



# DecarbonizeNOW

## The IRA, Strategic Financing and Compliance

*Webinar 1: Breaking it Down,  
Introduction to IRA Tax  
Incentives*

ULI NORTHWEST

---

SEPTEMBER 2024



# Agenda

- Welcomes and Introductions- Marta Schantz (5 mins)
- Introduction to IRA – Ben Evans (20 mins)
- Deeper dive into IRA- Jacob Goldman (40 mins)
- Fireside chat/ Audience Q&A (25 mins)



# Introductions



Marta Schantz  
Urban Land Institute

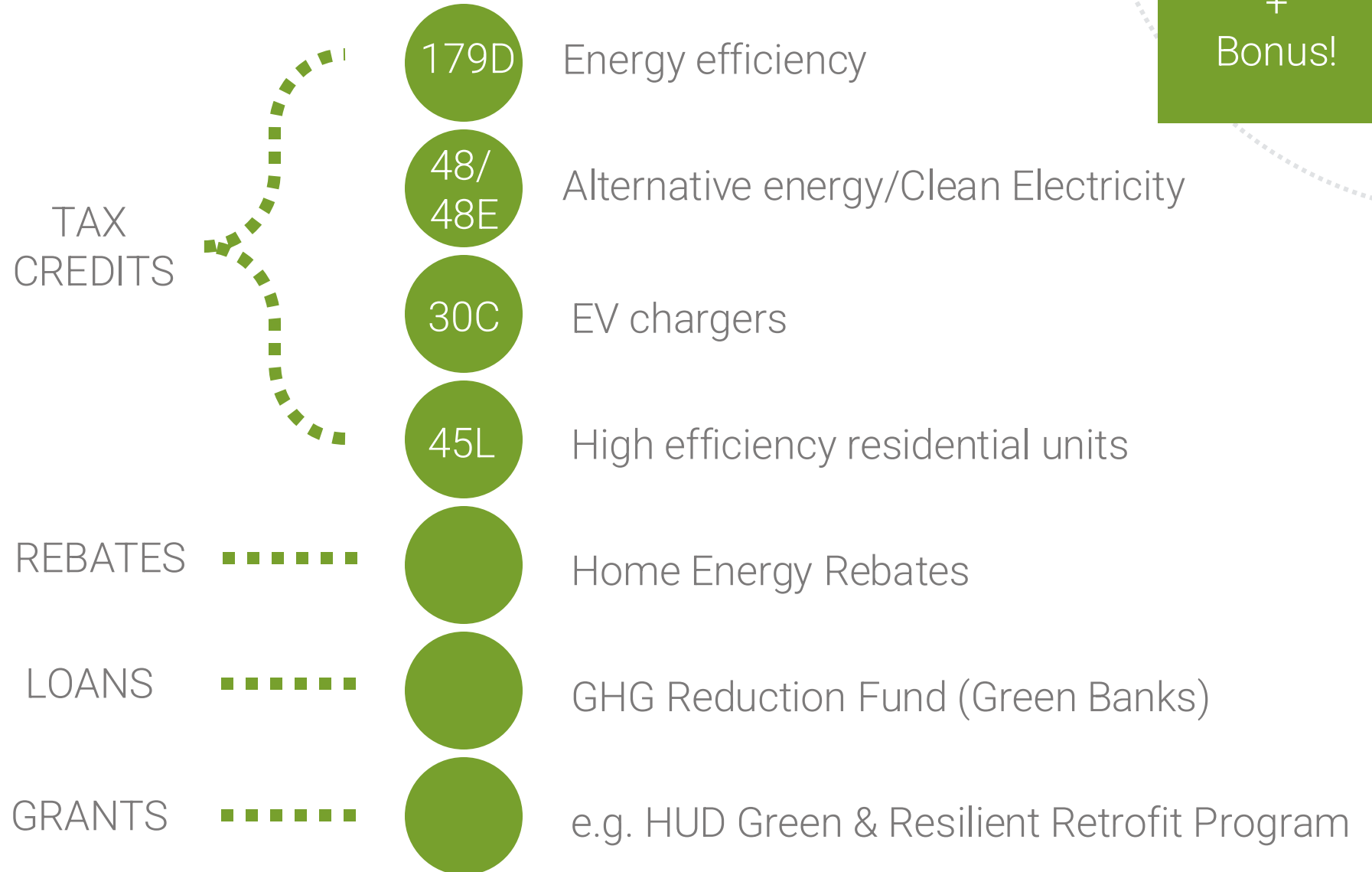


Ben Evans  
US Green Building Council



Jacob Goldman  
Energy Tax Savers

# IRA Implications for Real Estate





**Ben Evans**  
USGBC



# Buildings and the IRA: The New Incentives for Going Green



VB Parks + Recreation | LEED Certified | Photo: Yuzhu Zheng Photography



River Point | LEED Gold | Photo: Ray Cavacchio



Southwest Library | LEED Platinum | Photo: ©James Steinkamp Photography

~~\$370B~~

Largest climate investment in history

\$800B?



Estimated to reduce U.S. greenhouse gas emissions (GHG) by 40% by 2030 vs. 2005 baseline.

\*Note: The information contained in this slide deck is provided solely for informational purposes and does not constitute tax or legal advice, nor should it be relied on exclusively in determining IRA program eligibility.

# Primary IRA Buildings-Related Tax Incentives

- **Sec. 45L New Energy Efficient Homes Credit (IRA Sec. 13304):** Expanded homebuilder tax credit for new home construction, including multifamily, through 2032.
- **Sec. 179D Tax Deduction for Energy Efficient Commercial Buildings (IRA Sec. 13303):** Expanded tax deduction for commercial building efficiency improvements
- **Sec. 48 Clean Electricity Investment Tax Credit (IRA Secs. 13102 & 13702):** Expanded ITC for clean energy investments such as rooftop solar, geothermal, CHP and storage extended for at least 10 years.
- **Sec. 30C Alternative Fuel Vehicle Refueling Property Credit (IRA Sec. 13404):** Expanded tax credit for EV charging systems and other alternative fuel vehicle infrastructure through 2032.

