

# United States Senate

WASHINGTON, DC 20510-0803

March 14, 2024

The Honorable Michael S. Regan  
Administrator  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue NW  
Washington, D.C. 20460

Dear Administrator Regan:

I am writing to express my concerns regarding the Environmental Protection Agency's (EPA) implementation of the new Clean Heavy-Duty Vehicle Program (CHDV), authorized under the Inflation Reduction Act (IRA). The importance of implementing the CHDV Program quickly and ambitiously cannot be overstated. Heavy-duty vehicles are responsible for 25 percent of greenhouse gas emissions in the transportation sector.<sup>1</sup> Of equal concern, diesel school buses pose a hazard to children, in particular. The air inside of a diesel school bus can be more than five times worse than the ambient air. In addition, school buses often idle outside of schools, waiting for students to load and unload, while pumping emissions into the air right where students, teachers, and parents gather.

As you know, Congress authorized the CHDV Program under Section 60101 of the Inflation Reduction Act of 2022 (P.L. 117-169), which I played a significant role in drafting as Chairman of the Senate Environment and Public Works Committee. The program provides a total of \$1 billion for EPA to award grants and rebates to help replace high-emitting, medium- and heavy-duty vehicles with zero-emitting vehicles, including school buses.

It is my understanding that EPA is considering excluding "eligible contractors" from access to the program's grant funding. Contractors, as defined in the Act, play a crucial role across the United States in financing, supplying, and operating school buses. In the EPA's companion program under the Infrastructure Investment and Jobs Act (IIJA; P.L. 117-58), the Clean School Bus Program (CSBP), Congress made clear that contractors are eligible to participate as grant and rebate recipients. That decision reflects Congress' recognition that a significant percentage of school buses are purchased and operated by contractors providing a wide range of transportation-related services. Excluding "eligible contractors" from the CHDV Program would prevent any private entity, including vehicle dealers, vehicle manufacturers, private contractors that operate vehicle fleets, and electrification-as-a-service providers from applying to the program for grants. I am concerned that excluding these crucial service providers from the program will undermine its impact.

---

<sup>1</sup> Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990–2020 (EPA-430-R-22-003, published April 2022).

March 14, 2024

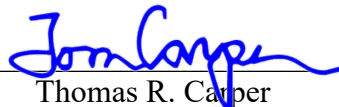
Carper, pg. 2

Congress intended to build on the success of the CSBP in the IRA and for the EPA to expedite the distribution of as many clean school buses as possible, as widely as possible. I urge EPA to recognize the relationship between these two programs and design the CHDV grants and rebates using the same eligibility standards for contractors as it uses under the IIJA's CSBP. To do otherwise would eliminate a major, proven pathway for making clean school buses broadly available to school districts nationwide. In addition, I fear that a narrow implementation of the program would impose a needless penalty on disadvantaged communities, which disproportionately rely on contractors to finance, operate, and maintain their school bus fleets.

I strongly support EPA's work to implement the Inflation Reduction Act, and I encourage you to administer the program in a way that maximizes support for the electrification of school buses – including through the ability of contractors to access funding under the program. Ensuring that these entities can access funding on behalf of their clients will allow EPA to implement a successful program that offers a greater number of students and communities the opportunity to enjoy the advantages of electric school bus fleets.

Thank you for your leadership on this important issue.

Sincerely,



Thomas R. Carper  
Chairman

Environment and Public  
Works Committee

CC

Joe Goffman, Assistant Administrator for the Office of Air and Radiation  
Alejandra Nunez, Deputy Assistant Administrator for Mobile Sources  
Karl Simon, Director, Transportation and Climate Division  
Christine Koester, Director, Legacy Fleets Incentives and Assessment Branch