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ONE HUNDRED NINETEENTH CONGRESS

Congress of the United States
House of Representatives

COMMITTEE ON ENERGY AND COMMERCE

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September 24, 2026

The Honorable Lee M. Zeldin
Administrator
U.S. Environmental Protection Agency
Mail Code 1101 A
1200 Pennsylvania Avenue NW
Washington, D.C. 20460

Dear Administrator Zeldin:

Thank you for appearing before the Subcommittee on Environment on Tuesday, April 28, 2026, to testify at the hearing entitled “The Fiscal Year 2027 Environmental Protection Agency Budget.”

Pursuant to the Rules of the Committee on Energy and Commerce, the hearing record remains open for ten business days to permit Members to submit additional questions for the record, which are attached. The format of your responses to these questions should be as follows: (1) the name of the Member whose question you are addressing, (2) the complete text of the question you are addressing in bold, and (3) your answer to that question in plain text.

To facilitate the printing of the hearing record, please respond to these questions with a transmittal letter by the close of business on Friday, October 23, 2026. Your responses should be mailed to Seth Ricketts Legislative Clerk, Committee on Energy and Commerce, 2125 Rayburn House Office Building, Washington, DC 20515 and e-mailed to Seth.Ricketts@mail.house.gov.

Thank you again for your time and effort preparing and delivering testimony before the Subcommittee.

Sincerely,

A handwritten signature in blue ink, appearing to read "Gary Palmer", with a long horizontal flourish extending to the right.

Gary Palmer
Chairman
Subcommittee on Environment

cc: Paul Tonko, Ranking Member, Subcommittee on Environment

Attachment

Additional Questions for the Record

The Honorable Morgan Griffith (R-VA)

1. Can you explain how EPA's effort to revise the coal ash rule will restore a science-based approach that protects public health while allowing for the beneficial use of coal ash?
2. As you may know, I've got a couple of Superfund sites in my part of Virginia, one complaint with the program that has been brought to my attention is the testing of so-called emerging contaminants at Superfund sites that had been taken off the National Priorities List, what is EPA doing to expedite 5 year reviews of sites and is a change to the CERCLA law needed to allow a site to "graduate?"
3. Could you talk briefly about the significance of the EPA guidance that was transmitted to an Arizona semiconductor fabrication plant regarding the definition of "pre-construction" activities and how it helps to streamline the New Source Review permitting scheme?
4. Does the proposed budget set aside any funds to assist small municipalities in applying for EPA grants?
5. Could you give some examples of where you believe EPA could help rural communities apply for and utilize these grants?
6. Like most states, Virginia has several so-called "Superfund sites", as defined under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, or (CERCLA). While this is a necessary and greatly beneficial program, one complaint that was brought to my attention by local officials in my district was the testing of so-called emerging contaminants at Superfund sites that had been taken off the National Priorities List "Unlimited use and unrestricted exposure" or (UU/UE) determination, what is the EPA doing to expedite 5-year reviews of sites?
7. How does EPA formulate and recommend specific steps that municipalities can carry out to achieve UU/UE determinations?
8. Do you believe that the CERCLA law should clarify whether emerging contaminants are to be mitigated at National Priority List sites that have been deleted from the list?
9. As Administrator, do you have any recommended legislative amendments to CERCLA that this Subcommittee should consider?

The Honorable Gary Palmer (R-AL)

1. Domestic Lime Industry

Economic Importance: EPA estimated that the 2024 lime rule would cost the industry \$2-2.4 billion, while the agency was not able to quantify any monetized benefits from the rule. The rule will not only be harmful to the lime industry but will also harm downstream industrial end-users. Lime is manufactured in 20 States and utilized across the U.S., and is an important component in steel production, energy production, delivering safe drinking water and pollution control, road building, and wastewater treatment.

Unintended Consequences: The rule not only imposes high costs on the lime industry and provides zero environmental benefits, but imposes unnecessary controls on the lime industry, which will also cause a number of negative environmental consequences. These include generating tens of thousands of tons of avoidable CO₂ emissions, increasing NO_x, requiring additional fossil fuel use, and unnecessarily increasing water consumption.

Environmental Impact: EPA has determined that the current rule for emissions from the lime industry are acceptable with an ample margin of safety and that such emissions do not threaten human health or the environment. EPA determined that risks are exceptionally low, with a hazard quotient value of 0.04 (any value of one or less is low risk), and cancer risks are one in one million or less. Accordingly, the lime manufacturing industry presents a compelling case for treating mercury (Hg), organic HAPs (oHAP), and dioxins and furans (D/F) emissions as de minimis. The entire lime industry emits less than one-third of a ton of mercury per year. Dioxins and furans are barely detectable, with total aggregate emissions of only 1.3×10^{-6} tons per year. No individual lime plant emits more than 1 ton per year of any single oHAP.

EPA possesses inherent de minimis authority under Section 112 of the Clean Air Act, allowing the agency to exempt trivially small, low-risk emissions from full regulatory requirements when consistent with the statute's protective intent. This authority rests on four pillars:

Legal precedents Both the Supreme Court and D.C. Circuit recognize agency authority to avoid regulating trivial circumstances, provided doing so implements rather than departs from the statutory framework. Following *Loper Bright Enterprises v. Raimondo* (2024), which overturned *Chevron* deference, courts must now apply the best statutory interpretation — further reinforcing EPA's authority where the record clearly supports an exemption.

Congressional design — Section 112 itself embeds quantity- and risk-based thresholds, including major source exemptions, health-based emission limits, and area source discretion, reflecting congressional intent to avoid unnecessary regulation where risks are acceptably low.

