INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS®

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January 18, 2023

Submitted via regulations.gov

Ms. Lorraine Reddick
Designated Federal Official for Clean Air Act Advisory Committee
Office of Air Policy and Program Support
Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington, DC 20460

Re: Request for Information: Transportation Programs, Docket No. EPA-HQ-OAR-2022-0874

Dear Ms. Reddick:

The International Brotherhood of Electrical Workers (IBEW) appreciates the opportunity to respond to the Environmental Protection Agency's (EPA's) Request for Information: Transportation Programs.[1] Thanks to the $4 billion worth of investments in the Inflation Reduction Act for clean heavy-duty vehicles and air pollution reduction at ports,[2] EPA has the chance to combat climate change while ushering in a new era of worker-centric prosperity characterized by good union jobs.

The IBEW is a labor organization representing approximately 775,000 retired and active members, including approximately 400,000 members working in electrical construction. These hardworking IBEW members have historically served significant roles in the industries that benefit from federal investments in the transportation sector. IBEW construction members work in all facets of the electrical construction industry, including major infrastructure and energy projects.

The IBEW, therefore, has a significant interest in ensuring a successful return on investment for the EPA's Clean Heavy-Duty Vehicles Program and Grants to Reduce Air Pollution at Ports. In these comments, IBEW offers policy recommendations consistent with the Biden-Harris Administration's climate and job quality agenda to provide transformative opportunities and benefits to American families, workers, and communities by expanding and creating good-paying union jobs.[3]

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[1] *Request for Information: Transportation Programs,* Docket No. EPA-HQ- OAR-2022-0874 (Nov. 9, 2022).
[2] Sections 60101 and 60102 of the Inflation Reduction Act, Pub. L. 117-169 (to be codified at 42 U.S.C. 7432 and 7433).
[3] White House Fact Sheet: President Biden Sets 2030 Greenhouse Gas Pollution Reduction Target Aimed at Creating Good-Paying Union Jobs and Securing U.S. Leadership on Clean Energy Technologies, Statements and Releases (2021), https://www.whitehouse.gov/briefing-room/statements-releases/2021/04/22/fact-sheet-

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I. IBEW Recommendations for both EPA Transportation Programs

EPA should integrate job quality, labor standards and equal employment opportunity standards across all transportation grants to create high-quality jobs in fair and safe workplaces that offer workers free and fair chances to join a union.

IBEW recommends that EPA consult with the Department of Labor (DOL) to ensure that its transportation programs expand access to high-quality jobs for workers and communities with specific policies and actions consistent with the DOL's Good Jobs Initiative, which provides critical information to workers, employers, and government agencies to improve job quality and create access to good jobs.[4]

IBEW also recommends that EPA follow the lead of the Departments of Transportation,[5] Commerce,[6] and Energy[7] to enter into a memorandum of understanding with DOL. Within the MOU, the EPA should commit to supporting pathways to good jobs through its transportation grant programs.

II. IBEW Recommendations for Clean Heavy-Duty Vehicles Program Questions 3 and 4

IBEW offers the following recommendations in response to Clean Heavy-Duty Vehicles Program Question 3, regarding how EPA can ensure the benefits of this program reach low-income and disadvantaged communities, and Question 4, regarding policies the EPA should consider in the design of the programs to encourage grantees to support high quality jobs and adhere to best practices for labor standards.

Grants authorized by Section 60101 of the Inflation Reduction Act are subject to the Clean Air Act's (CAA) Davis-Bacon Related Act at 42 U.S.C. § 7614, which covers all projects assisted by the CAA. IBEW, therefore, recommends that EPA consult with DOL to ensure that DOL's existing standards

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president-biden-sets-2030-greenhouse-gas-pollution-reduction-target-aimed-at-creating-good-paying-union-jobs-and-securing-u-s-leadership-on-clean-energy-technologies/.

[4] Department of Labor, About the Good Jobs Initiative, https://www.dol.gov/general/good-jobs/about-us.

