

ONE HUNDRED NINETEENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON ENERGY AND COMMERCE

2125 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6115

Majority (202) 225-3641

Minority (202) 225-2927

May 12, 2026

MEMORANDUM

To: Subcommittee on Environment Members and Staff
From: Committee Majority Staff
Re: Subcommittee on Environment Markup on May 14, 2026

I. INTRODUCTION

The Subcommittee on Environment will hold a markup on Thursday, May 14, 2026, at 10:15 a.m. (ET) in 2123 Rayburn House Office Building. The markup will consider the following legislation:

- H.R. 8739, Brownfields Revitalization for a Better Tomorrow Act (Rep. Guthrie)
- H.R. 2145, Recycling Infrastructure and Accessibility Act (Rep. Miller-Meeks)
- H.R. 4109, Recycling and Composting Accountability Act (Rep. Neguse)

II. LEGISLATION

A. H.R. 8739, Brownfields Revitalization for a Better Tomorrow Act (Rep. Guthrie)

This legislation reauthorizes and amends the Comprehensive Environmental Response, Compensation, and Liability Act¹ (CERCLA) to improve the operation, effectiveness, and accountability of the U.S. Environmental Protection Agency's (EPA) Brownfields Grants Program. The bill:

- Amends CERCLA section 104(k) to add "501(c)(6)" nonprofit organizations to the list of entities eligible to receive grant awards.
- Increases the maximum award limit for remediation grants under the Brownfields Grant Program from \$500,000 to \$1,000,000. It also increases the maximum individual award amount for multipurpose grants from \$1,000,000 to \$2,000,000. For the site

¹ 42 U.S.C. § 9604(k).

characterization and assessment grants, the legislation increases the maximum award amount from \$200,000 to \$500,000.

- Allows up to 10 percent of grant or loan funding to be used for demolition activities in furtherance of the purpose of the grant, subject to approval by the Administrator.
- Updates EPA's ranking system for brownfields grants applications by adding two additional criteria: (1) the to which a grant would facilitate the redevelopment and reuse of a brownfield site located on a former military installation; and (2) the extent to which a grant could facilitate the remediation and reuse of a brownfield site for projects listed in section 41001(6)(A) of the *Fixing America's Surface Transportation Act*.²
- Creates a pilot program for rural communities, under which EPA will award a grant to an eligible organization to provide technical assistance to five applicants for applying for brownfields grants for projects in small communities. The EPA must then submit a report to Congress on the impacts of the funding awarded under this pilot program.
- Institutes a biannual requirement for the Inspector General to conduct reviews or audits of grants made under section 104(k) and section 128(a) of CERCLA.
- Waives cost-share requirements for grants under this subsection for disadvantaged and small communities.
- Reauthorizes the 104(k) grants program at \$123.5 million annually for Fiscal Years 2027 through 2031 and requires 0.5 percent of this funding be used to carry out the required Inspector General oversight described above.
- Reauthorizes the state response program for states and Tribes in section 128(a) of CERCLA³ at \$46.25 million annually for Fiscal Years 2027 through 2031 and requires states and Tribes to make public an inventory of all brownfield sites within that state on which activities funded under the program have occurred.
- Requires the Government Accountability Office (GAO) to conduct and submit to Congress a study on the revolving loan funds capitalized under the program. It also directs EPA to submit to Congress a report containing an analysis of whether an EPA-managed loan program providing large loans (those equal to or larger than those provided under the existing revolving loan funds) would be feasible and useful.
- Directs GAO to conduct a study on the process of deletion of sites from the National Priority List, including inefficiencies in the process and a review of federal-state coordination.

² 42 U.S.C. § 4370m(6)(A).

³ 42 U.S.C. § 9628(a).

- Requires EPA to develop, and periodically update, guidance to assist other federal agencies in more efficiently issuing authorizations and conducting environmental reviews for projects on brownfields sites.

B. H.R 2145, Recycling Infrastructure and Accessibility Act (Rep. Miller-Meeks)

This bipartisan bill directs the Administrator of the EPA to establish a pilot grant program, the “Recycling Infrastructure and Accessibility Program,” to award grants to eligible entities to improve recycling access in communities. The program will award grants on a competitive basis for projects that will significantly improve accessibility of recycling systems through the use of the “hub-and-spoke” model for recycling infrastructure development. The bill:

- Defines “eligible entities” as states, Tribes, units of local government, and public-private partnerships.
- Prescribes considerations and priorities for EPA in selecting eligible entities to receive grants. Eligible entities may use grant funds to improve recycling accessibility, including in underserved communities, by increasing the number of transfer stations, expanding curbside recycling programs, and leveraging public-private partnerships to reduce the costs associated with collecting and transporting recyclable materials in underserved communities.
- Prohibits the use of grants under this pilot program for recycling education projects.
- Establishes minimum and maximum grant amounts of not less than \$500,000 and not more than \$15,000,000 respectively.
- Requires EPA to set aside not less than 70 percent of program funding for each fiscal year for grants for projects or programs in underserved communities. It requires that the federal share of the cost of each project or program not exceed 90 percent but allows EPA to waive this if the eligible entity would experience significant financial hardship.
- Requires EPA to submit to Congress a report on the implementation of the program.
- Authorizes appropriations for this pilot program in the amount of \$30,000,000 for each designated fiscal year and also permits EPA to use up to 5 percent for administrative costs and providing technical assistance to eligible grant applicants.

C. H.R. 4109, Recycling and Composting Accountability Act (Rep. Neguse)

This bipartisan legislation includes several provisions to improve recycling and composting programs in the United States through coordination, data collection, and information sharing. The bill:

- Requires EPA to obtain information and data from states, local governments, and Tribes to prepare a report, or to expand work under the National Recycling Strategy, to include

information and data on compostable materials and efforts to reduce contamination rates for recycling.

- Directs EPA, in consultation with relevant Federal agencies, states, local governments, and Indian Tribes, to prepare an inventory or estimate of materials recovery facilities in the United States.
- Orders EPA to collaborate or contract, as necessary and appropriate, with states, local governments, and Tribes to estimate several categories of information regarding recycling and composting programs in the United States.
- Allows EPA to collaborate with states to collect information voluntarily supplied to develop a standardized estimated rate of recyclable materials that have been successfully diverted from the waste stream and brought to a materials recovery facility or composting facility; and to develop an estimated national recycling rate based on this information. Allows EPA to use this information to provide data and technical assistance to requesting states.
- Requires EPA to collaborate or contract, as necessary and appropriate, with relevant Federal agencies, states, local governments, or Tribes to: (1) provide an update on the report submitted under section 306 of the Save Our Seas 2.0 Act⁴ to include an addendum on the end-market sale of recyclable materials from materials recovery facilities; (2) prepare a report on the end-market sale of compost from compostable materials; and submit these reports to Congress.
- Requires GAO to make public a report on: (1) annual recycling and composting rates reported by Federal agencies; (2) the annual percentage of products containing recyclable material, compostable material, or recovered materials purchased by Federal agencies; (3) activities of each Federal agency that promote recycling or composting; and (3) activities that Federal agencies could carry out to further promote recycling or composting.
- Directs EPA to conduct a study of, and submit to Congress a report on, the proportion of recyclable materials diverted from a circular market.
- Authorizes appropriations for these activities in the amount of \$4,000,000 for each designated fiscal year.

III. STAFF CONTACTS

If you have any questions regarding this markup, please contact Byron Brown or Christen Harsha of the Committee Staff at (202) 225-3641.

⁴ Pub. L. No 116-224.