Established precedent — EPA has already proposed applying de minimis principles in the Secondary Lead Smelter rulemaking, excluding HCl and Cl₂ emissions based on low quantities and negligible risk.

Environmental costs of over-regulation — Imposing unnecessary MACT controls generates tens of thousands of tons of avoidable CO₂, unnecessary NO_x, increased fossil fuel consumption, and excess water use — contrary to Congress's directive under Section 112(d)(2) that EPA consider costs, energy impacts, and non-air quality environmental effects.

Does EPA believe it retains inherent de minimis authority under Section 112 of the Clean Air Act, and has the agency formally assessed the scope of that authority in the context of current rulemakings?

- a. Given the legal precedent, Congressional intent, EPA's own risk findings, and the environmental costs of unnecessary controls, will the agency commit to formally evaluating the application of de minimis authority to the lime industry in its current and upcoming rulemakings?
- b. EPA's 2020 risk assessment found total hazard quotients for lime manufacturing emissions of 0.04 — two orders of magnitude below the threshold of concern — and cancer risks at or below one-in-one million. What is the agency's rationale for continuing to subject the lime industry to MACT floor requirements for mercury, organic HAPs, and dioxins and furans?
- c. The entire lime industry emits less than one-third of a ton of mercury per year, and dioxins and furans are barely detectable at 1.3×10^{-6} tons per year. How does EPA justify imposing the full MACT standards at these emission levels when its own risk data shows no meaningful public health threat?
- d. EPA proposed to apply de minimis principles in the Secondary Lead Smelter rulemaking to exempt HCl and Cl₂ based on low quantities and negligible risk. What distinguishes the lime industry's mercury, oHAP, and dioxin and furan emissions from those exempted emissions?
- e. Shouldn't the agency weigh the environmental costs of unnecessary controls — including avoidable CO₂, NO_x, fossil fuel use, and water consumption — against the negligible risk reduction achieved by regulating de minimis emissions?
- f. Is EPA currently applying Section 112(d)(2)'s directive to consider costs, energy requirements, and non-air quality environmental impacts when evaluating whether to impose MACT floor requirements on industries where risks already fall within acceptable margins?

2. Current deadlines — July 16, 2027, and as early as January 2027 for facilities using emissions averaging — are rapidly approaching. EPA has already initiated reconsideration of the underlying rule, and a final determination is unlikely before these deadlines. Requiring costly compliance investments for a rule that may be substantially revised or rescinded would be both unreasonable and economically wasteful.

Can you explain the agency's position on whether it would be reasonable to require the lime industry to undertake costly and potentially irreversible compliance investments for a rule that may be substantially revised or rescinded?

- a. Under 40 C.F.R. § 63.6(i)(4), State regulators have authority to grant compliance date extensions. Is EPA prepared to formally communicate support for such extensions to State agencies, and what guidance, if any, has the agency provided to States regarding the pending reconsideration of the lime NESHAP?
- b. Could you provide a timeline of when you anticipate proposing and finalizing this rule?

The Honorable Brett Guthrie (R-KY)

1. I appreciate your commitment to ensuring all Americans have access to safe and reliable drinking water. Many rural communities like the ones I represent often face challenges in applying for and competing against larger systems for limited funds. When funds are awarded, systems often experience considerable delays in receiving the funds, which can increase costs and further delay needed infrastructure improvements.

Can you discuss the resources that are available to assist rural water systems in competing for federal funds and what EPA is doing to streamline the delivery of resources to rural communities while maintaining drinking water standards?

The Honorable Buddy Carter (R-GA)

1. Thank you for revamping the Clean School Bus Program (CSBP) to ensure the program is better administered, more competitive, and provides more funds to propane and other alternative fuels. As you know, the CSBP is behind schedule, and the delay is negatively impacting our American manufacturers and their American suppliers, including major legacy school bus manufacturers like Blue Bird in central Georgia. Business certainty is very important for our school bus manufacturers. When will the Round 4 process be complete and when can we expect awards to be announced?
 - a. Also, given the delays with Round 4, what does the timeline for Round 5 look like? Will we see this funding round completed this calendar year?

2. Blue Bird provides thousands of propane school buses across America, Blue Bird also has assembly lines producing diesel and electric school buses. Blue Bird recently delivered 15 electric school buses to Bibb County, GA, a school district that currently operates over 170 propane school buses along with diesel school buses. Our Georgia manufacturer Blue Bird is seeing high demand from school districts for electric school buses. The statutory language for the CSBP in IIJA states that 50 percent of all funding (which was forward appropriated for this purpose in the appropriations division of that law) must go to zero-emission (i.e., electric) buses, with the other 50 percent available to low-emission buses of any alternative fuel type (propane, CNG, etc., including electric as well). Will the EPA uphold the 50% statute in Round 4?
 - a. Will Rounds 4 and 5 abide the 50-percent zero-emission set-aside, and deploy the full authorized and appropriated \$1 billion for each fiscal year, as Congress intended?
3. Section 9(a) of the Toxic Substances Control Act (TSCA) authorizes EPA to coordinate with other federal agencies, including the Occupational Safety and Health Administration (OSHA), where another agency has authority and expertise relevant to addressing unreasonable risks, including risks to workers.

Is EPA currently invoking or otherwise relying on its authority under TSCA Section 9(a) to utilize OSHA's statutory authorities and technical expertise when EPA identifies unreasonable risks to workers under TSCA?