## Key Resources:

- [USGBC Buildings Related IRA Slide Deck](#)
- [Treasury Department IRA Landing Page](#)
  - [More Detailed Treasury IRA Guidance](#)

**Form 8911**  
(Rev. January 2024)  
Department of the Treasury  
Internal Revenue Service

**Alternative Fuel Vehicle Refueling Property Credit**

Attach to your tax return.  
Go to [www.irs.gov/Form8911](http://www.irs.gov/Form8911) for instructions and the latest information.

OMB No. 1545-0123  
Attachment Sequence No. 151

---

Name(s) shown on return \_\_\_\_\_ Identifying number \_\_\_\_\_

**Part I Total Cost of Refueling Property**

1 Total cost of qualified alternative fuel vehicle refueling property placed in service during the tax year	1
---	---

**Part II Credit for Business/Investment Use Part of Refueling Property**

2 Business/investment use part (see instructions)	2
3 Section 179 expense deduction (see instructions)	3
4a Subtract line 3 from line 2	4a
b Enter any amount included on line 4a attributable to property placed in service as part of a project subject to project requirements that were not met (see instructions)	4b
c Subtract line 4b from line 4a	4c
5a Multiple of line 4c by 50%	5a
b Add	5b
c Max	5c
7 Enter	7
8 Alter	8
9 Busi	9
stop	stop
III, IIR	III, IIR

**Form 7205**  
(December 2022)  
Department of the Treasury  
Internal Revenue Service

**Energy Efficient Commercial Buildings Deduction**

Attach to your tax return.  
Go to [www.irs.gov/Form7205](http://www.irs.gov/Form7205) for instructions and the latest information.

OMB No. 1545-2004

---

Name(s) shown on return \_\_\_\_\_ Identifying number \_\_\_\_\_

Claiming deduction as (check one):  Building owner  Designer of energy efficient commercial building property (EECBP)

**Part I Building and EECBP Information (see instructions)**

1	(a) Address of building	(b) Date EECBP placed in service	(c) EECBP system and computed energy savings percentage*				(d) Check if interim lighting rule was used	(e) Potential amount per square foot based on energy savings and system (see instructions)	(f) Building square footage	(g) Potential section 179D deduction amount (multiply column 1(e) by column 1(f))
			A	E	H	L				
A			%	%	%	%	<input type="checkbox"/>			
B			%	%	%	%	<input type="checkbox"/>			
C			%	%	%	%	<input type="checkbox"/>			
D			%	%	%	%	<input type="checkbox"/>			

\*A = All systems; E = Building envelope; H = Heating, cooling, ventilation, and hot water system; L = Interior lighting system

**Part II Computation of Energy Efficient Commercial Buildings Deduction Amount (see instructions)**

2	(a) Total per square foot amount claimed in prior years	(b) Subtract column 2(a) from the maximum amount allowed (see instructions)	(c) Check if the amount in column 2(b) is greater than or equal to column 1(e)	(d) If column 2(c) is checked, enter amount from column 1(g), skip column 2(e) and column 2(f) and go to column 2(i); otherwise, enter -0-	(e) Check if the amount from column 2(b) is less than the amount in column 1(e)	(f) If column 2(e) is checked, multiply column 2(b) by column 1(f)
A			<input type="checkbox"/>		<input type="checkbox"/>	
B			<input type="checkbox"/>		<input type="checkbox"/>	
C			<input type="checkbox"/>		<input type="checkbox"/>	
D			<input type="checkbox"/>		<input type="checkbox"/>	

	(g) Cost of energy efficient commercial building property placed in service during the tax year (see instructions if building ownership percentage is less than 100%)	(h) Enter the greater of column 2(d) or column 2(f) (see instructions if building ownership percentage is less than 100%)	(i) Enter the lesser of column 2(g) or column 2(h)	(j) Designers enter the amount of the section 179D deduction allocated to you as the designer (see instructions)	(k) Section 179D deduction for the building. Designers, enter the lesser of column 2(i) or column 2(j). Building owners, enter the amount from column 2(i)
A					
B					
C					
D					

3 Total section 179D deduction. Add amounts from column 2(k). Enter here and on the appropriate line of your return. See instructions

**Part III Certification Information for Each Property Listed in Part I**

3	3
---	---



# Sec. 45L New Energy Efficient Homes Credit (IRA Sec. 13304)

Expanded Sec. 45L homebuilder tax credit for new home construction or substantial renovation through 2032, including multifamily projects:

Certification	Tax Credit Amount Per Unit
ENERGY STAR	\$2,500
Department of Energy Zero Energy Ready Homes	\$5,000

- Previously limited to multifamily buildings three stories or less, updates make it accessible to all multifamily at \$2,500/\$5,000 per unit.
- Agencies have released detailed guidance, including on which versions of ENERGY STAR and DOE Zero Energy Ready Homes programs apply when.
- Prevailing wage provisions apply only to multifamily projects, with reduced credit of \$500/\$1,000 if not meeting them. No apprenticeship requirement.
- Credit taken by contractor in tax year home is acquired (i.e. sold or leased).
- Does not include direct pay or transfer provisions. But the IRA made the credit available for use with Low-Income Housing Tax Credit (LIHTC) projects without reducing LIHTC basis, increasing its value for affordable housing.



Brightview Senior Living | LEED Gold | © Hord Coplan Macht

# Sec. 179D Tax Deduction for Energy Efficient Commercial Buildings (IRA Sec. 13303)

## Expanded tax deduction for commercial building efficiency improvements:

- Increases deduction from \$1.80/square foot to sliding scale of \$2.50-\$5.00.
- Projects must achieve 25%-50% better performance than model commercial building energy code (ASHRAE 90.1) or demonstrate 25%-50% improvement in energy use intensity.
- Receiving full credit requires meeting prevailing wage and apprenticeship provisions. Deduction drops to \$0.50-\$1.00 if not met.
- Creates new pathway for nonprofit entities to access deduction by allocating it to project designer (as government entities have been able to do).
- IRS released new Form 7205 for claiming 179D. Awaiting guidance on filing.
- Unlike other incentives, 179D is permanent, and adjusts annually for inflation.

