

House Committee on Energy and Commerce
February 7, 2023, Joint Hearing of the
Subcommittee on Energy, Climate, and Grid Security and the
Subcommittee on Environment, Manufacturing, and Critical Materials
“Unleashing American Energy, Lowering Energy Costs, and Strengthening Supply Chains”

Responses to Submitted Questions for the Record

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Griffith question:

Is distributing grants to lending institutions a core purpose of the Clean Air Act?

Answer: The “core purpose” of the Clean Air Act is to protect our Nation’s air quality through the development, implementation and enforcement of emission prevention and control standards, not distributing grants to lending institutions. In fact, in the Clean Air Act, Congress made clear that implementation of the Act is the primary responsibility of the States and local governments, not EPA. To help the States and local governments achieve the goal of air pollution prevention and control, Congress authorized the EPA to provide both technical and financial assistance to air pollution control agencies to develop and execute their air pollution prevention and control programs. To my knowledge, EPA has not made these financial grants available to lending institutions.

Allen question:

Can you give me a list of actions taken by the Biden Administration that has made the U.S. more reliant on foreign energy and has decreased U.S. domestic energy production?

Answer: The list of actions taken to curtail domestic energy production has been widely reported to include cancelling or placing moratoria on onshore and offshore leases, taking federal lands out of production, and the like. A few actions that might not be as obvious are delaying the issuance of permits on necessary energy infrastructure projects, issuing GHG guidance to federal agencies to use the social cost of carbon under NEPA, minimizing the use of categorical exceptions under NEPA, withdrawing federal support of interstate pipelines to move shale oil and gas to New England to replace foreign imports, and asking OPEC countries to increase production for America rather than ask American producers to fill the gap caused by Putin’s invasion of Ukraine.

Miller-Meeks question:

As we think about global competitiveness in the context of critical materials, and as we discuss legislation related to this topic how can we continue to build off of exiting efforts to support our nation’s energy supply, while also recycling and reusing minerals that have been discarded in technologies such as unused hard drives electronic devices, and others?

Answer: Today, the US finds itself dependent on other countries, especially China, for many critical minerals and materials necessary for the technologies necessary in the daily lives of all Americans and in the component parts of our energy infrastructure, particularly in electric vehicles and renewable energy. The US is not a global leader or even a global competitor in producing or supplying these critical minerals or materials. Since it will take some time to develop our own sources or discover or create replacements, recycling and reuse of discarded devices is an important component in our pathway to competitiveness. As you mentioned, the Ames Laboratory leads our nation’s Critical Materials Institute, which I had the distinct honor to

visit when I was then Under Secretary of Energy. The CMI is doing innovative, groundbreaking work on recovering lithium, cobalt, platinum—a growing number of critical minerals and materials—through a growing number of processes.

Any legislation to address this need to recycle and reuse should consider enlarging the Department of Energy's role in ensuring and adequate and reliable supply of critical energy resources that are essential to the energy security of the US under the DOE Organization Act. That statutory priority will ensure the necessary resources and the continued leadership of the CMI's role to accelerate the discovery of new materials and more cost-effective and efficient ways to recycle and reuse discarded materials. Additionally, legislation could include inducements to encourage Americans to collect, transport, process and recycle, including rebates, tax incentives, and educational support.

Burgess question:

1. Can you speak to the beneficial environmental impact of pipelines as compared to other forms of energy transportation?

Answer: Pipelines are the most efficient transport of oil, refined products, natural gas, and industrial gases from production to processing to end-users. Unlike other forms of transportation with congestion and bottleneck logistics and being prone to frequent accidents, pipelines provide a safe, uninterrupted supply of gases and liquids necessary for our vibrant economy. The environmental impacts of pipelines are several including fewer spills or discharges, small above-ground footprint, and lower amounts of energy to transport large volumes of energy and supplies.

2. What role can Congress play in creating a resilient and diverse baseload generation ecosystem?

Answer: Congress can play an important role in creating such an ecosystem in several ways. Congress can pass your legislation to improve the permitting process for natural gas pipelines. Today, most new generation being placed in service is natural gas and renewables. Both complement one another as natural gas plants ramp up and down to accommodate the intermittency of wind and solar. However, NERC is warning that we need to have more access to natural gas in order to have natural gas generation available to provide replacement power.

In addition, in my view, Congress should mandate FERC to develop market rules that send adequate price signals for the development of fuel-secure, low-emitting generation sources like nuclear, natural gas, clean coal, and pumped storage hydro. Until we develop breakthrough technologies for reliable battery storage, we will continue to need all sources of generation to make our electric system reliable, affordable and resilient.

Congress should also provide parity incentives to natural gas, clean coal and other low-emitting energy sources as Congress provided to other fuel resources in the Inflation Reduction Act. The world needs to reduce emissions, not become vulnerable to energy outages due to an over dependency on few intermittent sources of generation.