- a. If the answer is yes, please describe specific examples where EPA has coordinated with OSHA under Section 9(a), including the nature of the risk identified, OSHA's role, and how this coordination informed EPA's regulatory approach.
 - b. If the answer is no, please explain why EPA is not using TSCA Section 9(a) in these circumstances, and how EPA ensures that worker protection measures under TSCA appropriately account for OSHA's long standing role, expertise, and existing standards for workplace safety.
4. Stakeholders have raised concerns that EPA risk management rules under TSCA may duplicate or conflict with existing OSHA requirements for the same chemical, in the same workplace, and for the same workers. Such duplication or conflicting regulatory obligations can create confusion, complicate compliance, and in some cases increase workplace safety risks rather than reduce them. What specific steps is EPA taking to identify and eliminate duplicative or conflicting regulatory requirements between TSCA risk management rules and OSHA regulations applicable to workplace exposures?

The Honorable Randy Weber (R-TX)

1. We appreciate your commitment to ensuring the regulations and policies the EPA develops are in line with President Trump's Gold Standard Science Executive Order.

Additionally, I appreciate the recent announcements stating that the EPA will move away from using flawed IRIS values for various chemicals. Do you anticipate any additional steps the Agency will take to ensure any new regulations are based on President Trump's Executive Order?

2. As you may know, my Congressional District is home to many chemical manufacturing facilities and refineries that produce the products we need to restore American manufacturing and advance energy dominance. Because of this, improving TSCA is a huge priority. I appreciate your focus not only on reducing the backlog of new chemicals and meeting the statutory deadlines for decisions under Section 5 reviews, but also on restoring Gold Standard science-based methodologies for regulating existing chemicals. Can you speak to the future of TSCA and what changes you hope to see in the legislation?

The Honorable Laurel Lee (R-FL)

1. I appreciate your team's engagement with my office on a significant brownfield challenge in Hillsborough County, where residents are dealing with serious legacy contamination issues. I've seen the dark, contaminated water in my constituents' homes. As the EPA continues to prioritize Brownfields and Superfund cleanups, how is the Agency using its existing authorities, particularly under CERCLA, to accelerate remediation at complex sites, while also giving communities confidence that redevelopment can move forward safely?
 - a. As you look at tools like Brownfield grants, liability protections, and even new approaches like AI to identify and prioritize sites, what more can the EPA do to support communities like mine?
2. The Everglades are the major drinking water source for millions of Floridians. As restoration moves forwards, what assurances can EPA give that water quality monitoring will keep pace so my constituents in Florida know their water supply is protected?
3. Florida is also growing faster than almost any other state in the union, which is a great problem to have. However, this does put increased pressure onto our aquifers and drinking water infrastructure. Is EPA thinking proactively about how to help states like Florida plan, so infrastructure investments can keep pace with the communities we are welcoming?
4. As new federal requirements under the Safe Drinking Water Act — particularly for PFAS remediation and lead service line replacement — place new regulations onto water systems, how is EPA ensuring that smaller systems that may not have the capacity or resources to comply are being supported in staying in compliance?
5. Recent data has shown that phosphorus levels in some treatment areas of the Everglades are still above court ordered standard. This is obviously a challenge that

predates this administration. However, what tools does EPA have available to work with Florida to close this gap, and what can congress do to support that effort?

- a. Algal blooms can hit Florida's tourism economy and public health quickly once they take hold. What early warning and monitoring systems does EPA currently support in Florida, and are those systems adequate to provide timely alerts?
 - b. How is the EPA coordinating with Florida's Department of Environmental Protection to make sure federal and state resources are complementing each other to combat harmful algal blooms?
6. The EPA has taken several steps to reconsider portions of the Technology Transitions Rule in response to stakeholder concerns regarding affordability, supply chain disruptions, and implementation challenges. However, many stakeholders in the residential and light commercial air conditioning and heat pump sector continue to express concerns regarding equipment costs, product availability, and the pace of the transition to lower-GWP refrigerants.

Can you discuss how EPA is evaluating requests for additional compliance flexibility in the residential and light commercial HVAC sector, including potential adjustments to applicable GWP thresholds or implementation timelines, and what factors the agency is considering to ensure consumers continue to have access to affordable, reliable, and safe cooling systems?

- a. Additionally, many stakeholders have raised concerns regarding the transition to lower-GWP refrigerants, including technician training, building code adoption, servicing infrastructure, and the use of mildly flammable A2L refrigerants. How is EPA coordinating with industry, states, fire officials, standards organizations, and contractors to help ensure the transition to lower-GWP refrigerants occurs safely and with minimal disruption to consumers and the HVAC workforce?

The Honorable John James (R-MI)

1. On February 18, 2026 the EPA published its Final Rule rescinding the emissions regulations for light-duty, medium-duty and heavy-duty vehicles and engines, based on two independent reasons: First, statutory interpretation and Second, a finding that "Under any reasonable understanding, the predicted impacts of eliminating all U.S. GHG emissions from vehicles and engines on GMST [Global Mean Surface Temperature] and GSLR [Global Surface Level Rise] are de minimis....and would have no material impact (i.e., beyond a de minimis level) on the global climate change concerns relied upon in the Endangerment Finding to justify regulation." The EPA's statutory interpretation of Section 202(a) of the Clean Air Act is equally applicable to the identical language in Section 111(b) on which OOOOb and OOOOc are based. The EPA's 2023 Inventory of Greenhouse Gas Emissions and Sinks estimated that CO2 Eq. greenhouse gas emissions from the gas and oil production,

transmission and storage segments are only 1/6 th of the CO₂ Eq. greenhouse gas emissions from light-duty, medium-duty and heavy-duty vehicles and engines. In March 2025, you announced that the EPA was undertaking “a major deregulation initiative...to unleash American energy...” Low-production well owners across the United States have been on a tight leash since OOOOb/c were finalized in March 2024. When can low-production well owners expect the EPA to rescind OOOOb and OOOOc for the same reasons that vehicle emission standards were rescinded?