[5] Memorandum of Understanding Between the United States Department of Transportation and the United States Department of Labor (2022), https://www.dol.gov/sites/dolgov/files/OPA/newsreleases/2022/03/OSEC20220210.pdf.

[6] Memorandum of Understanding Between the United States Department of Commerce and the United States Department of Labor (2022), https://www.dol.gov/sites/dolgov/files/OPA/newsreleases/2022/06/OSEC%20DOC%20MOU.pdf.

[7] Memorandum of Understanding Between the United States Department of Energy and the United States Department of Labor (2022), https://www.dol.gov/sites/dolgov/files/OPA/newsreleases/2022/06/OSEC%20DOE%20MOU.pdf.

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and procedures are followed with respect to projects subject to the CAA's prevailing wage requirements.

In addition, as discussed below, with respect to charging infrastructure installation, operation, and maintenance work, IBEW recommends that EPA require registered apprenticeship utilization by contractors and subcontractors and Electric Vehicle Infrastructure Training Program (EVITP) certification. IBEW also recommends that EPA give preference to eligible entities that commit to funding or otherwise supporting quality pre-apprenticeship programs with organized labor to target historically underrepresented workers.

A. Require apprenticeship utilization by contractors and subcontractors

As part of the application process, EPA should require eligible entities to self-certify that they will utilize contractors and subcontractors who participate in, or commit to participating in, quality registered apprenticeship programs as described below. Such a requirement will address two important goals. First, it will help grow a well-trained and qualified workforce that EPA and recipients of assistance may utilize on future projects. Second, the rigorous training workers receive in registered apprenticeship programs will ensure safety and efficiency on projects funded by the EPA's transportation grants.

Measures to promote quality training for the next generation of construction workers are critical. In a recent survey of construction firms across the country, 91 percent of respondents reported difficulties finding skilled craft labor, leading to cost increases and project delays, "threatening the success of new federal investments in infrastructure and manufacturing."[8] Electricians are facing particularly unprecedented demand, with a recent study predicting that the U.S. will need an additional 224,000 electrical workers by 2030 to accommodate the growing needs of the electrical system.[9]

Without a steady supply of skilled craft labor, construction projects face major risks to safety and productivity that lead to significant cost and time overruns.[10] In fact, research has shown that difficulty recruiting skilled craft

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[8] *Construction Workforce Shortages Risk Undermining Infrastructure Projects As Most Contractors Struggle To Fill Open Positions*, Associated General Contractors of America (Aug. 31, 2022), https://www.agc.org/news/2022/08/31/construction-workforce-shortages-risk-undermining-infrastructure-projects-most-contractors-struggle-0.

[9] *Dark by 2050,* Klein Tools, The Accelerate Group LLC (2020), https://data.kleintools.com/sites/all/product_assets/documents/brochures/klein/DarkBy2050_Klein_ResearchPaper.pdf.

[10] Hossein Karimi, *Quantitative Analysis of the Impact of Craft Labor Availability on Construction Project Performance*, University of Kentucky (2017), https://uknowledge.uky.edu/cgi/viewcontent.cgi?article=1059&context=ce_etds; *see also* Allison L. Huang,

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workers is linked to *exponentially increasing* rates of Occupational Safety and Health Administration (OSHA) incidents.[11] In addition, on projects with skilled craft worker shortages, the skilled workers that are available are frequently scheduled to work overtime, which "can cause physical fatigue … [and] seriously affect the implementation of construction site safety."[12]

Empirical studies have shown that registered apprenticeship requirements on public works projects produce significant benefits for procurement authorities because apprentices always work under the supervision of experienced journey-level workers.[13] In addition to mitigating the risk factors discussed above, research has shown that apprenticeship requirements generally increase the number of project bidders and reduce bid costs for affected projects.[14]

Over 70 years ago, the IBEW and the National Electrical Contractors Association (NECA) developed the nonprofit Electrical Training Alliance. The Alliance develops curriculum for the 300 IBEW/NECA affiliated apprenticeship programs currently in operation and makes almost $200 million in annual investments in apprenticeship training efforts.

