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Committee on Environment  
and Public Works  
Washington, D.C.

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HEARING ON THE U.S. ENVIRONMENTAL PROTECTION AGENCY'S PROPOSED  
FISCAL YEAR 2025 BUDGET

Wednesday, May 8, 2024

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Committee on Environment and Public Works

Washington, D.C.

The committee met, pursuant to notice, at 10:02 a.m. in room 406, Dirksen Senate Office Building, the Honorable Thomas R. Carper [chairman of the committee] presiding.

Present: Senators Carper, Capito, Cardin, Whitehouse, Markey, Stabenow, Kelly, Padilla, Fetterman, Cramer, Lummis, Mullin, Ricketts, Boozman, Sullivan.

STATEMENT OF THE HONORABLE THOMAS R. CARPER, A UNITED STATES  
SENATOR FROM THE STATE OF DELAWARE

Senator Carper. Good morning, everyone. I am pleased to call this hearing to order.

Today, we welcome EPA Administrator Michael Regan back to our committee to discuss the President's Fiscal Year 2025 budget proposal for the Environmental Protection Agency.

As my colleagues will attest, I oftentimes say that budgets are about priorities, and they are. I believe that the President's budget prioritizes a vision for the future of our Nation in which every American can enjoy the health and economic benefits of cleaner air and land, as well as cleaner water.

The President's \$11 billion budget request for EPA represents a 20 percent increase over the amount Congress approved for Fiscal Year 2024. That may seem like a significant increase, and I agree that it is, but make no mistake, after years of funding cuts and freezes, the agency needs additional investments if it is to better protect the health and well-being of our constituents across America.

Those of us who care about the future of our planet, and I believe that is every one of us, want an EPA that has the resources that it needs to take common sense steps to combat the greatest threat that we face today on our planet, and that is our climate crisis.

Nearly every day, we see the signs of a planet in crisis: wildfires ravaging our lands, polluted air filling our lungs, extreme heat gripping many of our communities, and much, much more. Scientists here and around the world have repeatedly sounded the alarm. They say we are running out of time to reduce greenhouse gas emissions and slow climate change for the health of our planet and our people.

In 2023 alone, the United States experienced 28 climate disasters. Let me say that again: in 2023 alone, the United States experienced 28 climate disasters. I have a friend, you ask him how he is doing, he says, compared to what? So we will just say, compared to what?

For comparison, the U.S. experienced only seven climate disasters in 2013, only seven in 2013. In 10 years, the number of climate disasters has literally quadrupled. On top of that, the 28 disasters that our Country experienced in last year in 2023 cost American taxpayers a boatload, a total of \$93 billion. That is billion dollars, with a B. To put that figure into perspective, it is more than eight times the size of EPA's proposed budget for 2025.

Fortunately, the President's proposed budget would enable EPA to continue its work to address the climate crisis and reduce greenhouse gas emissions, all while protecting public health and supporting economic growth. How might that be

accomplished, one might ask? That is a good question.

First, the President's budget request would provide the agency the funding it needs to continue to implement the historic investments made by Congress over the last few years, including the passage of the Bipartisan Infrastructure Law, which was literally crafted in this room, as well as the Inflation Reduction Act.

Through the passage of those laws, Congress has directed EPA to do more than ever before in order to tackle climate change, address pollution, protect our communities, and grow our economy.

Thanks to these laws, we have empowered EPA to help build a clean energy economy that is creating millions of jobs across America and lowering our unemployment rate to near-record lows while also lowering energy and health costs for households throughout America.

Just last month, Administrator Regan announced the awardees that will distribute some \$27 billion for clean energy projects through the Greenhouse Gas Reduction Fund. As you may recall, a number of our colleagues on this committee worked hard to create this program in the Inflation Reduction Act.

The Greenhouse Gas Reduction Fund is going to fund national networks of community financial institutions that will finance climate and clean energy projects across America, particularly

in low-income and disadvantaged communities.

Thanks to the Greenhouse Gas Reduction Fund, homeowners throughout America will be able to make repairs and investments in order to make their homes more energy efficient, and business owners will have access to the financing that they need should they choose to decarbonize their buildings or install solar panels, just to name a few examples.

Through the Bipartisan Infrastructure Law, we invested in EPA's work to clean up legacy pollution from contaminated brownfields and Superfund sites, as well as to improve solid waste management and recycling programs while addressing lead and PFAS in our drinking water.

Just one of many examples, last year, the Standard Chlorine Superfund site in northern Delaware received \$1 million from the Bipartisan Infrastructure Law to remove hazardous chemicals from that site and protect public health. There are many, many more examples like that across the Country.

We look forward to continuing to work with you, Administrator Regan, to support EPA's implementation of these critical laws, which will benefit our communities for decades to come.