2. The EPA has acknowledged in the Preamble to OOOOb/c that it can only impose methane emission controls to the extent that that the control “achieves emissions reductions at reasonable cost”. Comments have been submitted to EPA demonstrating that the cost of compliance with OOOOc for a well with a potential to emit methane < 20 tons per year would exceed EPA’s reasonable cost-effectiveness limit. Do you agree that OOOOc should be modified with respect to these low methane wells and will you commit to direct the EPA staff to reconsider and solve this issue?
3. Excess Associated Gas, which is natural gas that is produced from marginal oil wells in volumes that exceed what can be used on-site for heating, fuel for pumps, etc. but are too little to justify the cost of routing the gas to a sales line, will be a huge compliance problem for low-production well owners under OOOOb/c. Comments have been submitted to the EPA demonstrating, based on the EPA’s cost-effectiveness methodology and data, that under certain circumstances it would be much more cost-effective to flare excess associated gas (which achieves 95% methane reduction) than to incur the exorbitant costs of building a pipeline and connecting to a distant sales line in order to achieve 100% methane reduction. Do you agree that the EPA should modify the OOOOb/c flaring restrictions in these circumstances and will you commit to direct the EPA staff to reconsider and solve this issue?
4. Low-production well conditions vary widely from state to state: production rates, gas-oil ratios, methane content in associated gas, density and proximity of wells, availability and cost of processing associated gas, distance to sales lines and sales line connection costs. However, the EPA used a “one size fits all” approach in evaluating methane emission controls for low-production wells. For example, in its cost-effectiveness evaluation of whether associated gas can be routed to a sales line at a reasonable cost, the EPA assumed a “representative well” producing associated gas containing 344 tons per year of methane, assumed access to gas processing and did not take into account the enormous connection costs that utilities in some states are charging. There are hundreds of thousands of low-production wells that produce far less excess associated gas and methane and do not fit the other assumed facts. Unless flaring is permitted, operators’ only choice will be to plug these wells. Do you agree that the OOOOb/c flaring restrictions need to be modified to take these variable factors into account and will you commit to direct the EPA staff to reconsider and solve this issue?

- a. Would you agree that OOOOc State Implementation Plans would be an appropriate place to address local variables?

The Honorable August Pfluger (R-TX)

1. The Biden Administration completed a rule under the AIM Act titled Phasedown of Hydrofluorocarbons: Management of Certain Hydrofluorocarbons and Substitutes Under the American Innovation and Manufacturing Act of 2020. This rule created tremendous regulatory costs of compliance for any owner of a business that uses HVAC, from grocery stores to manufacturing plants. It lowered thresholds for the compliance form systems above 50lbs of refrigerant to just 15lbs, bringing in smaller businesses and unique operations such as offshore oil and gas platforms. In that second circumstance, as an example, offshore operators have just 30 days to address any leaks, though the personnel accommodation space on an offshore oil and gas facility limits the number of people who can be on board at any given period of time. Additionally, the helicopters that transport personnel offshore have a very limited capacity, and there are a limited number of flights that a facility can accommodate in a day to transport people and equipment. Weather delays further limit the helicopter transportation capacity. Many offshore facilities do not have qualified HVAC technicians on their crews, so they must be transported via helicopter. However, the space availability limitations, as stated above, necessitate prioritizing the personnel needed to operate and maintain the facility in a safe and responsible manner above all else. Regulations should not force a facility to choose between safe operation and compliance with an HFC verification deadline. With current budget requests, can the EPA still meet needs such as addressing these failures of smart regulation by the previous Administration in a timely manner?

The Honorable Nicholas Langworthy (R-NY)

1. I have recently introduced bipartisan legislation, the Recycled Materials Attribution Act, that would ensure that we bring business and consumers certainty in defining what constitutes 'recycled content'.

My bill focuses on including innovative advanced recycling as a part of that definition.

Can you share your perspective on advanced recycling and the need for clear federal guidance that supports advanced recycling? How if America gets the policy right, this innovative approach could help increase recycling capacity, drive domestic investment and jobs, and reduce the amount of plastic waste going to landfills?

The Honorable Robert Latta (R-OH)

1. Thank you for engaging with stakeholders on your proposed coal combustion residuals (CCR) rule. As we work to protect the environment while keeping electricity affordable and reliable, states and regulated entities need clear, durable, and risk based rules that reflect real world conditions. How will EPA's proposed CCR

rule ensure states have the flexibility and certainty to apply site specific requirements based on actual risk, rather than a one size fits all approach?

- a. Are you seeing more states interested in adopting “primacy” for CCR unit permitting programs, and if so, are you prioritizing approving those state applications?
2. What actions can EPA take to provide regulatory clarity that supports deployment of advanced (non-mechanical) recycling technologies while maintaining strong environmental standards?
3. Excess Associated Gas will be a huge compliance problem for low-production well owners under OOOOb/c. Comments have been submitted to the EPA demonstrating, based on the EPA’s cost-effectiveness methodology and data, that under certain circumstances it would be much more cost-effective to flare excess associated gas (which achieves 95% methane reduction) than to incur the exorbitant costs of building a pipeline and connecting to a distant sales line in order to achieve 100% methane reduction. Do you agree that the EPA should modify the OOOOb/c flaring restrictions in these circumstances and will you commit to directing EPA staff to reconsider and solve this issue?