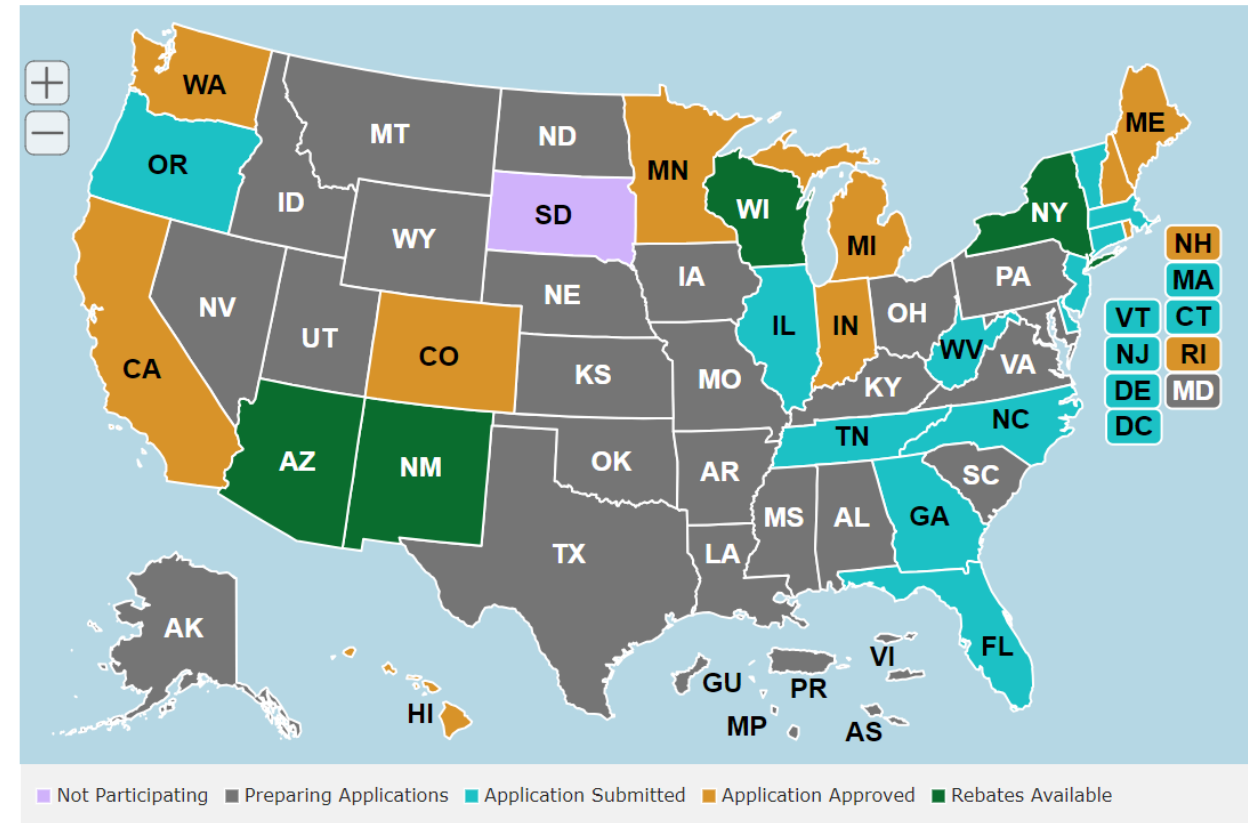


Southwest Library | Washington, D.C. | LEED Platinum  
Photo: ©James Steinkamp Photography



# Department of Energy (DOE) Home Energy Rebates (IRA Sec. 50121 & 50122)

- \$8.8 billion in funding for Home Energy Rebates, comprised of two programs:
  - \$4.3B Home Efficiency Rebates typically ranging from **\$2,000-\$8,000** for SF and MF.
  - \$4.5B Home Electrification & Appliance Rebates from \$840 for dryers and stoves to \$8,000 for heat pumps. **Max \$14,000/household.**
- Emphasis on low- and moderate-income households. Minimum of 10% of funding must go to multifamily housing. Many states likely to focus on multifamily.
- Rebate programs to be established by State Energy Offices. See state-by-state rebate allocations [here](#).
  - **Washington - \$166,048,630**
  - **Oregon - \$113,760,690**
- DOE released detailed guidance for states in July 2023. States have until August 2024 to accept or decline the funds, and until January 2025 to submit a full application. Find out where your state is in the application process using [this tracker](#).



# Greenhouse Gas Reduction Fund (IRA Sec. 60103)

\$27B in IRA funding to seed a national network of nonprofit financial institutions financing tens of thousands of clean energy and energy efficiency projects and create residential solar programs, with an emphasis on low-income and disadvantaged communities. Buildings projects are a priority area of investment in first two programs below, with a wide array of eligible projects from single-family residential improvements to commercial new construction and renovation.



## \$14B National Clean Investment Fund

Funding awarded to three large national nonprofit financial institutions focused on scaling access to capital to execute clean technology projects nationwide.

## \$6B Clean Communities Investment Accelerator

Funding awarded to five “hub” nonprofit financial institutions to provide funding and technical assistance to local green banks, credit unions, CDFIs and other community lenders working in low-income and disadvantaged communities.

## \$7B Solar for All

Funding awarded to about 60 entities to invest in residential rooftop solar and community solar, with energy efficiency qualifying as an enabling upgrade.

# Hypothetical Multifamily Building – New Construction – 150,000sf/100 units

<i>Sec. 45L Tax Credit for high-efficiency homes</i>	\$2,500 per unit for meeting ENERGY STAR X 100 units	<b>\$250,000</b> tax credit
<i>Sec. 179D Tax Deduction for commercial building energy efficiency improvements</i>	\$3.50 per square foot for building performance 35% above ASHRAE 90.1-2007 X 150,000 square feet	\$525,000 tax deduction worth <b>\$131,250</b> at 25% tax rate.
<i>Sec. 48 Investment Tax Credit for clean energy investment</i>	30% base tax credit on \$400,000 investment in rooftop solar plus 10% low-income bonus credit	<b>\$160,000</b> tax credit
<i>Sec. 30C EV Tax Credit for EV charging infrastructure</i>	30% tax credit on \$100,000 investment in EV charging installations	<b>\$30,000</b> tax credit
<i>Greenhouse Gas Reduction Fund (i.e. Green Bank)</i>	Low-interest project financing	<b>\$600,000</b> in interest savings
<b>Total Savings</b>	Not including energy/operations cost savings or local/state incentives	<b>\$1,171,250</b>



# Ben Evans

Federal Legislative Director

U.S. Green Building Council

[bevans@usgbc.org](mailto:bevans@usgbc.org)

Note: The information contained in this slide deck is provided solely for informational purposes and does not constitute tax or legal advice, nor should it be relied on exclusively in determining IRA program eligibility.