Beyond its implementation of the Bipartisan Infrastructure Law and the Inflation Reduction Act, EPA has also been busy acting, as you know, to develop and finalize rules, informed by

cutting-edge scientific research, to remove dangerous pollutants from the water that we drink and the air that we breathe.

EPA's new climate and clean air regulations will result in billions of dollars in climate and public health benefits across our Country, all while encouraging American innovation to help industry meet stronger standards on reasonable timelines.

By releasing new rules to implement laws like the Toxic Substances Control Act, the Superfund Law, and the Safe Drinking Water Act, EPA is addressing some of the most pressing environmental public hazards that America faces. I would add that I think each of those laws that I just mentioned really had their beginning genesis right here in this room.

The President's budget will support the agency's continued work to implement these rules to benefit our health, our planet, and our economy. Administrator Regan, I start off by saying you have a tough job. I think we all have tough jobs, but they are also really important jobs.

I think we are headed, for the most part, in the right direction, thanks in no small part to your leadership at EPA during an especially challenging time in our Nation's history. We look forward to hearing your testimony today. We welcome you.

Before we hear from you, I want to hear from our Ranking Member, Senator Capito, for her opening remarks. Senator

Capito?

[The prepared statement of Senator Carper follows:]



STATEMENT OF THE HONORABLE SHELLEY MOORE CAPITO, A UNITED STATES  
SENATOR FROM THE STATE OF WEST VIRGINIA

Senator Capito. Thank you, Chairman Carper, and welcome, Administrator Regan. It is nice to see you again. I saw you last week. I get to see you twice in a month.

The Chairman started off his remarks with the same way I would start my remarks, and that is you can tell a lot about policy priorities of an administration by reviewing its budget and the actions that it takes. This is where our statements will diverge.

Many of the concerns I will raise today are the same ones I raised last year, and I am frustrated not to have seen more of a course correction by the agency over the past years. If anything, the EPA has accelerated the pace of economically crippling, unrealistic regulations that it has issued, with the total regulatory costs imposed by the Biden EPA now approaching \$1 trillion.

Chief among my concerns is the group of six regulations that make up the EPA's Electric Generating Unit, or Power Sector, Strategy. Your intent with these regulations is pretty clear: impose new, costly Federal mandates in a short period of time to make continued investment in baseload power plants uneconomic.

This is round two of the Obama Administration's war on

coal, except the Biden Administration is issuing even more regulations at an even greater cost than President Obama did, and this time, the war is not just against coal, but also against natural gas and American manufacturing.

By issuing the rules individually, the EPA has tried to hide the total, cumulative costs to businesses and the American people of its Power Sector Strategy, but their collective potential harm is, for me, daunting and real.

The agency's rules threaten the availability of reliable, affordable electricity at a time when Americans' pocketbooks are already being hit by inflation worsened by this Administration's policies. During each of the rulemakings, energy and reliability experts sounded the alarm about the damaging effects each of the rules could have on our grid.

At the end of last year, the North American Electric Reliability Corporation identified the six power sector rules under development as having "the potential to influence generators to seek deactivation despite a projected resource adequacy or operating reliability risk."

The EPA has made half-hearted attempts to claim it has addressed reliability concerns. Last year, at the same time as the EPA released the final so-called Good Neighbor Rule, the agency announced a joint Memorandum of Understanding with the Department of Energy to coordinate to ensure reliability is not

harmed by the agencies' regulatory actions.

The EPA touted how the MOU would provide a robust and durable framework for continued interagency coordination and consultation on electric reliability issues at a time of significant dynamism in the power sector.

I do thank the agency for responding to an oversight letter I sent asking about the Memorandum of Understanding. In that response, however, the EPA stated that it has held a total of three meetings with NERC and regional transmission organizations and independent service operators. Three meetings, that is it, in just over a year. The letter confirms that this initiative is little more than window-dressing, and not a genuine attempt to address the root of the EPA's self-created reliability problem.

Demand for baseload power from data centers, AI, and the forced transition to EVs is quickly rising and projected to balloon, and the EPA regulations will cause the baseload power supply to shutter. It is not rocket science to see the problem: demand is going up and supply will be going down, and electric reliability is not the only area where the agency's regulations are ignoring reality.

I have repeatedly said that we need the EPA to finalize reasonable drinking water standards to protect Americans from exposure to PFAS, including PFOA and PFOS, but after taking

three years, which I thought was way too long, to develop the standards, the standards that the EPA ultimately released raised more questions.

The agency has set extremely low parts per trillion standards that do not align with levels that other countries have set. It lacks robust scientific support and does not fully consider the financial strains for compliance, particularly for rural and historically disadvantaged communities, and the strains will only be worsened by the recent CERCLA designation.

The EPA had a real opportunity here in the PFAS space to set durable, science-based standards to remedy a real environmental concern. I would have been strongly supportive of a drinking water standard similar to the Obama Administration's health advisory level.