To combat the inherent safety risks of electrical construction and ensure that projects are completed successfully, journey-level IBEW members obtain numerous safety and technical certifications as part of their apprenticeship training. IBEW/NECA apprenticeship students receive hands-on experience and electrical, mechanical and construction theory classroom fundamentals. The typical IBEW/NECA apprenticeship program is three to five years in length. Apprentices also train in blueprint reading, mathematics, electrical code requirements, safety, first aid, conduit installation, wiring, outlets, and switches. Apprentices furthest along in their training work on planning the construction and testing the operation of an entire electrical system. IBEW electricians also obtain additional qualifications in various continuing education courses due to the ever-

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et al., U.S. Department of Commerce, National Institute of Standards and Technology, Office of Applied Economics, *Metrics and Tools for Measuring Construction Productivity: Technical and Empirical Considerations* (Sept. 2009), http://www.nist.gov/customcf/get_pdf.cfm?pub_id=903603.

[11] Karimi at 4.

[12] Karimi at 7.

[13] *See* Washington State Department of Labor and Industry & Washington State Department of General Administration, *Apprenticeship Utilization 2009 Legislative Update* (Dec. 2009); Washington State Department of Transportation, *Apprenticeship Utilization Advisory Committee Report* (Jan. 2008). *See also* U.S. Office of Management and Budget, *Task Force on Apprenticeship Expansion: Final Report to the President of the United States* (2018), https://omb.report/icr/201812-1205-001/doc/88448201 (apprenticeship programs increase productivity and are a "key tool for addressing America's skills gap."); U.S. Department of Commerce and Case Western Reserve University, *The Benefits and Costs of Apprenticeship: A Business Perspective* (2016), https://files.eric.ed.gov/fulltext/ED572260.pdf (apprenticeship programs are cost-effective due to higher worker productivity, improved safety and project quality, reliable project staffing, and reduction in employee turnover).

[14] *Id*.

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evolving technological advancements and safety imperatives that frequently arise within the electrical field.

In addition, numerous studies of Registered Apprenticeship Programs around the country show that these programs can significantly improve diversity and equity in the workforce.[15] One such study compared union and non-union construction apprenticeship programs in the Portland, Oregon area and found that union apprenticeship programs provide significantly better outcomes overall for women and people of color compared to non-union programs and that union programs have greater apprenticeship diversity in terms of both gender and race.[16]

Apprenticeships are vital to creating a strong economy and rebuilding the middle class and are the most effective, time-tested method of training construction workers in an industry replete with physical hazards. Utilizing Registered Apprenticeship programs ensures that work is performed by highly skilled, trained personnel and provides a reliable supply of workers that can successfully complete construction projects, thereby ensuring a return on the public investment.

B. Require EVITP certification for all installation, operation, and maintenance of clean heavy-duty charging infrastructure

Improperly installed and maintained EV charging infrastructure poses risks to the safety of the public, workers and first responders. The risks associated with the lack of best practice standards within the industry, especially at the federal level, can be mitigated by requiring the deployment of a qualified workforce.

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[15] *See, e.g.,* Frank Manzo and Robert Bruno, *The Apprenticeship Alternative: Enrollment, Completion Rates, and Earnings in Registered Apprenticeship Programs in Illinois*, Illinois Economic Policy Institute (Jan. 2020), https://illinoisepi.files.wordpress.com/2020/01/ilepi-pmcr-the-apprenticeship-alternative-final.pdf (finding that between 2000 and 2016, more than 74,000 construction apprentices (97 percent) were enrolled in joint labor-management programs, compared to less than 2,000 in employer-only programs, with joint programs enrolling 98 percent of all women, 99 percent of all African American apprentices, 98 percent of all Latino apprentices, and 97 percent of all military veterans); Building Trades of Minnesota, "Registered Apprenticeship in the Construction Trades," https://mntrades.org/apprenticeship/ (Approximately 5 percent of the total construction workforce were people of color, compared to 20.5 percent of union construction apprentices; apprenticeship completion rates for minority apprentices increased 339 percent between 2012 to 2019); Lawrence Mishel, Economic Policy Institute, *Diversity in the New York City union and nonunion construction sectors* (Mar. 2017), https://www.epi.org/publication/diversity-in-the-nyc-construction-union-and-nonunion-sectors/.

