

SUPPORTING STATEMENT A

Supplemental Discretionary Grants for Reduction of Truck Emissions at Port Facilities (RTEPF) Grant Program

OMB Control No. 2125-XXXX.

Introduction: This is to request the Office of Management and Budget (OMB) approve a clearance for the information collection entitled, Reduction of Truck Emissions at Port Facilities (RTEPF) Grant Program. The Office of the Secretary of Transportation (OST), in close collaboration with the Federal Highway Administration (FHWA), provides financial assistance to a political subdivision of a State, local units of government, multijurisdictional groups made up of the above eligible applicants, and consortia of research or academic institutions previously described through the RTEPF Grant Program.

- * Responding to the collection is voluntary and is required to obtain or retain a benefit.
- * Responders are a special purpose district or public authority with a transportation function, including port authorities, a State or group of States, a metropolitan planning organization, a unit of local government or group of local governments, a political subdivision of a State or local government, a Federal land management agency that applies jointly with a State or group of States, a Federally recognized tribal government or a consortium of tribal governments, and a multi-State or multijurisdictional group of public entities.
- * The collection is a grant application, grant agreement, project management, and project evaluation. It has a reporting requirement.
- * The information is collected as needed.
- * Information relevant to the application as detailed in the Notice of Funding Opportunity (NOFO), and any reporting requirements agreed to by grant recipients.
- * The information will be received by the Department, including OST and FHWA.
- * The purpose of the collection is to receive information relevant to evaluating applications to the RTEPF Grant Program, per the NOFO, and reporting requirements agreed to by recipients of the grants.
- * This collection was previously granted emergency approval under OMB reference number 2125-0673.

This ICR supports the FY 2022 – 2026 DOT Strategic Plan, including the six strategic goals of:

1. Safety

2. Economic Strength & Global Competitiveness
3. Equity
4. Climate & Sustainability
5. Transformation
6. Organizational Excellence

Part A. Justification.

1. Circumstances that make collection of information necessary:

The collection of information is necessary in order to receive applications for grant funds, monitor project financial conditions and project progress, evaluate the effectiveness of grant-funded projects, and share best practices, pursuant to the Department's RTEPF Grant Program. The program is being implemented in accordance with Section 11402 of the Infrastructure Investment and Jobs Act (Public Law No: 117-58; also referred to as the Bipartisan Infrastructure Law or BIL). The purpose of this program is to provide competitive grants 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, and provide financial assistance that leverages non-Federal contributions.

The relevant sections of the BIL Section 11402 are attached hereto as Exhibit A.

The reporting requirements are submitted by recipients and will be completed during the application, grant agreement, and project management phases.

Application Phase

To be considered to receive a RTEPF Grant Program grant, an eligible applicant must submit an application to DOT containing information as detailed in the Notice of Funding Opportunity. The project narrative and budget should include the information necessary for the Department to determine that the project satisfies eligibility requirements as required by law.

Grant Agreement Phase

The grant agreement is an agreement between DOT (including OST and/or FHWA) and the recipient. In the grant agreement, the recipient must describe the project that DOT agreed to fund, which is typically the project that was described in the already-developed RTEPF Grant Program application, or a reduced-scope version of that project. The grant agreement must also include a detailed breakdown of the project schedule and a budget listing all major activities that will be completed as part of the project. Much of the grant agreement documentation will be completed by the

Federal government based on the information submitted by the applicant in the application phase. As such, this phase creates minimal burden for the recipient because only updates, a completed budget checklist, technical corrections, and agency signatures are required.

Project Management Phase

The reporting requirements under this phase are necessary to ensure the proper and timely expenditure of Federal funds within the scope of the approved project. The requirements comply with the Common Grant Rule and are also included in sections of the grant agreement. During the project management phase, the grantee will complete Quarterly Progress and Monitoring Reports to ensure that the project budget and schedule will be maintained to the maximum extent possible, that the project will be completed with the highest degree of quality, and that compliance with Federal regulations will be met. The substantive requirements of the report include: the project's overall status; significant project activities and issues; action items/outstanding issues; project scope overview; project schedule; project cost; a SF-425 Federal Financial Report; and certifications. This reporting requirement will greatly reduce the need for on-site visits by staff. Note: grantees will also submit SF-270 or SF-271 forms (depending on the type of grant) into the DELPHI/iSupplier system to request reimbursement for their grant-related expenditures. The SF-425 form summarizes these expenditures quarterly.

2. How, by whom, and for what purpose is the information used:

The information collected will be used by OST and FHWA, which will administer the grants.

OST/FHWA will continue to use the information collected in the application phase to evaluate proposals and make decisions on awarding grants to applicants for any future similar appropriations.