# Jacob Goldman

## Energy Tax Savers



# Inflation Reduction Act (IRA)

JACOB GOLDMAN, VP, ENERGY TAX SAVERS, INC.

---

# Index

---

- IRA enhanced Alternative Energy Credits (§48 ITC)
- §48E starts in 2025
- IRA enhanced Alternative Fuel Refueling Credit (§30C)
- Prevailing Wage & Apprenticeship



[jacob.goldman@energytaxsavers.com](mailto:jacob.goldman@energytaxsavers.com)

Subject : "Please send the slides"

# Alternative Energy Credits-§48, ITC (2022-...)

Technology	Base Credit	5x Bonus Credit (2022)	Domestic Content (2023)	Energy Community (2023)	Low Income (2023)	Range
Solar Technologies (2022)	6%	30%	2%/10%	2%/10%	10%/20%	6%-70%
Small Wind (2022)	6%	30%	2%/10%	2%/10%	10%/20%	6%-70%
<b>Ground Source Heat Pump (2022)</b>	6%	30%	2%/10%	2%/10%	0%	6%-50%
Microturbine	2%	10%	2%/10%	2%/10%	0%	2%-30%
<b>CHP (2022)</b>	6%	30%	2%/10%	2%/10%	0%	6%-50%
Microgrid Controller (2023)	6%	30%	2%/10%	2%/10%	0%	6%-50%
Standalone Energy Storage Systems (2023)	6%	30%	2%/10%	2%/10%	0%	6%-50%
<b>Thermal Energy Storage Systems (2023)</b>	6%	30%	2%/10%	2%/10%	0%	6%-50%
Fuel Cell (2022)	6%	30%	2%/10%	2%/10%	0%	6%-50%
Geothermal Electricity(2022)	6%	30%	2%/10%	2%/10%	0%	6%-50%
Biogas (2022)	6%	30%	2%/10%	2%/10%	0%	6%-50%
Waste Energy Recovery Electricity (2022)	6%	30%	2%/10%	2%/10%	0%	6%-50%
Interconnection Property (2023)	6%	30%	2%/10%	2%/10%	0%	6%-50%
Electrochromic Glass (2023)	6%	30%	2%/10%	2%/10%	0%	6%-50%

# Elective Pay

(§6417 (2023-...))(Prop. Reg. §1.6417))

---

## ○ Entities Eligible for Elective Pay

- “(i) any organization exempt from the tax imposed by subtitle A,
- “(ii) any State or political subdivision thereof, (**NOT FEDERAL PROJECTS**)
- “(iii) the Tennessee Valley Authority,
- “(iv) an Indian tribal government (as defined in § 30D(g)(9)),
- “(v) any Alaska Native Corporation (as defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602(m)), or
- “(vi) any corporation operating on a cooperative basis which is engaged in furnishing electric energy to persons in rural areas.

## ○ Pre-registration REQUIRED – Done after placed in service (Prop. Reg. §1.6417-5T)

## ○ Up to a 15% haircut for projects paid for with Tax-Exempt Bonds §48(a)(4) → §45(b)(3)

## ○ 2 Ways to avoid 10%(2024), 15%(2025), 100%(2026) Haircut(§48(a)(13) → (§45(b)(10)) (§48E(d)(5) → (§45Y(g)(12))

1. <1MW (3.4 mmBTU/hr Heating and 284 Tons cooling) or
2. Meets Domestic Content [Increase Cost Exception(25%) or Non-Availability Exception]

## Projects Completed in 2023?

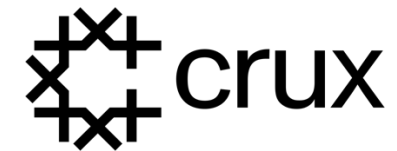
# Credit Transfer

(§6418 (2023-...)(Prop. Reg. §1.6418))

## ➤ Tax credit from commercial clients can be Transferred to other Commercial Clients

-If credit receiver does not have tax capacity, they can sell the credit to a taxpayer that does

- This does **NOT** allow Gov't Buildings/Not-for-Profits to sell the credit
- Pre-registration REQUIRED – Done after placed in service (Prop. Reg. §1.6418-5T)
- Markets will be created



# 5 Times Bonus (6% x 5 = 30%) (2022-...)

---

- Projects that begin Construction prior to January 29, 2023
- Project with a Nameplate capacity(40 CFR 96.202) of less than 1 MW AC
  - 3.4 mmBTU/hr Heating and 284 Tons cooling For thermal energy equipment it is the maximum deliverable thermal output
  - This Exclusion NOT available for electrochromic glass, microgrid, fiber optic solar lighting
- Meets the Prevailing Wage and Apprenticeship (P+A) Requirements (TD 9998)
  - 5 years of Alteration and Repair must also meet PW&A Requirements
  - (§1.48-13 → [§1.45-7(b)-(d) Prevailing wage & §1.45-8 Apprenticeship & §1.45-12 Records])
  - ANNUAL statement must be made related to the 5 year Alteration and Repair period

# Definition of Single Energy Property

Proposed Regulation 2023-25539

---

Owned by a single taxpayer and any two or more of the following factors:

1. Contiguous pieces of land;
2. Common power purchase, thermal energy, or other agreements;
3. Common intertie;
4. Common substation, or thermal energy off-take point;
5. One or more common environmental/regulatory permits;
6. Single master construction contract; or
7. Financed pursuant to same loan agreement

# Domestic Content Bonus (2023-...)

## (IRS Notice 2023-38)

---

- 100% of the cost of Structural steel and iron and
- 40%('24), 45%('25), 50%('26), 55%('27-...) of manufactured product is produced in USA (49 CFR § 661.5)
  - Calculated on the entire ITC Qualifying project
  - Calculated on Manufacturer's Cost(Will this be difficult?)
- 2% Bonus (6% + 2% = 8%)
- If project meets 5x Bonus requirements, 10% Bonus (30% + 10% = 40%)