Addressing PFAS through other environmental statutes prior to finalizing CERCLA hazardous substances designations would have mitigated the unintended consequences that EPA's approach will have on local water systems, airports, landfill operators, and other passive receivers, and we have had at least one and maybe two hearings that have expressed the concerns about this.

I am disappointed that the EPA chose to make regulatory decisions based on the most extreme voices in the debate, rather than finalize sound and practical regulations.

Foundational environmental laws, such as the Clean Air Act

and Clean Water Act, are based on the principle of cooperative federalism. Typically, States lead in managing environmental protection within their borders, while the EPA provides support and only steps in when the State does not act. But the Biden EPA has not followed that framework in a number of cases, including the so-called Good Neighbor Rule that I have already mentioned.

Despite Federal courts of appeals repeatedly stopping this rule from going into effect, the EPA has not recognized the legal failings of the rule. Quite the opposite, actually, because in January, the agency chose to double down on executive overreach and proposed to add five more States to its illegal regulation.

Recent actions by Region 3 of the EPA in my home State present another especially troubling example of the agency's disregard for States' authority. After a year of closed-door negotiations, without even notifying our West Virginia regulators, the EPA announced a consent decree with activist environmentalist groups to impose Total Maximum Daily Loads, TMDLs, on 11 streams in West Virginia.

Lastly, and you and I talked about this at last week's hearing before the Appropriations Committee, I am very concerned about the risk of waste, fraud, and abuse as the EPA manages the unprecedented \$41.5 billion in the Democrat's so-called

Inflation Reduction Act. The EPA has announced plans to obligate all of this funding for its largest IRA program, the Greenhouse Gas Reduction Fund, or Green Bank, which amounts to \$27 billion, between now and the end of September.

I would note that \$27 billion is nearly three times the total amount of appropriations the EPA receives each year. It is an astronomical sum of money. I fear the EPA will make a lot of mistakes in the rush to get this money out.

Now, your response to me, I will go off-script here, your response to me last week was that you are simply granting this money down to eight different entities across the Country. That said to me, well, they are the ones who are going to be responsible for the waste, fraud, and abuse. I think it is the EPA's responsibility, and we need adequate oversight by an inspector general.

On that, I will turn it back to Chairman Carper.

[The prepared statement of Senator Capito follows:]

Senator Carper. Thanks, Senator Capito.

Administrator Regan, welcome back to the Environment and Public Works Committee. You are recognized to proceed with your statement when you are ready. Are you ready?

Mr. Regan. Yes, I am ready.

Senator Carper. Go right ahead. Thank you.

STATEMENT OF THE HONORABLE MICHAEL REGAN, ADMINISTRATOR, U.S.  
ENVIRONMENTAL PROTECTION AGENCY

Mr. Regan. Thank you, Chairman Carper and Ranking Member Capito, and members of the committee. Thank you for the opportunity to appear before you today to discuss the bold vision laid out by the U.S. EPA's proposed Fiscal Year 2025 budget request.

We recognize our partnership and open dialogue with Congress is invaluable in order for EPA to carry out its mission to protect public health and the environment. Over the last year, we have been hard at work at EPA, and under President Biden's leadership, my agency has finalized protections that will bring 100 million people cleaner and safer drinking water from PFAS.

We have worked hard to right many of the historic wrongs communities have faced for generations. Through our critical rulemaking, we have banned the last remaining kind of asbestos used in our Country, and we have issued final technology-based standards that will eliminate more than 6,000 tons of toxic air pollution from chemical plants, reducing elevated cancer risks for those living near these facilities by 96 percent.

EPA is committed to protecting public health and the environment for all American people, but more than just the powerful health impacts we are undertaking. My agency is also



working hard to implement the historic laws you have passed and President Biden's Investing in America Agenda.

President Biden's Investing in America Agenda has not only directly invested in communities nationwide, but it has generated nearly \$700 billion in funding for private sector manufacturing and clean energy projects, protecting our planet and enhancing our global competitiveness.

I was pleased to join Senator Markey in Boston last August to speak about how the Inflation Reduction Act and Greenhouse Gas Reduction Fund are addressing climate change head-on while unlocking billions of dollars in private sector investment to lower energy costs, improve public health, and create good-paying jobs.

Together, President Biden's Investing in America Agenda and EPA's Fiscal Year 2025 budget request will continue to invest in environmental actions that will promote cleaner communities and produce economic benefits for years to come.

Last August, during my Journey to Justice Tour, I joined Senator Sullivan in Alaska to spotlight the environmental justice concerns of Alaska Native Tribes. We met with tribal leaders and heard firsthand about the challenges facing the community, including climate impacts and adaptation, food insecurity, and water infrastructure. There, he and I announced, along with Senator Murkowski, \$150 million in funding

from the President's Investing in America Agenda that will help fund projects that benefit federally recognized tribes across the State.