[16] Larissa Petrucci, PhD, *Constructing a Diverse Workforce: Examining Union and Non-Union Construction Apprenticeship Programs and their Outcomes for Women and Workers of Color*, University of Oregon, Labor Education and Research Center (2021), https://cpb-us-e1.wpmucdn.com/blogs.uoregon.edu/dist/a/13513/files/2021/11/Constructing_A_Diverse_Workforce.pdf.

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IBEW recommends that EPA follow the lead of the Federal Highway Administration (FHWA)[17] and require that all charging infrastructure installation, operation, and maintenance work funded by the Clean Heavy-Duty Vehicles Program be performed by electricians certified by the Electric Vehicle Infrastructure Training Program (EVITP).[18] EVITP is a federally recognized, non-profit, brand-neutral, comprehensive training program that trains and certifies experienced electricians to perform charging infrastructure work safely and successfully.

Electric vehicle supply equipment (EVSE) units, commonly referred to as "charging stations," are "the equipment used to deliver electrical energy from an electricity source (such as electrical outlets)," to plug-in electric vehicles.[19] EVSE installations must comply with local, state, and national codes and regulations.[20] The installation, operation and maintenance of electric vehicle charging infrastructure is an extremely safety-sensitive endeavor. Utilization of an untrained workforce to perform this work has the potential to be catastrophic, resulting in loss of life, injury, and significant property loss. Without proper training, workers run the risk of electrical shocks, burns and/or electrocution, which is the third leading cause of death in construction.[21] In addition, faulty electrical installations often prove to not only be hazardous, but tremendously expensive, leading to crippling cost overruns for project owners.

Proper and specific training is a key factor in reducing EV-related structure fires, which have been reported in several states, including California, Connecticut, Florida, North Carolina, and Texas, which have all reported fires that originate in a structure's electrical system while an electric vehicle is charging.[22] Moreover, electrical fires consistently rank among the leading causes

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[17] The Bipartisan Infrastructure Law authorized the National Electric Vehicle Infrastructure (NEVI) Formula Program funds to help states strategically deploy EV charging infrastructure. The IEBW filed comments on FHWA's *Request for Information on Development of Guidance for Electric Vehicle Charging Infrastructure Deployment*, Docket No. FHWA 2021-0022, 86 Fed. Reg. 67782 (Nov. 29, 2021). **In line with IBEW's recommendations, FHWA included in its Proposed Rulemaking for the NEVI Formula Program a requirement that, with the exception of apprentices, all electricians installing, maintaining, and operating EVSE be certified through EVIP.** See *Notice of Proposed Rulemaking and Request for Comments: National Electric Vehicle Infrastructure Program*, Docket No. FHWA-2022-0008, 87 FR 37262, 37270, 3727 (June 22, 2022).

[18] *See* https://evitp.org/.

[19] U.S. DOE, *Plug-In Electric Vehicle Handbook for Electrical Contractors* at 6 (Apr. 2012), https://afdc.energy.gov/files/pdfs/51228.pdf.

[20] *Id*. at 9.

[21] CPWR, *The Construction Chart Book: The US Construction Industry and Its Workers*, 6th ed., at 43 (Feb. 2018), https://www.cpwr.com/wp-content/uploads/publications/The_6th_Edition_Construction_eChart_Book.pdf.

[22] *See, e.g.*, Katrina Webber & Ben Spicer, *Electric Car Overloaded Home's Electric System, Sparking Fire*, KSAT.com (Sept. 24, 2019) (Firefighter Battalion Chief urged public to seek the help of a professional electrician to be sure the EV charging system is installed properly); CBS Los Angeles, *Tesla Charging When Fire Breaks Out At Cerritos Garage, Child Injured* (Feb. 12, 2020); Anthony Faccenda, *Smart Car Battery Charger Causes Florida House Fire*, TorqueNews (Oct. 10, 2012).

