



New Mexico Environment Department

PROTECTING OUR ENVIRONMENT, PRESERVING THE ENCHANTMENT

Volkswagen Settlement Information November 2017

History

- In 2015, Volkswagen admitted to purposely employing defeat devices on emissions controls for nitrogen oxides (NOx) on some of their Volkswagen, Audi, and Porsche diesel-fueled vehicles
- In 2017, the U.S. District Court for the Northern District of California finalized Consent Decrees between Volkswagen, the United States, and the State of California, adopting revisions made by the Trustee (Wilmington Trust, N.A.)
- NOx is a component of ozone and can cause health and environmental damage when levels in the air are high
- New Mexico is eligible to receive over \$17,900,000 to be used for nitrogen oxide emission reduction projects

Timeline

- The Trust became effective on October 2, 2017
- The Governor must submit a certification for beneficiary status by December 1, 2017
- The New Mexico Environment Department submitted the New Mexico certification to the Court on November 7, 2017, and to the Trustee on November 8, 2017
- A Beneficiary Mitigation Plan, including potential projects, is due to the Trustee no later than 30 days prior to requesting funding for a project

Eligible mitigation projects* under the Consent Decree include:

- Repower or replacement of Class 8 local freight trucks and port drayage trucks
- Repower or replacement of Class 4-8 school buses, shuttle buses, or transit buses
- Repower or replacement of eligible freight switcher locomotives
- Repower or replacement of Class 4-7 local freight trucks
- Repower or replacement of airport ground support equipment
- Repower or replacement of forklifts and port cargo handling equipment
- Light duty zero emission vehicle supply equipment (up to 15% of total allocation of trust funds)
- Projects that are approvable through the Diesel Emission Reduction Act (DERA) program

*See Appendix D-2 of the [Environmental Mitigation Trust Agreement](#) for State Beneficiaries for more detailed information on these project types

How can you be involved?

- Sign up on our listserv to get email announcements of meetings, requests for project applications, or other information as available - <https://public.govdelivery.com/accounts/NMED/subscriber/new>
- Submit comments on the draft New Mexico Beneficiary Mitigation Plan when available
- Check our website often for updates - <https://www.env.nm.gov/vw-settlement/>
- Contact us by email at vw.info@state.nm.us or by phone at (505) 476-4300