OST, FHWA and/or other Modal Administrations will use the information to monitor the progress of projects that have been awarded RTEPF Grant Program funds, and to monitor the proper expenditure of Federal funds. After the grant money has been used by the recipients, OST, FHWA and/or other Modal Administrations will continue to collect information on the performance of the resulting projects. This information will help to assess the effectiveness of individual projects in achieving outcomes that grantees have targeted and ultimately assist in measuring the effectiveness of the RTEPF Grant Program.

The project management information will be collected by grant recipients. Much of the information will be produced and collected through the normal process of project management, so the additional burden of government information collection is small in comparison to the information that grant recipients already collect to manage their projects properly. The purpose of the project management information collection is to

ensure that the project budget and schedule will be maintained to the maximum extent possible, that the project will be completed with the highest degree of quality, and that compliance with Federal regulations will be met.

3. Extent of automated information collection:

The Department will receive applications and reports electronically via email and via websites from grant awardees upon approval from OMB. Certain agencies within the Department have found that delivery of reports electronically is the most reliable way to collect information and will use their existing grant administration systems to collect the information covered under this request. To minimize the burden on applicants, OMB-approved standard forms are being used to collect information where possible. Such standard forms include the Application for Federal Assistance (SF-424), available online at https://apply07.grants.gov/apply/forms/sample/SF424_2_1-V2.1.pdf, and the post-award Federal Financial Reports form (SF-425), available online at https://apply07.grants.gov/apply/forms/sample/SF425_2_0-V2.0.pdf.

All information submitted as part of or in support of any application shall use publicly available data or data that can be made public. If the application includes information the applicant considers to be a trade secret or confidential commercial or financial information, the applicant should do the following: (1) Note on the front cover that the submission “Contains Confidential Business Information (CBI)”; (2) mark each affected page “CBI”; and (3) highlight or otherwise denote the CBI portions. DOT protects such information from disclosure to the extent allowed under applicable law. In the event DOT receives a Freedom of Information Act (FOIA) request for the information, DOT will follow the procedures described in its FOIA regulations at 49 CFR 7.17. Only information that is ultimately determined to be confidential under that procedure will be exempt from disclosure under FOIA.

4. Efforts to identify duplication:

The information collected from grantees is project-specific and the information is not available other than from the grantees. The information will be used to monitor projects on a quarterly basis, and to ensure on an annual basis that the project’s plan conforms to the project’s real operating environment.

5. Efforts to minimize the burden on small businesses:

Grantees include port authorities, port terminal operators, energy-related companies, States, metropolitan planning organizations, local units of government, tribal governments, and multijurisdictional groups made up of the above eligible applicants, and consortia of research or academic institutions. No grantees are business organizations, small or otherwise.

6. Impact of less frequent collection of information:

If the information requested in the reports is not collected, the Department will not be able to evaluate project progress or financial conditions in accordance with the Bipartisan Infrastructure Law and the Notice of Funding Opportunity for the program published in the *Federal Register*. Additionally, without post-project performance measure data collection, the Department will not be able to evaluate the effectiveness of projects that receive grant funds or the overall effectiveness of the grant funds in achieving program goals.

If these and other reports were required less frequently, site visits or other outreach by agency staff would be required to ensure compliance with program objectives.

7. Special circumstances:

During the negotiation of the grant agreement, DOT and FHWA may require the recipient to report information to the agency more often than quarterly. Otherwise, all information collected is consistent with the guidelines in 5 CFR 1320.6.

8. Compliance with 5 CFR 1320.8:

FHWA has published the 60-day Federal Register notice to solicit comments from the public for this information collection on July 11, 2024 [89 FR 56921]. No comments have been received.

This 3-year clearance is requested pursuant to 5 CFR 1320.8(d)(4). FHWA published the 30-day notice to address any comments and notify the public of the submission to OMB on September 13, 2024 [89 FR 75010].

9. Payments or gifts to respondents:

No payment is made to respondents, other than remuneration to successful RTEPF Grant Program grantees. The remuneration to grantees is in the form of reimbursements up to the amount of the RTEPF Grant Program grant award as negotiated in the signed and executed grant agreement.

10. Assurance of confidentiality:

There is no assurance of confidentiality regarding these submissions.

11. Justification for collection of sensitive information:

None of the information is of a sensitive nature.

12. Estimate of burden hours for information requested:

Through application solicitation and awards management, OST has calculated an annual burden associated with applications, deliverables and reports.