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of commercial and residential fires, often resulting in death, injury, and property loss. According to the National Fire Protection Association (NFPA), between 2011 and 2015, U.S. fire departments reported an estimated 37,910 fires at commercial properties each year, resulting in 273 civilian injuries and $1.2 billion in direct property damage per year.[23] Electrical distribution systems – made up of a complex network of circuits, including wiring, circuit breakers, and fuses – are among the leading causes of such structural fires, accounting for over half (55%) of direct property damage.[24]

Of particular concern are the electrical systems of older structures, whether commercial or residential, that rely on original, outdated electrical wiring and components or which have suffered degradation due to age. This is particularly dangerous due to the concealed nature of any electrical system, where components and wiring are often concealed behind walls, within junction and outlet boxes or located in confined spaces. To mitigate electrical fire hazards, an EVSE installer must be trained to properly assess the whole of the electrical system in a structure. Often, aging, and outdated electrical systems cannot accommodate the demands of modern technology. Any EVSE buildout, no matter how well funded, will suffer significant delays, safety issues, and other problems in deployment if not installed and maintained properly, and the prevalence of such issues is sure to erode public confidence in the use of EVs.

Unfortunately, licensing requirements for individuals performing electrical work vary from state to state, and several states have no licensing standards for electricians at all. This means that many jurisdictions throughout the United States have no restrictions whatsoever on the electrical duties one can perform without meeting any experience, safety, or academic standards. This is true despite the fact that the number of deaths and injuries of electricians are among the highest in the construction industry and it is the craft with the highest level of regulation.[25] Additionally, the National Electric Code (NEC), the benchmark standard for safe electrical wiring and equipment, is not enforced throughout the United States.[26]

Through the EVITP, the IBEW works collaboratively with automobile manufacturers, utilities, energy storage device manufacturers, electrical contractors, state and local electrical inspectors, and the National Fire Protection Agency to develop and implement training standards to ensure that EV charging

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[23] NFPA, *Fires in Industrial and Manufacturing Properties* at 1 (Mar. 2019).
[24] *Id*. at 5. NFPA also ranks electrical failures and malfunctions as the second leading factor behind home fires. *Id.* at 3.
[25] Morris M. Kleiner and Kyoung Won Park, U.S. Bureau of Labor Statistics, Monthly Labor Review, "Life, limbs, and licensing: occupational regulation, wages, and workplace safety of electricians, 1992–2007," (Jan. 2014), https://www.bls.gov/opub/mlr/2014/article/life-limbs-and-licensing.htm.
[26] *See* National Fire Protection Agency "CodeFinder" *available at*: https://codefinder.nfpa.org. A review of the NFPA's "CodeFinder" tool shows that the NEC is not enforced in all U.S. states.

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equipment is installed to the highest standards of safety, performance, and quality. EVITP, which has now been active for over a decade, is a non-profit training program that incorporates the necessary technical requirements, safety imperatives and performance integrity for the installation of Electric Vehicle Supply Equipment (EVSE) for EV charging stations, electric recharging points, charging points. EVITP is a nationally recognized training standard for EVSE installation, commissioning, and maintenance and an industry-standard for the proper credentialing of EVSE electricians. The EVITP program is one-of-a-kind; the curriculum simply does not have a suitable comparison within the industry.

EVITP certification ensures that site installations and charging stations are constructed, installed, and maintained safely and reliably. This advanced skill program builds on the existing platform of qualified electricians' extensive knowledge, skills, and experience. A foundational key to the success of EVITP is the program's eligibility requirements: in order to be accepted, an individual must have the foundational electric knowledge of a journey-level electrician. The program is available to electricians in compliance with the mandatory licensing requirements of each state/municipal jurisdiction in the United States and Canada. In jurisdictions without mandatory electrical licensing or certification, at least 8,000 hours of documented on-the-job electrical training in a federally approved Registered Apprenticeship Program is required.