# Energy Community Bonus (2023-...)

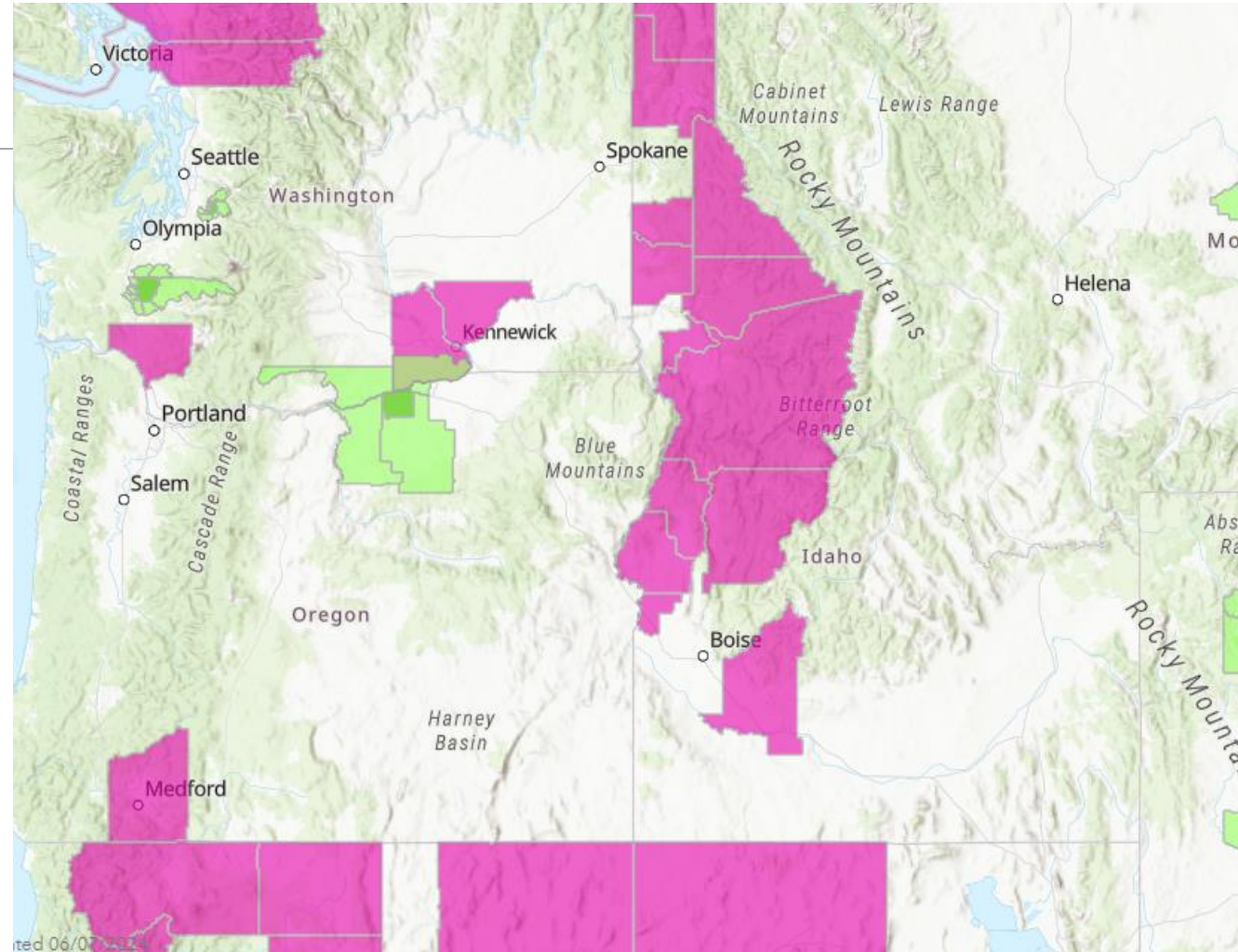
(IRS Notices 2023-29, 2023-45, 2023-47, 2024-30)

---

- 5 4 Ways to Qualify

- Brownfield Site (42 U.S.C. 9601(39)) ([https://cimc.epa.gov/ords/cimc/f?p=cimc:map::::71:P71\\_WELSEARCH:NULL|Cleanup|||true|false|false|false|false|false|||sites|Y](https://cimc.epa.gov/ords/cimc/f?p=cimc:map::::71:P71_WELSEARCH:NULL|Cleanup|||true|false|false|false|false|false|||sites|Y)) OR
- Census Tract or adjoining tract with a Coal Mine closed since 2000 or
- Census Tract or adjoining tract with Coal Fired plant closed since 2010 or
- Area with 0.17% direct employment related to Coal, Oil or NG and higher than avg unemployment (**Based on Start of Construction**) or
- ~~Area with 25% tax revenue related to Coal, Oil or NG and higher than avg unemployment~~
- 2% Bonus (6% + 2% = 8%)
- If project meets 5x Bonus requirements, 10% Bonus (30% + 10% = 40% + 10% Domestic = 50%)
- Official IRS Site:  
<https://arcgis.netl.doe.gov/portal/apps/experiencebuilder/experience/?id=a2ce47d4721a477a8701bd0e08495e1d>

# Map of Energy Communities



<https://arcgis.netl.doe.gov/portal/apps/experiencebuilder/experience/?id=a2ce47d4721a477a8701bd0e08495e1d>

# Low Income Bonus

(REG-110412-23)(IRS Notice 2023-17)

- Solar and Wind
  - Battery Backup if included with
- Requires Pre-Application (<https://eco.energy.gov/ejbonus/s/>)
- 1.8 gigawatts of direct current allocated per year
- 30 Day Application Window
- Must be UNDER CONTRACT but **NOT** PLACED IN SERVICE

Category	Annual Allotment	Credit	Application Period
1: Located in a Low-Income Community	400 MW Resi BtM 200MW FtM	10%	~5/25-6/25
2: Located on Indian Land	200 MW	10%	~5/25-6/25
3: Qualified Low-Income Residential Building Project	200 MW	20%	~5/25-6/25
4: Qualified Low-Income Economic Benefit Project	800 MW	20%	~5/25-6/25