<u>Requirements</u>	<u># of Annual Submissions</u>	<u>Burden hours per Submission</u>	<u>Total Burden hours</u>
<u>Application Stage</u>			
Applications	60	40	2,400
<u>Grant Agreement Stage</u>			
Requests for information related to signing grant agreements	25	4	100
<i>Total</i>	<i>85</i>	<i>44</i>	<i>2,500</i>
<u>Project Management Stage</u>			
Quarterly Progress Report	100	2	200
System Engineering Document	5	20	100
Report to the Secretary	25	20	500
<i>Total</i>	<i>130</i>	<i>42</i>	<i>800</i>
Grand Total	215	86	3,300

The average hourly salary rate for a respondent is \$47, based on an estimated median average wage of a project management specialist in the local government sector of \$47.32 per [Bureau of Labor Statistics](#), which is factored by 1.62 to account for the cost of employer-provided benefits (Bureau of Labor Statistics, [Employer Costs for Employee Compensation](#), Dec. 2022) resulting in a total labor cost of \$76 per hour. Estimated total annual cost to respondent: 3,300 hours x \$76 per hour = \$250,800.

All burden hour estimates are based on: work already performed for the FY 2022-2023 RTEPF Grant Program (application stage), an estimated review of the other requirements associated with the RTEPF Grant Program, discussions with appropriate modal staff, and analysis of other Department programs.

Estimate of the cost to respondents:

There is a wide variance in the level of effort required by recipients to comply with the Project Management Stage reporting requirements. Most grantee reports, however, will be simple and straightforward. The figures below are representative of a straightforward project of average complexity that has completed construction over

a five-year period with a five-year period of performance measurement once the project is complete.

Application Stage

We estimate that it takes approximately 40 person-hours to read the Notice of Funding Opportunity and compile an application package for a Reduction of Truck Emissions at Port Facilities Program application. Since FHWA expects to receive 60 applications per NOFO announcement, the total hours required are estimated to be 2,400 hours (40*60 hours) on a one-time basis, per announcement. Although various personnel are involved in the development of an application, the average salary is estimated to be \$55 per hour. This is based on the average loaded wage of a project manager in the local government sector of \$54.96 (Bureau of Labor Statistics). Therefore, the cost to the respondents is computed at \$132,000 (2,400 hours x \$55 = \$132,000).

Grant Agreement Stage:

We estimate that it takes approximately 4 person-hours to respond to FHWA requests for more information in negotiating the grant agreements. Based on other grant programs, FHWA estimates that there will likely be 25 grant agreements negotiated per additional announcement. The total hours required are estimated to be 100 (4 hr. x 25 agreements = 100 hours) on a one-time basis, per announcement. Although various personnel are involved in the development of an application, the average salary is estimated to be \$55 per hour. Therefore, the cost to the respondents is computed at \$5500 (100 hours x \$55 = \$5500).

Project Management Stage:

We estimate that it takes approximately 42 person-hours to develop and submit the project deliverables (i.e., quarterly project progress report, System Engineering Document, and Report to the Secretary) in the NOFO to FHWA for review. More specifically, each quarterly progress report will take 2 person-hours to develop, while the Systems Engineering Document and Report to Secretary will each require 20 person-hours of work. Due to the nature of their projects, not all grantees will need to prepare a Systems Engineering Document. It is estimated the three deliverables will have the following number of submissions per year:

- Quarterly Progress Reports: 100 annual submissions
- Systems Engineering Documents: 5 annual submissions
- Reports to the Secretary: 25 annual submissions

Based on other grant programs and the expected number of awards, the total hours estimated to be required per year for each of the four required deliverables are as follows:

- Quarterly Progress Reports: 200 hours/year (2 hours x 100 submissions = 200 hours)
- Systems Engineering Documents: 100 hours/year (20 hours x 5 submissions

- Reports to the Secretary: 500 hours/year (20 hours x 25 submissions = 500 hours)

The overall number of hours required per year for all of the deliverables combined is estimated to be 800 hours (200 hours + 100 hours + 500 hours = 800 hours). Although various personnel are involved in the development of an application, the average salary is estimated to be \$55 per hour. Therefore, the cost to the respondents is computed at \$31,900 (800 hours x \$55 = \$44,000).

The grand total annual cost to respondents for the application, grant agreement, program management stages is \$167,200 as shown in the table below:

Project Stages	Cost to the Respondents
Application Stage	\$132,000
Grant Agreement Stage	\$5,500
Project Management Stage	\$44,000
The grand total	\$181,500

13. Estimate of total annual costs to respondents:

There is no additional cost beyond that shown in items 12 and 14.

14. Estimate of cost to the Federal government:

The cost is calculated as follows:

Application Stage:

FHWA will review the applications to assess project eligibility and merit and to provide information for the discretionary decision-making process prior to the award of any future RTEPF Program grants.