President Biden's proposed Fiscal Year 2025 budget request for EPA provides nearly \$11 billion to advance key priorities for the American people, including protecting air quality, cleaning up pollution, upgrading the Nation's aging water infrastructure, urgently fighting the climate crisis, and advancing environmental justice.

Millions of people across our Country are still grappling with the effects of poor air quality, perpetuating harmful health and economic impacts. In Fiscal Year 2025, EPA will improve air quality for communities by reducing emissions from ozone-forming pollutants, particulate matter, and air toxics.

The President's budget includes \$1.3 billion to improve air quality for communities across the Country, to reduce exposure to dangerous levels of radiation, and to leverage regulatory tools and public and private sector partnerships that promote environmental stewardship and encourage the adoption of cost-effective technologies and practices.

EPA's work to set these standards provides certainty to industry, builds on advancements and technology, and reinforces market movement that reduces power plant emissions without sacrificing reliability and affordable energy.

Clean and safe water is the foundation for healthy communities and a thriving economy. Although substantial progress has been made, many areas across our Nation still face significant barriers and challenges to achieving this goal. Aging water infrastructure, the effect of lead pipes, cybersecurity threats to our water systems, climate change, and emerging contaminants, such as PFAS, all pose dangerous health risks to our Nation's water supply and the American people.

EPA's budget request includes a total of \$101 million for two EPA grant programs dedicated to remediating lead contamination in drinking water. From investing in clean air to cleaning up contaminated land and water, there is no shortage of important work that needs to be done.

Members of the committee, EPA is up for the task. We are eager to work with all of you to deliver for our fellow Americans and to secure our Nation's global competitiveness, but we need your support. The Fiscal Year 2025 President's budget continues the historic progress and investments made by the Biden-Harris Administration and positions EPA to advance our vital mission of protecting public health and the environment.

Thank you for the opportunity to be here today to submit testimony for the record, and I look forward to our continued partnerships and your questions. Thank you.

[The prepared statement of Mr. Regan follows:]

Senator Carper. Administrator Regan, thank you for that statement. Thanks for joining us today, and thank you for your leadership. Thank you for taking on a really tough job, and our thanks to your family for sharing you with all of us. I think about three and a half years ago, I think they sat there, right in the front row, and said, we are willing to share their husband, and your son, their dad. It is a sacrifice for them, and we appreciate their service, too.

Mr. Regan. Thank you for that.

Senator Carper. I have a couple questions I want to lead off with. One of them is a question dealing with the general budget. I am going to ask some questions, Senator Capito will follow me. Senator Stabenow was here earlier, and if she shows up right away, then she would succeed Senator Capito, and then Senator Cramer, and if he is not back, then Senator Ricketts is on the on-deck circle. There we go.

First question: after years of declines in funding and staffing, EPA has begun to recover from the effects of diminished resources over the past few decades. For most of its existence, EPA's budget has not kept pace with inflation, while Congress has steadily added to its responsibilities. EPA needs more people. They need additional funding to fulfill their critically important mission, which is reflected in the President's proposed budget.

How would the additional funding the President has requested help this agency, your agency, fulfill its mission to protect public health and the environment while growing the economy and jobs?

Mr. Regan. Thank you for the question, Senator. It is critical. I think, in order to have a viable strong partnership with our States, we need to be able to provide technical assistance and demonstrate that partnership in our regions. More than 50 percent of this budget will go to our regional staff to provide that technical assistance.

We need resources to continue to deal with building our capabilities in the areas of emergency response, whether it be the wildfires in Maui or the train derailment in East Palestine. We are continuing to see these disasters that we are having to respond to, so we need to build our emergency response capabilities.

We need to ensure that the safety of chemicals that are needed to propel our electric vehicles, our semiconductor industry, continues to move forward. We want to continue to administer these Congressionally directed spending assignments all across the Country, such as the \$4 million to the City of Wilmington for sewer-stormwater separation.

With those resources, we are going to continue to build that capability to not interrupt the economy, but also provide

the technical ability, so that we can all compete at the Federal and State level.

Senator Carper. Thank you. My next question is, through the Inflation Reduction Act and the Bipartisan Infrastructure Law, much of which was authored in this room, this committee made historic investments to tackle the climate crisis and make our communities more resilient at the same time. EPA's Fiscal Year 2025 budget builds on those historic investments and reaffirms the Administration's commitment to tackling climate change with the urgency that the science demands by dedicating \$3 billion to climate-related programs.

Administrator Regan, how important are the investments provided by the Inflation Reduction Act, the Bipartisan Infrastructure Law, and the President's budget for reducing U.S. emissions to head off the worst of climate change? Why do these investments matter?

Mr. Regan. These investments are critical to preserve both the economy and the environment. If we are able to leverage the historic resources that we received from the Bipartisan Infrastructure Law and the Inflation Reduction Act, we are able to marry those financial incentives with the statutory and regulatory obligations that we have. We are seeing a significant infusion in technological advancements to help curb those emissions.