The curriculum addresses the technical requirements, safety imperatives, and performance integrity of industry partners and stakeholders. Participants receive an overview of the EV industry as a whole, along with an extensive section on customer relations and customer satisfaction. Upon completing written and hands-on lab testing, those passing the course receive certification through EVITP. The comprehensive curriculum trains and credentials electricians to safely perform EV infrastructure work. The curriculum includes, but is not limited to:[27]

- AC EVSE level one, two and high power;
- DC Fast Charging, both high power and overhead;
- Wireless charging;
- EVSE communications and networks;
- The National Electrical Code (NEC)
- Load calculations based on the NEC

EVITP certification requirements ensure that EV infrastructure is installed safely and in accordance with the applicable codes and regulations, and that the electricity dispensed from charging stations is safely delivered. Further, EVITP

[27] Additional details on the EVITP curriculum are available at https://evitp.org/training/.

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requirements protect buyers and end-users from hazards posed by marginally trained technicians. By requiring EVITP certification, EPA can avoid the expected consequences of substandard electrical work, including the ramifications for improper EVSE installation, which can be catastrophic. Importantly, EVITP training devotes considerable time to properly and accurately performing load calculations, which are essential to avoiding electrical fires and to the responsible deployment and operation of EV charging infrastructure.[28]

EVITP certification requirements have been adopted by numerous local, state, and federal agencies because they have been found to improve safety, performance, and reliability, and reduce liability and risks to people and property. California has the most experience with EVs and charging infrastructure. For example, the public utility San Diego Gas & Electric (SDG&E) has installed over 3,000 electrical vehicle charging ports under its Power Your Drive Program with an EVITP requirement. Southern California Edison (SCE) – Southern California's primary electricity supply company – also requires EVITP-certification for the installation of EV charging stations under its Charge Ready program. EVITP certification is also required by the cities of Carson, Pico Rivera, Long Beach, Maywood, Montebello, Petaluma, Santa Rosa and the ports of Long Beach and Los Angeles, California. EVITP certification is also required for EV infrastructure installations on the Nevada Electric Highway, and in federally funded EVSE installations in Columbus, Ohio, where it was the winner of the National Smart City Challenge. EVITP also assisted the U.S. Department of Energy (DOE) in developing and producing various DOE Plug-In Electric Vehicle Handbooks and is the only national training provider featured in those publications.[29] In all, EVITP requirements have led to the successful installation of tens of thousands of electrical charging ports.

The prerequisites of state licensure or 8,000 hours of on-the-job training ensure that the electricians performing the duties of EVSE installation are highly skilled and capable of performing this work safely and effectively. By requiring EVITP, EPA can avoid the expected consequences of substandard electrical work, including the ramifications of improper EVSE installation, which can be disastrous. With its proven track record of success, using EVITP will ensure that a

[28] An electrician must determine if an existing electrical system can accommodate additional EV load or if upgrades to the system must be performed to ensure safety and functionality. Proper site assessments and load calculations require electrical expertise, experience, and advanced math skills. If site assessments and load calculations are not performed properly – or not performed at all – the system can be overloaded by the additional load and start a fire. One quarter of the EVITP training curriculum is devoted to site assessments and load calculations.

[29] U.S. DOE, *Plug-In Electric Vehicle Handbook for Public Charging Station Hosts* at 2, 15 (Apr. 2012); U.S. DOE, *Plug-In Electric Vehicle Handbook for Electrical Contractors* at 18 (Apr. 2012).

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qualified workforce performs this work to the highest industry standards available.

The IBEW therefore encourages EPA to require that grantees self-certify as part of the application process that they will utilize EVITP certified electricians to construct, install and maintain EV infrastructure funded by this program. In addition, EPA should require grantees to report regularly on their continued use of EVITP certified electricians to ensure ongoing compliance. Not only will this greatly improve the likelihood that workers will be paid good, family, sustaining wages and stay safe on the job, but by requiring grantees to self-certify as part of their application, EPA can easily streamline the implementation process with little to no administrative burden on the government.