# Low Income Bonus

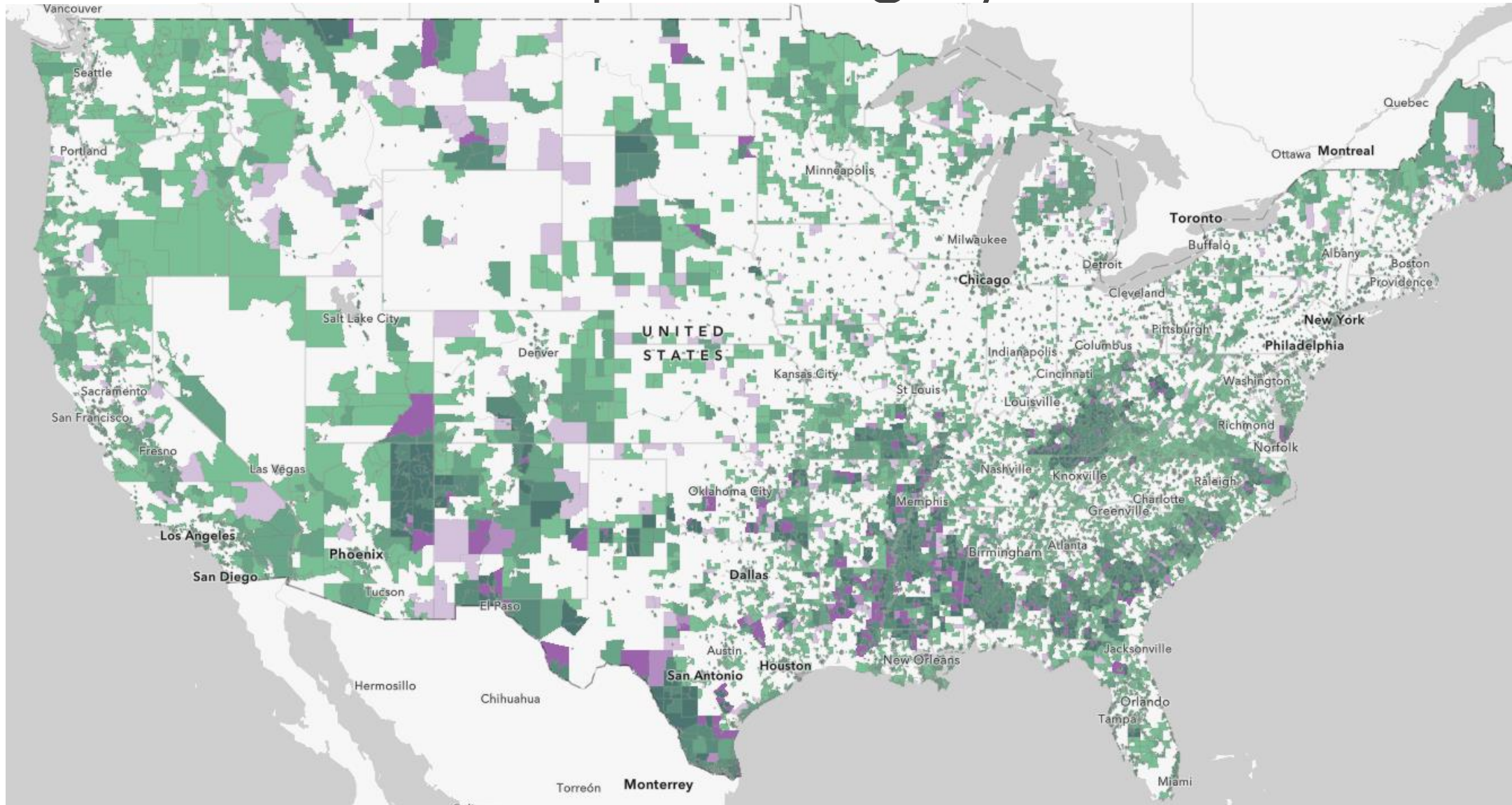
(REG–110412–23) (IRS Notice 2023-17)

---

- **1: Located in a Low-Income Community\* (10% credit)**
  - Census Tract Poverty rate >20% or
  - Non-Metro – Census Tract Median Family income <80% of State
  - Metro – Census Tract Median Family income <80% of State or Metro Area
  
- **2: Located on Indian Land (10% credit) ([25 United States Code 3501\(2\)](#))**
  
- **3: Qualified Low-Income Residential Building Project (20% credit) (<https://www.energy.gov/media/302641>)**
  - Resi-Rental Participating in Affordable Housing program
    - Covered Housing ([34 U.S.C. 12491\(a\)\(3\)](#))
    - Ag Dept Housing Asst.(Title V of Housing Act of 1949)
    - Tribal Designated Housing ([25 U.S.C. 4103\(22\)](#))
  - Electricity allocated equitably among the occupants
  
- **4: Qualified Low-Income Economic Benefit Project (20% credit)**
  - Electricity Produced provided to Households with Income <200% of Poverty Line or
  - Electricity Produced provided to Households with Income <80% of Area Median Income

\*<https://www.arcgis.com/apps/mapviewer/index.html?webmap=d569d79af021465893797d9d59b6cfff>

# Map of Category 1



\*<https://experience.arcgis.com/experience/12227d891a4d471497ac13f60fffd822/page/Page/>

# Alternative Energy Credits-§48, ITC (2022-...)

Technology	Base Credit	5x Bonus Credit (2022)	Domestic Content (2023)	Energy Community (2023)	Low Income (2023)	Range
Solar Technologies (2022)	6%	30%	2%/10%	2%/10%	10%/20%	6%-70%
Small Wind (2022)	6%	30%	2%/10%	2%/10%	10%/20%	6%-70%
<b>Ground Source Heat Pump (2022)</b>	6%	30%	2%/10%	2%/10%	0%	6%-50%
Microturbine	2%	10%	2%/10%	2%/10%	0%	2%-30%
<b>CHP (2022)</b>	6%	30%	2%/10%	2%/10%	0%	6%-50%
Microgrid Controller (2023)	6%	30%	2%/10%	2%/10%	0%	6%-50%
Standalone Energy Storage Systems (2023)	6%	30%	2%/10%	2%/10%	0%	6%-50%
<b>Thermal Energy Storage Systems (2023)</b>	6%	30%	2%/10%	2%/10%	0%	6%-50%
Fuel Cell (2022)	6%	30%	2%/10%	2%/10%	0%	6%-50%
Geothermal Electricity (2022)	6%	30%	2%/10%	2%/10%	0%	6%-50%
Biogas (2022)	6%	30%	2%/10%	2%/10%	0%	6%-50%
Waste Energy Recovery Electricity (2022)	6%	30%	2%/10%	2%/10%	0%	6%-50%
Interconnection Property (2023)	6%	30%	2%/10%	2%/10%	0%	6%-50%
Electrochromic Glass (2023)	6%	30%	2%/10%	2%/10%	0%	6%-50%

