund grant program, a copy of said grant agreement is attached hereto and incorporated herein; and

FURTHER RESOLVED, the Executive Director and the Chief Engineer are authorized to take those actions necessary to comply with the terms and conditions set forth in the grant agreement, including but not limited to the disposal of fifteen (15) heavy duty local freight trucks by permanently scrapping such trucks or other such disposal means required by the Ohio EPA or

the grant agreement, and further subject to the limitations set forth in Article V of the Commission's Code of Bylaws; and

FURTHER RESOLVED, the Executive Director and the Chief Engineer shall report to the Commission regarding the results of the program.

(Resolution No. 11-2020 adopted February 24, 2020)