But in BIL, we are seeing a significant level of resources to harden our water infrastructure, increase our water cybersecurity, to make them more resilient for the changing climate and the international threats that we are facing there. Coupling those investments with our regulatory obligations creates a win-win opportunity for global competitiveness.

Senator Carper. My last question before yielding to Senator Capito is, EPA's recent efforts to cut emissions and greenhouse gases in toxic pollutants from power plants are expected to deliver significant public health and climate benefits. Despite these benefits, some focus intently on potential impacts to grid reliability and related compliance schedules.

My question, Administrator Regan, as I understand it, EPA has carefully considered those potential impacts in the development of its new regulations. Could you just briefly describe for us the mechanisms in the rule to ensure grid reliability is maintained? The second half of my question is, what actions will EPA take in the future to avoid challenges to grid reliability? Go right ahead.

Mr. Regan. Thank you for the questions, Chairman. I am happy that you mentioned the public health benefits for these four rules. The public health benefits are just astronomical in terms of cost benefits. In 2035 alone, our regulatory impact

analysis estimates that we will have up to 1,200 avoided premature deaths, 870 avoided hospital emergency room visits, 1,900 avoided cases of asthma onset, and over 360,000 avoided cases of asthma symptoms. So, the health opportunities are grand.

In carrying out our duties to protect public health and the environment, we teamed up with the Department of Energy; we have multiple meetings with FERC. We engage with EEI and those who are responsible for grid management. We understand that we are seeing increased demand, but we are also understanding that there is a tremendous investment from historic legislation into technological advancements and investments in the grid that will make all of this possible. We are confident that we have mitigated any grid reliability issues that are current and that could potentially be a future threat.

Senator Carper. Okay, thanks.

Senator Capito? Thank you.

Senator Capito. Thank you.

Administrator Regan, I want to talk about the power sector strategy and the six different EPA regulations that you put out all at once. In a 2022 speech, you said, if EPA's actions unfold while the rest of the Federal family, leading States and leading firms in this sector are mobilizing their tools and resources, then our actions and the clean energy investment



signals that they send will work as they should, hand in glove.

If I understand your statement, by issuing six rules in a short timeframe at the same time the IRA is being implemented, the EPA rules will send clean energy investment signals to the industry. Is that correct?

Mr. Regan. That statement was intended when I addressed the utility leaders at CERAWEEK that we would issue four rules simultaneously. That was to focus on wastewater discharge, cleaning up coal ash, focusing on controlling mercury, and the fourth is reduction in carbon pollution.

What I had talked to the industry leaders about is, these regulations have to come from the agency. In the past, they have come in staggered ways or in ways that did not work in a sort of cross-purpose way. We decided, and I said this two years ago when working with the industry, that we would put out four rules at the same time that have their own unique statutory authority and requirements, but that they could see the costs associated and make strategic investments, long-term investments, to provide affordable, reliable power.

Senator Capito. So, you went to six instead, from four to six?

Mr. Regan. We announced four at the same time.

Senator Capito. And now we have six. We have the Good Neighbor Rule and all that pulled together. Correct?

Mr. Regan. Some of those rules, we issued prior to that.

Senator Capito. You have changed some of your rules. You said you wanted actions to be durable and provide certainty, and you have already proposed, as I mentioned in my opening statement, to add five more States to the 23 covered by Good Neighbor. So, you are already changing your rules, even though you state that you want to provide certainty.

Mr. Regan. No, I think when you look at the Good Neighbor Rule, I think there are a number of States that are actually controlling their emissions and not contributing to States next door. So when we think about the Good Neighbor Rule, we are responding to the States that have said, you have a Federal obligation to protect our citizens. You also have a Federal obligation not to penalize us for doing what we need to do while other States may not be controlling their emissions.

Senator Capito. But at the same time, you didn't listen to the State plans, right? You just went forward and said, we are going to have a Federal plan, and that is it. All these State plans were pretty much neutered, correct?

Mr. Regan. No, we absolutely listened to the State plans. As a former State regulator, I understand this process extremely well. I still have a lot of colleagues who are serving as State secretaries. The bottom line is that the Federal Government has an obligation to exercise a duty to control pollution.

Sometimes pollution will, not sometimes, pollution doesn't understand boundaries. So if there are other States that are polluting neighboring States, to avoid litigation from those States who have done what they have said they are going to do, we have an obligation to make sure that we protect those States.

Senator Capito. I think that is obviously being challenged in the courts, and your ability or your actual right to actually do that. Let me ask you, I just get so frustrated when I see, let's see, right now, our power mix is 60 percent fossil fuel, 16 percent coal, 43 percent natural gas, 18 percent nuclear, and 20 percent renewable.