We estimate that the average grade level of the reviewers located in the Washington-Baltimore-Arlington area is GS-13/step 5, paid at approximately \$64 per hour. Each project will require approximately 20 person-hours of review as an overall average. Since we expect to evaluate 60 applications, the cost to the federal Government is \$76,800 (20 hours x 60 applications = 1,200 hours x \$64 = \$76,800), per appropriation.

Grant Agreement Stage:

Information may be requested from grantees to negotiate the implementation grant agreements under which the RTEPF Program funds will be distributed under which eligible activities will be implemented. OST/FHWA does not expect to request much information from grantees, since most of the information required was submitted

along with the grant applications.

We estimate that the average grade level of the reviewers located in the Washington-Baltimore-Arlington area is GS-14/step 5, paid at \$76 per hour. Since we expect to negotiate 25 implementation grant agreements and for one employee to spend about 10 hours requesting the information and using it to draft the grant agreements, the cost to the federal Government is \$19,000 (10 hours x 25 applications = 250 hours x \$76 = \$19,000), per appropriation.

Project Management Stage:

Individuals managing projects throughout FHWA vary from GS-11 to GS-14; however, in looking at the averages it can take a GS-13/step 5 located in the Washington-Baltimore-Arlington area (average salary, \$64 per hour) about 16 hours to annually review the following project deliverables: quarterly project progress report, System Engineering Document, and Report to the Secretary. The cost to the federal Government is \$43,008 (16 hr. x 42 submissions x \$64 = \$43,008), annually.

The grand total annual cost to the Federal Government for the application, grant negotiation, program management and evaluation stage is \$138,808 as shown in the table below:

Project Stages	Cost to the Federal Government
Application Stage	\$76,800
Grant Agreement Stage	\$19,000
Project Management Stage	\$43,008
The grand total	\$138,808

15. Explanation of program changes or adjustments:

This is an existing collection without an OMB control number. Changes to the program are due to requesting OMB approval.

16. Publication of results of data collection:

FHWA is required to provide a report to Congress annually for a subset of applicants under this program (23 U.S.C. 124 (g)).

17. Approval for not displaying the expiration date of OMB approval:

There is no reason not to display the expiration date of OMB approval.

18. Exceptions to certification statement:

No exceptions are stated.

EXHIBIT A

SEC. 11402. REDUCTION OF TRUCK EMISSIONS AT PORT FACILITIES.

(a) ESTABLISHMENT OF PROGRAM.—

(1) IN GENERAL.—The Secretary shall establish a program to reduce idling at port facilities, under which the Secretary shall—

- (A) study how ports and intermodal port transfer facilities would benefit from increased opportunities to reduce emissions at ports, including through the electrification of port operations;
- (B) study emerging technologies and strategies that may help reduce port-related emissions from idling trucks; and
- (C) coordinate and 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.

(2) CONSULTATION.—In carrying out the program under this subsection, the Secretary may consult with the Secretary of Energy and the Administrator of the Environmental Protection Agency.

(b) GRANTS.—

(1) IN GENERAL.—In carrying out subsection (a)(1)(C), the Secretary shall award grants to fund projects that reduce emissions at ports, including through the advancement of port electrification.

(2) COST SHARE.—A grant awarded under paragraph (1) shall not exceed 80 percent of the total cost of the project funded by the grant.

(3) COORDINATION.—In carrying out the grant program under this subsection, the Secretary shall—

- (A) to the maximum extent practicable, leverage existing resources and programs of the Department and other relevant Federal agencies; and
- (B) coordinate with other Federal agencies, as the Secretary determines to be appropriate.

(4) APPLICATION; SELECTION.—

(A) APPLICATION.—The Secretary shall solicit applications for grants under paragraph (1) at such time, in such manner, and containing such information as the Secretary determines to be necessary.

(B) SELECTION.—The Secretary shall make grants under paragraph (1) by not later than April 1 of each fiscal year for which funding is made available.

(5) REQUIREMENT.—Notwithstanding any other provision of law, any project funded by a grant under this subsection shall be treated as a project on a Federal-aid highway under chapter 1 of title 23, United States Code.

(c) REPORT.—Not later than 1 year after the date on which all of the projects funded with a grant under subsection (b) are completed, the Secretary shall submit to Congress a report that includes—

- (1) the findings of the studies described in subparagraphs (A) and (B) of subsection (a)(1);
- (2) the results of the projects that received a grant under subsection (b);
- (3) any recommendations for workforce development and training opportunities with respect to port electrification; and
- (4) any policy recommendations based on the findings and results described in paragraphs (1) and (2).