The Honorable Mariannette Miller-Meeks (R-IA)

1. We appreciate your leadership of EPA and acknowledge the work you and staff have done to reduce the administrative backlog of pesticide registrations since Jan 2025. However, I am concerned that since late last year, decisions on new active ingredients, new use approvals, and many other actions are being held up, delaying US farmers’ access to new innovative products and causing them to be at a competitive disadvantage because many growers outside of the US already have access to these new products. Can you tell us why these new delays are occurring, and what you are doing to address this situation? Can you identify a point of contact today for the Committee so that we can check in and get a status update on how this is going?
2. You’ve said you value American leadership in technology innovation, and you want to ensure regulation enables – not stifles -- growth and job creation. EPA’s robust evaluation and registration process for pesticides has to be both protective of public health and the environment – which it is – and as efficient and predictable as possible in order to provide certainty for the businesses that develop innovative crop protection technologies and for farmers, who need these products to produce our food. Do you agree?
 - a. What actions have you and your office taken to improve the efficiency and predictability of the regulatory process for pesticides?
3. You’ve said you value American leadership in technology innovation, and you want to ensure regulation enables – not stifles -- growth and job creation. EPA’s robust

evaluation and registration process for pesticides has to be both protective of public health and the environment – which it is – and as efficient and predictable as possible in order to provide certainty for the businesses that develop innovative crop protection technologies and for farmers, who need these products to produce our food.

The Honorable Frank Pallone, Jr. (D-NJ)

1. EPA’s 2027 budget request states that EPA “will move swiftly to support the cleanup of per- and polyfluoroalkyl substances (PFAS).” Yet, EPA has requested zero dollars for Superfund remediation, and it has proposed millions of dollars in cuts to its emergency response and removal, and criminal enforcement budgets. How does EPA intend to protect the communities around PFAS Superfund sites and support clean-up when it is zeroing out EPA’s remedial funding, and cutting the enforcement budget that could be used to pursue polluters?
2. Under the current funding levels for the Brownfields program, is there enough resources to fund all qualified applicants?
3. In May 2025, EPA terminated hundreds of Community Change Grants that were intended to address long-standing environmental problems in underserved rural and urban communities. Did recipients fail performance requirements? If not, why were those grants canceled?
4. When these grants were awarded in December 2024, their terms did not authorize termination for “changes in EPA priorities.” What specific term in the December 2024 Community Change Grant agreements allowed termination based on “changes in EPA priorities”? Please identify the page and clause.
5. At last year’s budget hearing, you said Community Change Grants were terminated after individualized review. Please provide the Committee the individualized review memo or documentation for each terminated grant.
6. EPA revised its grant termination language on April 3, 2025, but those changes applied only to future or amended awards. Why were grants awarded before April 3, 2025, terminated under standards that did not apply to them?
7. Will EPA reconsider or reinstate grants that were terminated despite satisfactory performance and disputed legal authority?
8. Last year, EPA announced that it would rescind and reconsider drinking water standards for four PFAS chemicals, citing concerns with the process.
 - a. Does EPA plan to release the proposed revision before litigation on these standards is resolved?

- b. What enforceable protection exists for families exposed to PFHxS, PFNA, GenX, PFBS, and PFAS mixtures, as EPA reconsiders the standards?
 - c. How many people are served by water systems exceeding the four standards EPA moved to rescind or reconsider, and what is EPA doing for them now?
- 9. EPA announced its PFAS OUT initiative to provide technical assistance to water systems with the intent of addressing PFAS challenges.
 - a. The initiative, however, focuses on only two of the six PFAS drinking water standards issued in 2024, even though EPA monitoring has found exceedances of all six contaminants in small, medium, and large systems nationwide. Will EPA provide the funding and technical assistance needed to help systems address contamination from all six PFAS contaminants?
 - b. PFAS OUT emphasizes treatment after contamination occurs. Will EPA commit to prioritizing public health and protecting source water from dangerous PFAS chemicals, rather than shifting responsibility to states, utilities, and affected communities after contamination has already occurred?
- 10. EPA is proposing to eliminate the Public Water System Supervision (PWSS) grants that help states oversee drinking water systems.
 - a. Did EPA estimate how many water systems could fall out of compliance if states lose PWSS funding?
 - b. How does eliminating PWSS grants help reduce drinking water noncompliance?
- 11. Will EPA require advisory committee members with direct financial conflicts of interest, to recuse themselves from matters affecting their companies or industries?
- 12. When will EPA release the Perfluorononanoic Acid (PFNA) assessment that has been reported as complete but unpublished?
- 13. EPA's Fiscal Year 2027 budget mentions the agency's commitment to transparency. Relatedly, the Administration's Make Our Children Healthy Again Assessment highlights the "troubling reality" of corporate capture and the revolving door by the chemical-manufacturing industry.
 - a. How many senior chemical safety positions are now held by former industry representatives?
 - b. Have any of the safeguards in place to prevent former industry lobbyists or insiders from influencing chemical safety decisions been waived?