# Clean Electricity ITC §48E (2025-...)

Technology	Base Credit	5x Bonus Credit (2022)	Domestic Content (2023)	Energy Community (2023)	Low Income (2023)	Range
Solar Technologies (2022)	6%	30%	2%/10%	2%/10%	10%/20%	6%-70%
Small Wind (2022)	6%	30%	2%/10%	2%/10%	10%/20%	6%-70%
<b>Ground Source Heat Pump (2022)</b>		Covered by §48 until 1/1/2035				
Microturbine	2%	10%	2%/10%	2%/10%	0%	2%-30%
<del>CHP (2022)</del>	6%	30%	2%/10%	2%/10%	0%	6%-50%
<del>Microgrid Controller (2023)</del>	6%	30%	2%/10%	2%/10%	0%	6%-50%
Standalone Energy Storage Systems (2023)	6%	30%	2%/10%	2%/10%	0%	6%-50%
<b>Thermal Energy Storage Systems (2023)</b>	6%	30%	2%/10%	2%/10%	0%	6%-50%
Fuel Cell (2022)*	6%	30%	2%/10%	2%/10%	0%	6%-50%
Geothermal Electricity (2022)	6%	30%	2%/10%	2%/10%	0%	6%-50%
<del>Biogas (2022)</del>	6%	30%	2%/10%	2%/10%	0%	6%-50%
<del>Waste Energy Recovery Electricity (2022)</del>	6%	30%	2%/10%	2%/10%	0%	6%-50%
Interconnection Property (2023)	6%	30%	2%/10%	2%/10%	0%	6%-50%
<del>Electrochromic Glass (2023)</del>	6%	30%	2%/10%	2%/10%	0%	6%-50%

\*Must have ZERO lifecycle greenhouse gas emissions, as described in section 211(o)(1)(H) of the Clean Air Act (42 U.S.C. 7545(o)(1)(H))

# Ground Source Heat Pump

---

## Typical Qualified Equipment(Upstream of Heat Pump)

- Bore Field
- Heat Pump

## Dual Use Equipment - 50% energy used by equipment must be from ground source (§1.48-14(b))

- If not, equipment does not qualify as Ground Source Heat Pump Property
- Proportionate amount is Credit eligible
- This may include downstream (after heat pump) items:
  - VAV boxes
  - Ductwork
  - Air Handlers
  - Diffusers
- Items that do not use ground source energy do not qualify

**Construction must begin before 1/1/35**



# Thermal Energy Storage

---

## Property comprising a system

- Directly connected to a heating, ventilation, or air conditioning system
  - This may indicate it is property separate from the HVAC system (maybe only the tanks?)
- Removes heat from, or adds heat to, a storage medium for subsequent use
  - This may indicate chillers feeding a Thermal Storage Tank are eligible (maybe chillers and the tanks?)
- Provides energy for the heating or cooling of the interior of a residential or commercial building
  - NOT for Heating/Cooling things other than a building
- Excludes:
  - Swimming Pools
  - CHP
  - Buildings or its Structural Components
- Construction must begin before 1/1/25 for §48 then continues under §48E

# Alternative Fuel Vehicle Refueling Property Credit-§30C (2023-2032)

Technology	Base Credit	5x Bonus Credit (2023)	Maximum Credit Amount (2023)	Range
EV Chargers	6%	30%	\$100,000	6%-30%



<https://experience.arcgis.com/experience/3f67d5e82dc64d1589714d5499196d4f/page/Page/>

# Alternative Fuel Vehicle Refueling Property Credit

---

## ➤ Location Requirements (Eligible Census Tracts)

- Low-Income Community or (§45D(e)(1))
- Is not an urban area (§30C(c)(3))

## ➤ 5 Times Bonus Credit

- Meets the Prevailing Wage and Apprenticeship (P+A) Requirements (REG-100908-23) or
- Begins construction prior to January 29, 2023

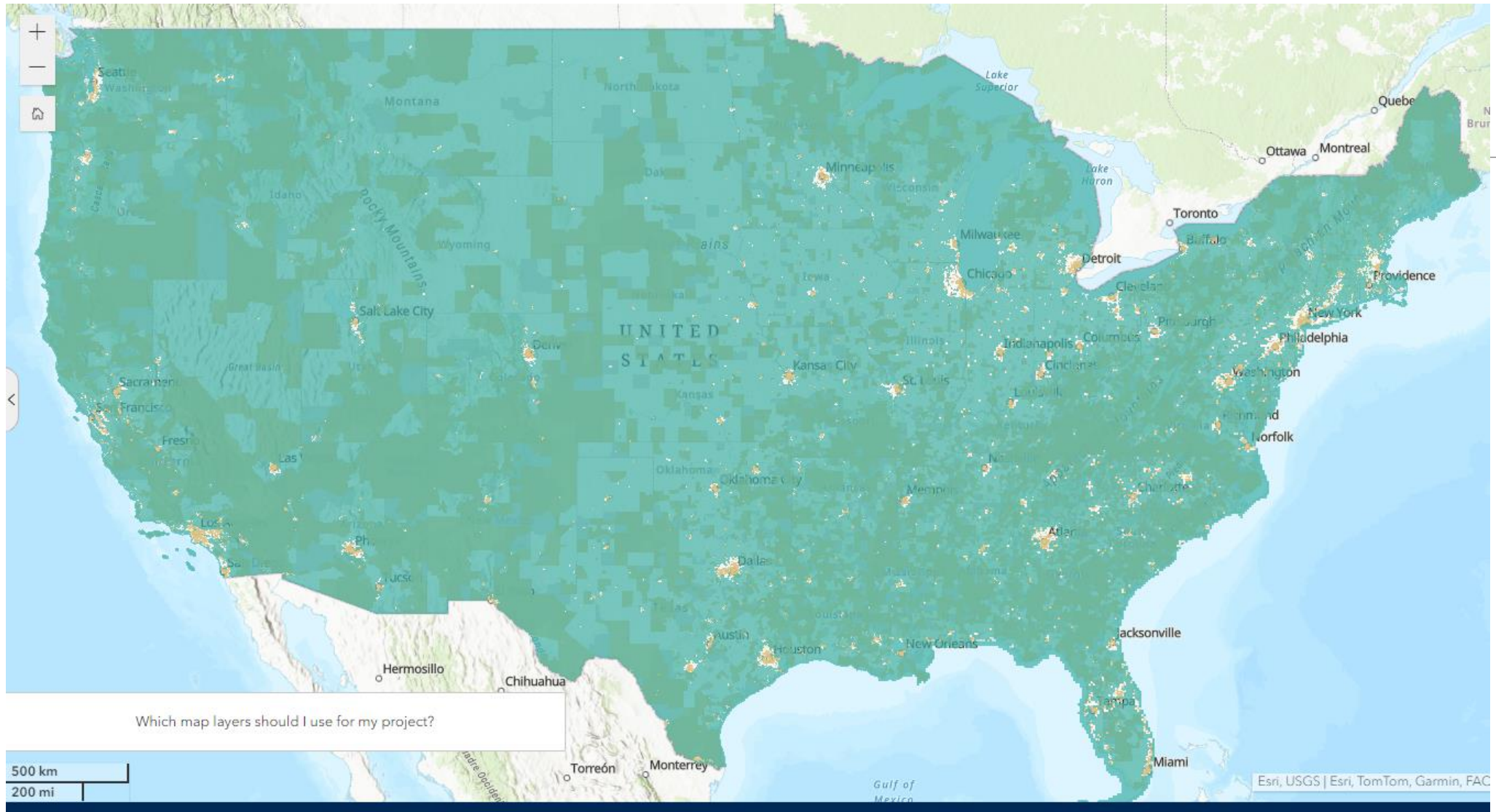
## ➤ Credit Limitation (§30C(b))

