

Ms. Swati Patel
Policy Analyst
Office of Information and Regulatory Affairs
Office of Management and Budget
Executive Office of the President

This is a request for Office of Management and Budget (OMB) emergency clearance for a new information collection request (ICR) to enable the Department of Transportation (DOT) Federal Highway Administration (FHWA) to implement the Reduction of Truck Emissions at Port Facilities (RTEPF) Program. The RTEPF Program was authorized in the Bipartisan Infrastructure Law (BIL), enacted as the Infrastructure Investment and Jobs Act (Act) (Pub. L. 117-58) on November 15, 2021. This historic Act is a once-in-a-generation opportunity to support transformational investments in our Nation's transportation infrastructure that will create good jobs, modernize our infrastructure, improve safety, tackle the climate crisis, and invest in communities that have too often been left behind. The Act includes the RTEPF Program to provide funding to test, evaluate, and deploy projects that reduce port-related emissions from idling trucks, including through the advancement of port electrification and improvements in efficiency, focusing on port operations, including heavy-duty commercial vehicles, and other related projects.

Critical Nature of the Information Collection Request

The RTEPF Program is critical to enabling special purpose districts or public authorities with a transportation function including port authorities, States or groups of States, metropolitan planning organizations, units of local governments or groups of units of local governments, political subdivisions of a State or local government, Federal land management agencies that applies jointly with a State or group of States, Federally recognized Tribal governments or a consortium of Tribal governments, or a multi-State or multijurisdictional group of public entities, to test, evaluate, and deploy projects that reduce port-related emissions from idling trucks, including through the advancement of port electrification and improvements in efficiency, focusing on port operations, including heavy-duty commercial vehicles, and other related projects.

The statutory requirements for the RTEPF Program are found under Section 11402 of the BIL; they have not yet been codified in 23 U.S.C. In BIL, Congress authorized \$400 million for Fiscal Years (FY) 2022 through 2026 to provide financial assistance to RTEPF eligible projects, \$250 million from the Highway Trust Fund and \$150 million from the General Fund. For FY 2022 and FY 2023, a maximum total of \$160 million, or \$80 million each year, is available for awards. Due to the Administration's tight deadline to issue the NOFO and begin making awards in FY 2022 and FY 2023, DOT developed application templates for the RTEPF Program. The templates are designed to help streamline the application process and submission of the information requested in the NOFO.

Need for Emergency Approval

The issuance of the FY 2022 & FY 2023 RTEPF Program NOFO is a high priority for the Administration so work can begin as soon as possible to test, evaluate, and deploy projects that reduce port-related emissions from idling trucks, including through the advancement of port electrification and improvements in efficiency, focusing on port operations, including heavy-duty commercial vehicles, and other related projects. BIL Section 11402(b)(4)(B) states the Secretary shall make grants by no later than April 1st of each fiscal year for which funding is made available; grants have not yet been made for FY 2022, necessitating a combined NOFO for FY 2022 and FY 2023. The FHWA has worked diligently since the enactment of BIL to develop the NOFO and application templates to implement the RTEPF Program as quickly as possible. The DOT currently intends to issue the NOFO in early December 2022.

The use of normal clearance procedures for ICR approval will prevent the Department from meeting the Administration's deadline. If the Department does not receive emergency approval for this ICR, implementation of the RTEPF Program will be delayed.

Due to the urgency of executing the newly enacted Act, the Department respectfully ask OMB for emergency approval of the ICR within 30 days of receipt of this letter.

If you have any questions regarding this request, please contact Chip Millard, RTEPF Program Manager, at chip.millard@dot.gov.

Sincerely,

Martin C. Knopp
Associate Administrator for Operations
Federal Highway Administration