14. Under the existing chemical program, EPA has already found several chemicals pose unreasonable risks, yet risk management rules are delayed. How many people remain exposed while those protections are delayed?
15. There is growing concern around PFAS and the rapid expansion of data centers across the country. However, in September, EPA announced plans to prioritize review of new chemicals that are intended for use in data center projects to support EO 14318, “Accelerating Federal Permitting of Data Center Infrastructure”.
 - a. How do reviews of these prioritized chemicals differ from usual new chemical reviews under the Toxic Substances Control Act (TSCA)?
 - b. What analysis has EPA done to assess the impact of this prioritization scheme, on its ability to work through the backlog of new chemical reviews?
 - c. How does EPA plan protect human health and the environment while expediting reviews of chemicals used in these facilities, many of which may include PFAS?
 - d. Given the significant cleanup costs and well-documented health impacts associated with PFAS, how can EPA ensure that expedited approvals do not lead to outcomes similar to GenX?
16. The Office of Research and Development (ORD) has historically supported TSCA implementation through hazard assessments, exposure analysis, and risk characterization for both new and existing chemicals.
 - a. With your actions to dismantle ORD, how does EPA plan to assess toxicity and chemical hazards?
 - b. More broadly, how does EPA plan to safely evaluate and approve new chemicals without a centralized, independent scientific research arm responsible for assessing toxicity?
17. The Make our Children Healthy Again Assessment identified chemical exposure as a key driver behind the rise in childhood chronic disease. Nearly half of American children live in areas with unsafe levels of chemical pollution in the air they breathe. Yet, EPA weakened or rolled back several air pollution rules this year.
 - a. Did EPA calculate additional childhood asthma attacks, hospital visits, or chronic illnesses for those changes? If so, please provide this information to the Committee.
 - b. Does EPA find any increase in the above acceptable? What level of increased harm to children would be unacceptable?

- c. Did EPA estimate the added costs families may face for inhalers, emergency room visits, and other pollution-related healthcare expenses?
- 18. Earlier this year, EPA announced that it would no longer consider the economic value of lives saved and health benefits when producing regulatory impact analyses for new air regulations.
 - a. Who decided to eliminate the value of avoided deaths and illnesses, and do individuals involved in this decision have prior employment with companies that would benefit from such a decision?
 - b. Does EPA still count avoided deaths, asthma attacks, cancer cases, ER visits, and missed workdays as real benefits of pollution rules?
 - c. Why did EPA stop quantifying the health impacts of major regulatory actions after previously saying that those impacts would be evaluated rule by rule?
 - d. Please provide the Committee a list of rules where EPA has stopped quantifying health benefits or changed how those benefits are counted, along with any directives, drafts, memos, or legal analyses supporting those changes.
- 19. Vinyl chloride is a known human carcinogen. When EPA granted two-year exemptions from hazardous air pollutant rules for vinyl chloride and polyvinyl chloride (PVC) facilities, did it rely on new scientific findings that showed such a delay wouldn't cause increased health risk and harms? If so, please provide those findings to the Committee.
- 20. The May 11, 2026, proposed rule "Revision to "Begin Actual Construction" in the New Source Review (NSR) Preconstruction Permitting Program" seeks to redefine what is considered a modification of a covered facility under the NSR program.
 - a. What Clean Air Act (CAA) authority is EPA using to redefine a modification?
 - b. How does this change the application of the statutory definition of modification in CAA Section 101(a)(4), where there is not a distinction between the type of construction activities or activities, but only whether emissions increase?
- 21. In the final rule "New Source Performance Standards Review for Stationary Combustion Turbines and Stationary Gas Turbines" EPA determined that "stationary combustion turbines and stationary gas turbines" were mobile sources for purposes of permitting under the Clean Air Act.

- a. What CAA authority is EPA using to reclassify these stationary energy sources as mobile sources/nonroad engines and explain your reasoning?
 - b. What are the emissions and public health impacts associated with this reclassification?
- 22. In ending the Greenhouse Gas Reporting Program, is it now EPA's position that climate pollution should be less transparent to the public?
- 23. In repealing climate pollution standards for vehicles, EPA's own analysis, which already relied on unrealistically low oil prices, found that the repeal would add \$3 billion per year in fuel costs for American drivers by 2035. President Trump's irresponsible war in Iran is also simultaneously causing gas prices to skyrocket, currently averaging more than \$4.50 a gallon nationwide as of May 14, 2026. Why does EPA find raising consumer costs and gas prices for American families to be an acceptable policy?
- 24. EPA recently proposed delaying the compliance deadlines for the 2024 Tier 4 emissions standards for new light- and medium-duty vehicles, increasing nitrogen oxides (NOx), fine particulate matter (PM 2.5) and volatile organic compounds (VOCs) which will result in more premature deaths, asthma attacks, and billions more dollars in health care costs. Please explain how this proposed action will protect the health and welfare of the American people, and how EPA plans to meet its obligations under the CAA.
- 25. In repealing the 2009 Endangerment Finding, EPA argues that the 2009 finding failed to account for potential positive impacts of a warmer climate. Please provide the Committee with documentation of any health outcomes that have improved because of greenhouse gas emissions?
- 26. On March 12, 2025, EPA issued a memo announcing that it would stop enforcing oil and gas methane regulations. In the year since, it has been estimated that the oil and gas industry has wasted \$4.2 billion-worth of natural gas through leaking, venting, or flaring.
 - a. How does allowing oil and gas companies to waste enough natural gas to meet the needs of twenty-two million households promote "unleashing domestic energy"?
 - b. Is it EPA's position that it is acceptable for oil and gas companies to waste valuable natural gas at a time when residential natural gas prices have increased thirteen percent since January 2025?
- 27. Under the new "Common Sense Approach to Chemical Accident Prevention" rule, EPA rolled back protections for workers, communities, and first responders.