The plan that you have put out, the Clean Power Plan that will basically make every coal plant extinct, because nobody is going to be able to afford to do that on an aging coal plant, so those will be gone in the 2030s. Nobody is going to build a new one unless they only run it under 40 percent, because they are not going to be able to meet the demand.

Do you know a U.S. power plant right now that meets the 90 percent CCS requirement that you have put into that bill? Where is that plant?

Mr. Regan. I think I want to sort of push back on the notion that this rule is going after coal. When we talked to these utilities' CEOs, they provided to us their plans. Some of these coal plants were already going to sunset, because they are

transitioning to natural gas. Some of these coal plants we do believe will be able to take advantage of these CCS technologies.

Senator Capito. Is anybody doing that now?

Mr. Regan. Well, I have had a number of visits since --

Senator Capito. The answer is no.

Mr. Regan. Like North Dakota, I spent time with the governor in Wyoming. There are utilities that are putting on this technology and beginning to use it.

They are also taking full advantage of the resources provided by the Inflation Reduction Act, tax codes by the Inflation Reduction Act, to invest in this very technology. So our timeline does match with the resources currently going to utilities who are investing in CCS technologies.

Senator Capito. Okay.

So, here is another problem. We had a pipeline in West Virginia, a natural gas pipeline, that goes down towards North Carolina, the Mountain Valley Pipeline. We all know what we went through to get the completion of that. We had to have a Presidential signature to get that completed after it had been in and out of the courts for years. It tripled the cost that it originally was.

How in the world can you say that we are going to do CCS, we are going to build pipelines that are going to carry carbon?

That is not going to happen.

Mr. Regan. The Country is already doing it, and the Country is doing it for other sectors of the economy. Here is where the whole of government --

Senator Capito. I would love for you to give me an interstate pipeline that has been recently built that carries carbon, and then I will be quiet about it.

Mr. Regan. There is a pipeline currently being built from North Dakota to Iowa.

Senator Capito. When was it permitted?

Mr. Regan. I would have to get you those details.

Senator Capito. Yes. A long time ago. All right. I am going to stop here.

Senator Carper. Thank you, ma'am.

Before recognizing Senator Stabenow, who I believe is next in line, I am going to ask unanimous consent to submit for the record materials describing the forthcoming carbon capture projects across our Nation, demonstrating that the Administration's policies have enabled the deployment of carbon capture systems to reduce power plant emissions.

Without objection, so ordered.

[The referenced information follows:]

Senator Carper. Just last month, I am told, West Virginia regulators approved one of the largest gas power plants with carbon capture in our Nation, generating millions of dollars of economic benefits for the surrounding communities.

With that said, Senator Stabenow, good to see you. Welcome this morning.

Senator Stabenow. Well, thank you very much, Mr. Chairman and Ranking Member. Thanks so much for holding the hearing.

Administrator Regan, it is wonderful to see you again. I want to thank you for being here and for all the work you have put into developing EPA's Fiscal Year 2025 budget. I have to say, from my perspective in Michigan, when I look at this budget, I see a commitment to a lot of longstanding priorities of mine and the people that I represent. I want to thank you for that.

I see increased investment in our water infrastructure, including vital funding to replace lead pipes and address emerging contaminants like PFAS, the impacts of which Michiganders know far too well. Certainly, you don't have to go any farther than Flint, Michigan. We deeply understand the critical nature of health and safety and why that needs to get done.

I see the recognition of the impacts of the climate crisis and an emphasis on ensuring that our communities have the

resources to address and adapt to new climate realities, unfortunately. I also see robust funding for our Great Lakes, including for the Great Lakes Restoration Initiative, a program I authored back in 2010, as you know, which serves as the most important tool we have to restore and protect our Great Lakes.

I am so appreciative that this committee reauthorized our bipartisan bill to extend the Great Lakes Restoration Initiative out now until 2031. This is very, very important.

I do want to say that one of the things that brings the climate crisis home to us in Michigan is that the Great Lakes are now warming faster than the oceans. Lake Superior, our largest, deepest, gorgeous northern lake, is now one of the five fastest warming lakes in the world. You never could swim in Lake Superior, and now you can, which may sound great. It is not great, actually. So, thank you for all of that work.

Let me first also ask a question about light duty vehicle emissions, the rule, and express my appreciation for EPA's commitment to engaging with our automakers and autoworkers at my request. Thank you very much for listening, working with them, and developing an ambitious but achievable final rule for light- and medium-duty vehicle emissions.

I have already said Michigan automakers are the best in the world. There is no question about it. I am glad EPA took their input into account when developing the rule so that they have

the capacity to continue to lead.

Moving forward, do I have your commitment to continue working with our automakers and autoworkers on the rules that impact them for the future?

Mr. Regan. Absolutely, and thank you for your leadership in helping us to establish some of those relationships and keep that conversation going. I absolutely commit to working with the automakers and with the unions that are supporting those automakers.

Senator Stabenow. Great, thank you very much.