- Shall not exceed \$100,000 per item

## ➤ Eligible Property

- The recharging property is located at the point where the vehicle is recharged

# Map of 30C Eligible Locations



<https://experience.arcgis.com/experience/3f67d5e82dc64d1589714d5499196d4f/page/Page/>

# Prevailing Wage Requirement<sub>(TD 9998)</sub>

- Prevailing wages can be found at [sam.gov/search?index=dbra](https://sam.gov/search?index=dbra)
- Wage Determination for Unlisted Categories, [IRAprevailingwage@dol.gov](mailto:IRAprevailingwage@dol.gov)
  - name of the requester,
  - applicable general wage determination(s),
  - description of work to be performed,
  - facility location,
  - contract start or execution date,
  - construction start date,
  - proposed labor classifications,
  - job descriptions and duties,
  - proposed wage rates,
  - pertinent wage payment information, and
  - relevant information required on DoL forms
- Records required (Taxpayer's employees, contractors and subcontractors) (Form [WH-347](#) ideal)
  - identifying information for each worker,
  - location & type of construction,
  - labor classification of each worker,
  - hourly rate(s) of wages paid & fringe benefits,
  - irrevocable contributions made on behalf of each worker to a trustee/third party for a bona fide fringe benefit program,
  - total hours & wages paid per laborer per pay period,
  - wages and ratios of apprentices in registered programs,
  - amount and timing of correction & penalty payments,
  - measures taken to ensure prevailing wage rates are followed, and
  - complaints of noncompliance with prevailing wage rates

# Apprenticeship Requirement (TD 9998)

Projects Started:	Apprentices make up: [Labor Hours Requirement]
Before 1/29/2023	Exempt from Requirement
In 2023 1/29/23 and later	12.5% of Total Labor Hours
After 12/31/2023	15% of Total Labor Hours

- If a contractor or subcontractor has 4 or more workers, at least 1 is must be an Apprentice [Participation Requirement]
- Apprentice-to-Journeyworker ratio must be met DAILY [Ratio Requirement]
- Apprentice must be part of a Federal registered apprenticeship program (RAP) or State RAP
- Good Faith Effort Exceptions
  1. If a valid request(See Next Slide) is denied or
  2. If a valid request is unanswered for 5 business days or
  3. If there is no RAP that has a geographic area of operation that includes the location of the qualified facility



# Requirements for Requesting an Apprentice (TD 9998)

- Must submit a written request for qualified apprentices to at least one registered apprenticeship program(RAP) that has a geographic area of operation that includes the location of the qualified facility. Such request must be in writing and sent electronically or by registered mail.
- Must be made no later than 45 days before the qualified apprentices are requested to start work
- RAP must have a usual and customary business practice of entering into agreements with employers for the placement of qualified apprentices
- The request to the RAP must include:
  - Dates of employment,
  - Occupation or classification needed,
  - Location and type of work to be performed,
  - Number of apprentices needed,
  - Number of hours the apprentices will work, and the name
  - Contact information of the person requesting the apprentices.
  - The following statement:
    - *“This request for apprentices is made with an intent to employ apprentices in the occupation for which they are being trained and in accordance with the requirements and standards of the registered apprenticeship program”*
- Request cannot have been denied because of a refusal of the taxpayer or any contractor or subcontractor to comply with the requirements and standards of the RAP
- If denied, must try every ~~120~~ 365 days

# About Energy Tax Savers?

- First EPAAct 179D service provider (founded 2005)
- Completed more EPAAct projects than any other firm (16,000+)
- Diverse background of firm professionals
  - Attorney, CPA, MBA, LEED AP, Enrolled Agent, Big4 Accounting Experience
- Advisors to DOE, NEMA and NRDC for EPAAct 179D extension and standards
- Over 150 published articles in various publications
  - *Corporate Business Taxation Monthly, Building Operating Management, IMARK Magazine, Retrofit Magazine, Parking Professional*





# Energy Tax Savers, Inc.

---



Recorded Webinar

<https://www.youtube.com/watch?v=BQJqiq6Nyll>

**Jacob Goldman, LEED AP**  
*Vice President*  
**Energy Tax Savers**

33 Queens Street, Suite 300  
Syosset, NY 11791  
Phone: 516.364.2630  
Fax: 631.240.5165



[jacob.goldman@energytaxsavers.com](mailto:jacob.goldman@energytaxsavers.com)

# Q&A

**Ben Evans**

[bevans@usgbc.org](mailto:bevans@usgbc.org)

**Jacob Goldman**

[jacob.goldman@energytaxsavers.com](mailto:jacob.goldman@energytaxsavers.com)

**Marta Schantz**

[Marta.Schantz@ULI.org](mailto:Marta.Schantz@ULI.org)

[uli.org/federalfunding](http://uli.org/federalfunding)