- a. How does rescinding requirements to find safer alternatives at high-risk chemical facilities make them or the communities surrounding them safer?
 - b. How does reducing or eliminating third party audits, hold facilities accountable when they have a chemical disaster and prevent similar incidents from happening in the future?
 - c. How does reducing training and stop work authority from workers at these high-risk facilities, make these facilities or the workers safer?
 - d. How does removing the requirement that these facilities take into account natural hazards and prepare for them, make these facilities more resilient, given the recent incidents from major floods and storms?
 - e. How does decreasing information for first responders impact their response time and safety?
28. If many chemical recycling technologies primarily convert plastics to fuels instead of recovering plastic, why should these technologies be considered recycling?
29. How does converting plastics to fuels, instead of back to plastic, advance plastics circularity?
30. Buried in an unrelated proposed rulemaking on “Standards for Air Curtain Incinerators That Only Burn Wood Wastes, Yard Wastes and Clean Lumber; Provision for Commercial and Industrial Solid Waste Incineration Units: Temporary Use Incinerators and Air Curtain Incinerators Used in Disaster Recovery,” EPA announced it was taking public comment on removing “pyrolysis/combustion units” from the definition of “municipal waste combustion unit” under the Other Solid Waste Incinerators (OSWI) regulations. Does EPA plan to release a proposed rule that fully considers the economic, public health, and environmental impacts of this change?
31. The budget boasts a “lean staffing environment” to reduce costs. How is EPA addressing the Inspector General’s warning that grants staffing levels were already insufficient before staffing cuts?
32. Why is “Make America the AI Capital of the World” one of EPA’s five strategic goals? And how does it align with EPA’s mission of protecting public health and the environment?
33. What analysis has EPA conducted regarding the water demand, air pollution, noise pollution, backup diesel generation, and local ratepayer impacts associated with accelerated data center development?
34. Please share all information EPA is using during these rulemakings and deregulatory measures for data centers with the Committee.

35. Has EPA assessed whether water reuse for data centers could contend with community drinking water, agriculture, or ecosystem needs in water-stressed regions? If so, please provide the assessment to the Committee.
36. Last year, EPA said the backup-generator FAQ regarding their use at data centers responded to multiple stakeholders. Please provide the Committee with all EPA communications with data center companies, utilities, or AI firms that led to that guidance.
37. What CAA exemptions, guidance, or enforcement discretion has EPA provided to data centers or utilities serving data centers?
38. Prior to issuing exemptions and new rules, has EPA evaluated whether backup generators for data centers are increasing local NO_x, PM, or hazardous air pollution? If so, please provide these evaluations to the Committee.
39. Please provide the Committee with information regarding EPA's communications or meetings with AI firms or data center companies seeking permitting relief or regulatory flexibility.
40. In October 2025, EPA rolled back a directive that lowered EPA recommended screening levels for lead in soils in residential areas with multiple exposure pathways to 100 ppm. The new directive changed the guidance to 600 ppm for removal management of lead in residential soil, standardized this threshold for all types of properties, and raised the level of screening for residential areas to 200ppm.
- a. How does this higher screening level and three times higher removal level address lead exposure particularly for vulnerable populations like children?
 - b. What health analysis shows that children playing in soil with lead levels up to 600 ppm are adequately protected? Please provide such analysis to the Committee.
 - c. How many homes, schools, daycare sites, or yards would no longer qualify for cleanup under the higher soil lead threshold?
41. On April 26, 2026, EPA proposed to amend the "Legacy Coal Combustion Residuals Surface Impoundments and CCR Management Units" rule which managed inactive impoundments.
- a. How will this rollback rule, and its proposed exemptions, comply with the court ordered decision to regulate inactive impoundments and inactive facilities?

- b. What analysis shows that delaying coal ash pond closure or cleanup will not increase toxic contamination of groundwater?
42. Has EPA identified how many coal ash sites would avoid, delay, or reduce cleanup under the proposed rollback? Has EPA estimated how many waterways and drinking water resources will be impacted by this rule rollback? If so, please provide that information to the Committee.
43. EPA has proposed a new rule to rollback effluent limitation guidelines for steam electric power plants on May 14, 2026. How has delaying these wastewater pollution rules for coal-fired power plants increased toxic wastewater discharge?
44. Compared to the coal ash rules previously in place, will mercury, lead, arsenic, and nickel pollution from power plants increase or decrease under EPA's new rules?
45. We need to address the unregulated disposal of PFAS-containing waste. More than two years ago, EPA proposed listing nine PFAS as hazardous constituents under the Resources Conservation and Recovery Act, a first step towards long overdue hazardous waste designations. But EPA has yet to finalize those designations or to propose any federal regulation of PFAS disposal. Will you commit to finalizing those designations and to proposing hazardous waste designations for at least those nine PFAS in fiscal year 2027?

The Honorable Paul Tonko (D-NY)

1. Please describe the purposes for which EPA has utilized AI since January 2025.
2. Please describe EPA's use of AI in the development and decision-making process of the FY27 budget request.
3. Will you commit to publicly disclosing whenever AI has been used for any agency work products, including the development of guidance, rulemakings, permitting decisions, enforcement targeting, scientific review, public communications, analysis of and responses to public comments, regulatory impact analysis, hazard or risk analysis, and reports published by the agency?
4. What human review is required at EPA before AI-generated analysis is used in regulatory decisions?
5. EPA has said that AI may be used to categorize public comments and support rulemaking. What safeguards ensure AI does not distort, downplay, or screen out public comments?
6. The budget request outlines "new approach methodologies (NAMs) to reduce the backlog of new chemicals and accelerate the use of AI approaches in chemical evaluations." Please describe what AI safety frameworks are in place to ensure decisions regarding chemical evaluations are rooted in sound science.