Let me go on to another strong passion of mine, which is E15 and our biofuels industry. I want to thank the EPA for issuing an emergency fuel waiver to allow E15 gasoline, gasoline blended with 15 percent ethanol, to be sold in the upcoming summer months.

Can you speak to how enabling the year-round sale of E15, as you have permitted in both 2022 and 2023 through similar waivers, can help protect consumers against fuel supply shocks by reducing reliance on imported fuel? As we look ahead, what will be the impact of EPA's recent final rule related to State waivers?

Mr. Regan. Well, this is another opportunity for me to thank you and your staff for helping us to navigate what was contentious but ended up in a great situation. Yes, we did



issue the emergency waiver for summer of 2024 as we have done in 2022 and 2023 to ensure that our domestic producers can compete on the biofuels side, but also to begin to reduce our dependency on foreign oil.

We have worked on satisfying that waiver request for eight States. For Fiscal Years 2025 and beyond, those waivers will be permanent for those States to use E15 throughout the summers. So, that gives those eight States a level of certainty for future investments to up that production of biofuels so that we can continue to keep our prices low but be globally competitive.

Senator Stabenow. Thank you so much. This really brings us between EPW and the agriculture committee, where we see the coming together around issues related to lower price for consumers, addressing a cleaner environment, but also jobs, a lot of jobs, in particularly rural America through our bioeconomy. I appreciate your working with us on that.

Thank you, Mr. Chairman.

Senator Carper. Thank you, Senator Stabenow.

Senator Stabenow wears a number of hats, as my colleagues know, and one of those is Chair of the Agriculture Committee. I wanted to just say on behalf of all of us, a big thank you for the support in making sure that the legislation dealing with regenerative agriculture, which actually focuses on agricultural policies, it could be crop rotation, it could be a variety of

other things, but ways that would enable the farmers in this Country to actually do good things for our planet, at the same time, an economic model that provides more money for them in their pockets at the end of the day.

So, it is called regenerative agriculture. We applaud your support for those policies. Thank you so much.

Senator Cramer, welcome.

Senator Cramer. Well, thank you. Let me just follow up really quickly with that and thank Senator Stabenow for her leadership as well, but please, let's get a Farm Bill done before you retire, ma'am. Please, let's get that done. Okay, good. Thank you. We need production agriculture to feed a hungry world.

Okay, I am going to pass through MATS for now, and go right to where you and Senator Capito left off and just speak a little bit and ask some questions about carbon capture. First of all, the pipeline you are referring to from Iowa to North Dakota is designed to ultimately take CO2 captured from ethanol plants, from the Corn Belt, and take it to North Dakota's geology, which is suitable for carbon capture and storage, and even better yet, enhanced oil recovery, and who wouldn't want more of that.

But it is not yet permitted. I don't know that it is finished in any of the States. It is a hard slog, and we will see if that happens.

Secondly, Mr. Administrator, what is interesting to me is, you referenced in the rule about carbon capture storage as a prescription for meeting the standard for coal-fired power plants, and yet, the 90 percent that was referenced earlier, which is in the rule, has never been achieved.

One of the things about best emissions standards is it requires adequately demonstrated. The illustration that EPA often uses is a SaskPower plant that has carbon capture on it that captures, after years of fine-tuning, 65 to 70 percent. It looks to me like 90 percent is a setup for failure, that the goal is to shut down, to go after coal, to Senator Capito's point. When you prescribe a solution that can't be adequately demonstrated or isn't adequately demonstrated, it looks to me like an impossibility by design.

The second thing I would say, the Supreme Court was very clear in the West Virginia case that you can't prescribe outside the fence line. It seems that if CO<sub>2</sub>, which has to be piped to geological formations able to take the CO<sub>2</sub>, can be hundreds of miles away, that that is, by definition, outside the fence line.

How do you have a durable rule in the face of the Supreme Court's decision that you have to stay within the fence line?

Mr. Regan. I think on that latter point, the Supreme Court indicated that you could not take credit for actions that are occurring outside of the fence line. When you look at this

technology that will be on-site of the facility, it is the facility that is reducing those emissions.

Our folks have looked very carefully, and I want to say, we are not attempting to be cute or step outside the Supreme Court's ruling. We are not having programs that are designed to try to get reductions outside and get credits from outside that fence line. We are solely focused on technologies that perform on the facility themselves.

Senator Cramer. So, the disposal of that CO2 is different than solving the emissions issue, I think that will be debatable. It will certainly be litigated. I would hate to see millions and millions of more Federal dollars and ratepayer dollars to once again turn back the EPA when they are stepping outside not just the fence line, but outside their authority, which is what I believe to be the situation.

I actually have another question, but just about how whether this is even productive, particularly in 2.0, because the rule sets what I think is an arbitrary 20 percent annual run time limit for simple cycle natural gas plants, realizing that other than natural gas, the only other fuel that is not nuclear that is 24-7 is coal.