C. Preference for quality pre-apprenticeships

IBEW also recommends that EPA give preference to eligible entities that commit to funding or otherwise supporting quality pre-apprenticeship programs with organized labor to target historically underrepresented workers.

As noted above, the nonprofit Electrical Training Alliance was created over 70 years ago by the IBEW and NECA to develop curricula and support the 300 affiliated IBEW/NECA registered apprenticeship programs around the country. The Alliance also sponsors its own Pre-Apprenticeship Program to increase the participation rates of underrepresented and historically marginalized populations in IBEW/NECA Registered Apprenticeship Programs. The program targets women, people of color and veterans. The program analyzes pre-apprentices' deficiencies in core subject areas through standardized assessment instruments and individualized instruction. Once identified, individuals are given assistance to help prepare for the rigors of a Registered Apprenticeship Program. Training involves basic electrical-industry standards and job-readiness skills. The Alliance's network of over 100 industry partners provides workforce knowledge and on-the-job work training to prepare pre-apprentices to become apprentices in Registered Apprenticeship Programs. IBEW and NECA also partner with other pre-apprenticeship programs focused on creating career pathways into the building trades for underserved populations.

Pre-apprenticeship programs that partner with organized labor can offer direct entry point into registered apprenticeship programs upon completion. They can thus be an effective vehicle to streamline the recruitment process and provide a clear pathway for underrepresented populations to secure apprenticeships and quality career placements.

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III. IBEW Recommendations for EPA's Grants to Reduce Air Pollution at Ports Program Question 7

IBEW offers the following recommendations in response to Grants to Reduce Air Pollution at Ports Question 7 regarding policies the EPA should consider in the design of the programs to encourage grantees to support high quality jobs and adhere to best practices for labor standards.

Grants authorized by Section 60102 of the Inflation Reduction Act are subject to the Clean Air Act's (CAA) Davis-Bacon Related Act at 42 U.S.C. § 7614, which covers all projects assisted by the CAA. IBEW, therefore, recommends that EPA consult with DOL to ensure that DOL's existing standards and procedures are followed with respect to projects subject to the CAA's prevailing wage requirements.

In addition, IBEW recommends that EPA require registered apprenticeship utilization by all contractors and subcontractors performing construction work on any Grants to Reduce Air Pollution at Ports project and give preference to eligible entities that commit to funding or otherwise supporting quality pre-apprenticeship programs with organized labor to target historically underrepresented workers.

A. EPA should require apprenticeship utilization by contractors and subcontractors

As part of the application process, EPA should require eligible entities to self-certify that they will utilize contractors and subcontractors who participate in, or commit to participating in, quality registered apprenticeship programs as detailed above in Section II, A.

B. Preference for pre-apprenticeships

In addition, as detailed above in Section II, B, IBEW recommends that EPA give preference to eligible entities that commit to funding or otherwise supporting quality pre-apprenticeship programs with organized labor to target historically underrepresented workers.

IV. Conclusion

Throughout history, the federal government has been an essential partner in supporting the development of bold solutions to climate problems. Together the IBEW and the EPA can seize the opportunity that the Biden-Harris Administration and Congress have provided to drive prosperity and create highly

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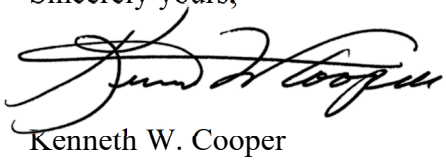
skilled, family-sustaining careers for the energy economy of the future. The EPA can reach this objective by responsibly using federal resources with strategies that promote equity through labor standards that offer the good jobs American workers desperately need.

On behalf of the IBEW, I thank the Environmental Protection Agency for the opportunity to offer recommendations for the responsible implementation of its transportation programs. I look forward to working with the EPA in the future to ensure that labor standards are set to uplift and level the playing field for better opportunities for all Americans.

Sincerely yours,



Kenneth W. Cooper
International President

KWC:efw