7. Will EPA publicly disclose when AI or NAMS are used in chemical safety decisions?
8. How does EPA consider potential neurological risks when evaluating and regulating new and existing chemicals?
9. How does this consideration differ from how EPA evaluates and manages cancer risks posed by new and existing chemicals?
10. Please provide a timeline for EPA to complete each of the overdue risk management rules required by law?
11. In line with the Administration's commitment to radical transparency, will you commit to publishing a public schedule for finalizing any overdue existing chemical rules?
12. EPA's report on the implementation of Gold Standard Science states, "Conducting science without conflicts of interest refers to ensuring that research is designed, executed, reviewed, and reported free from financial, personal, or institutional influences that could bias outcomes or undermine objectivity." Various political appointees serving in the Office of Chemical Safety and Pollution Prevention have ties to the chemical industry. It is my understanding that their ethics recusal periods have expired or will expire this year. Will you commit to permanently extending the recusals of these employees and ensuring that these appointees refrain from any contact or communication with former employers or clients?
13. Paraquat is a toxic herbicide with substantial scientific evidence demonstrating a strong link to causing cancer and triggering Parkinson's Disease. It has been banned in over 70 countries, including China. Earlier this year, EPA announced that it is continuing reviews of paraquat started by the Biden Administration in response to lawsuits, but the science is already robust. We know it poses a threat to Americans. What is preventing EPA from banning paraquat today?
14. Prior to recent organizational changes, the Office of Research and Development (ORD) worked directly with communities and drinking water systems to pilot, evaluate, and validate PFAS treatment and source-control technologies. What technical capacity for this type of work has EPA restored or replaced since the closure of ORD? And what resources support that work today?
15. Last year, EPA said PFAS test orders and TSCA data collection would fill the gap left by research cuts. How many PFAS test orders has EPA issued in 2026?
16. EPA's Unregulated Contaminant Monitoring Program has detected at least 17 additional PFAS in public drinking water systems with uncertain health effects. How will EPA determine the toxicity and health-based concentration levels of these chemicals now that ORD has been eliminated and the Center for Computational Toxicity has left the agency?

17. The Fiscal Year 2027 budget request, if enacted, would result in huge cuts to the Clean Water State Revolving Fund and the Drinking Water State Revolving Fund. The 7th Drinking Water Infrastructure Needs Survey and Assessment found that the nation's drinking water infrastructure needs \$625 billion in investment over the next 20 years. What is the status of EPA's 8th Drinking Water Infrastructure Needs Survey and Assessment?
18. What conversations did EPA have with state governments, local governments, water utilities, industry groups, and community advocates to understand how such significant cuts to the State Revolving Funds could affect the operations of water systems?
19. Did EPA analyze how much water system bills may increase if significant cuts to the State Revolving Funds are enacted? If so, please provide that analysis to the Committee.
20. In April, EPA announced its decision to target microplastics and pharmaceuticals as priority drinking water threat groups. What communication did EPA have with HHS and the White House about the decision to put microplastics and pharmaceuticals on the draft Contaminant Candidate List?
21. What concrete and enforceable regulatory actions will EPA take on microplastics during this administration?
22. What funding, staffing, interagency coordination, and timeline is EPA committing to so that standardized microplastics measurement methods are validated and available for regulatory use, including continuation of research previously underway in the Office of Research and Development?
23. Please share any information on how comments submitted during the public comment period were considered and how they contributed to the agency's decision-making process on the repeal of the Endangerment Finding.
24. Did EPA career scientists recommend repeal of the Endangerment Finding, or was this decision driven by political leadership at EPA and/or the White House?
25. If any internal scientific objections were raised by EPA career scientists, please provide them to the Committee.
26. What protections are there at EPA for federal scientists to speak to the public and press?
27. How many scientific integrity complaints have been filed, resolved, or referred to the Office of the Inspector General since January 2025?
28. What role does EPA's Scientific Integrity Office have in providing advice to EPA employees and addressing potential issues before they become violations of the agency's scientific integrity policy?

29. According to documents released as part of litigation, a federal court determined the Department of Energy's (DOE) Climate Working Group violated federal law by DOE political officials' widespread and pervasive use of personal email addresses in an effort to avoid public transparency laws.
- a. Did DOE officials ever communicate with EPA officials through these means?
 - b. Have EPA political officials used personal email, Signal, or any other similar forms of communication to conduct government business?
 - c. If so, will you commit to ensuring such communications are preserved, as required by federal law?

The Honorable Kathy Castor (D-FL)

1. EPA initiatives, including the Climate Pollution Reduction Grant program and the Solar for All program, funded by the Greenhouse Gas Reduction Fund, make our communities more energy resilient and better able to withstand deadly natural disasters like hurricanes that are increasingly common on Florida's Gulf Coast. Initiatives like Solar for All were helpful because they not only reduced emissions, but they helped households access distributed energy resources. What is the EPA doing to help these communities build resiliency against natural disasters now that you've removed important resources, like Solar for All?
2. The Administration is moving ENERGY STAR from EPA to DOE. ENERGY STAR saves almost as much electricity per year as the U.S. coal industry produces, at a small fraction of the cost of what it would cost to generate that much power. It is an extremely successful program. The President's budget justification includes just one full time employee at EPA to support the administration of the program. Please explain how EPA plans to ensure there is no loss of knowledge and that the ENERGY STAR program continues to successfully operate as it transitions to DOE.

The Honorable Kevin Mullin (D-CA)

1. The San Francisco Bay is a designated Estuary of National Significance and home to businesses worth trillions of dollars in market valuation that develop global technology infrastructure. Yet the San Francisco Bay Geographic Program was the only regional geographic program singled out for total termination. Given that other regional estuaries and geographic programs maintained a federal funding line in this budget, what specific criteria or metrics did the EPA use to justify elimination of the San Francisco Bay Program?
2. These cuts would halt ongoing wetlands restoration and flood resilience projects. What alternatives does EPA propose to protect infrastructure in California's 15th District and throughout the Bay Area?

3. With \$0 budget allocation for this program, please describe how EPA intends to fulfill its technical and statutory responsibilities to ensure water quality within the San Francisco Bay-Delta watershed.