The only way to back up unreliable, intermittent energy sources like wind or solar is to have these simple cycle natural gas combustion turbines. But if they can only be run 20 percent

of the time before then you meet a threshold of rulemaking that is prohibitive financially, every utility is going to have to have five simple cycle gas plants to back up the unreliable clean energy. I don't see that as a cost savings. That looks to me like unnecessary, redundant investment.

Can you explain, I mean, has anybody considered that this might actually be counterproductive?

Mr. Regan. We looked at that, and I think the way you are describing it, and this rule applies to future natural gas, which is why we set aside existing, so we wanted to avoid the problem you just laid out for existing sources. When we look at future natural gas plants, and in our conversations with the industry, for those who are building these future gas plants, they are looking at both the simple cycle option, but they are also looking at the CCS option.

These are direct results from conversations that we have had with many in the industry. What I would point to that I think is a rub is not if we should do some of these things, but the timeframes associated with it. So, the desire to pursue the technologies and the way to do this and looking at the transition, we have had a lot of very positive conversations with the industry.

I think, when you get into, is it too stringent on the percentages for looking at a timeline, that is where the real

heart of the debate is, and so that is why I get a little bit nervous when people attempt to undermine what is happening in Wyoming or North Dakota, places where we are proven out.

I just met with a CEO just earlier this week. There are investments, significant investments, going into carbon capture and storage. Right now, they are leveraging tax credits from the Inflation Reduction Act. So, we are arguing more over time and stringency, not whether we should do this or how.

Senator Cramer. Yes, but the final rule is pretty prescriptive on both of those things, and quite honestly, I mean, going back to MATS, which I said I was going to pass over, and I promise, Mr. Chairman, that I will wrap up here, and probably come back.

All of this looks to me like we are heading very quickly, very quickly, in a transition to no fossil fuels. I am just thinking, maybe it would be a good idea to have an experiment. Let's just turn off all fossil fuels for a week and see how it goes. because I have a feeling that while you and I are long gone after all of this stuff kicks in, that that is the reality that some people are going to have to deal with.

I just, economically, competitively, it damn sure isn't going to make it more competitive in the global marketplace. We need to be more realistic. We will get to another round in a little bit. Thank you.

Senator Carper. Senator Cramer, thank you for those questions.

Senator Cardin, welcome, my neighbor.

Senator Cardin. Thank you, Mr. Chairman.

Administrator Regan, welcome. It is nice to have you here.

Mr. Regan. Thank you.

Senator Cardin. I want to deal with one aspect of the infrastructure initiatives that we have had that deals with affordability, water, consumers who have to pay water bills. Today, about one out of every three consumers are challenged on affordability of water. Working with Senator Wicker, we included a rural and low-income water assistance pilot program in the legislation that we passed.

The challenge is that it is not funded, because we need to have the report from the EPA as the basis to moving forward with this. The program, which was passed, has a sunset of 2026, so if we don't get started soon, it will be over before we can get started.

Can you just tell me where we are in regard to the study under the EPA and whether we can anticipate having that report in a timely way, so Congress can consider funding the pilot program in order to get this started?

Mr. Regan. Absolutely, Senator. Thank you for your leadership and focusing on this and the partnership with your

staff and Senator Wicker's staff. The bottom line is, we will have it done this summer. We recognize the urgency of the timeframe. So we will have that report to you all, to Congress, this summer.

Senator Cardin. Thank you. I am glad we have a specific time.

I just make one other point on this. Local authorities that are responsible for setting water rates, the ratepayers are stressed. Alternative sources are helpful, but not enough to deal with the issue, so affordability is becoming more and more urgent with our aged infrastructure. I am pleased to see we will have that report this summer. I hope it will be in time for us to act during the appropriation cycle.

Let me move on to the Chesapeake Bay. There is hardly a hearing that goes by that I don't mention the Chesapeake Bay, and I want to thank my colleagues for their support. We have increased the authorization for the Chesapeake Bay Program and the resources in the Chesapeake Bay Program.

Under Senator Stabenow's leadership, we have gotten help under the Department of Agriculture, and we have gotten help from other of our programs.

There is a committee that you chair that has not been reconstituted recently, that coordinates the Federal agencies, the Federal Leadership Committee. I understand, in



conversations with Senator Van Hollen, we both have expressed to you the advisability of reconstituting that committee with your leadership as chair, considering that we are reaching 2025, which is the next plateau on the commitments made by the States for what they can do in reducing the challenges of pollutants in the bay, enforced by TMDLs.

Can you just assure us that that committee will be reconstituted or reinstated in order to coordinate the work of the various Federal agencies?

Mr. Regan. Absolutely, and thank you for your leadership on just getting historic investments to the Chesapeake Bay. We have been digesting all of these historic investments and getting our stuff together, so we are going to have that group reconstituted for fall meeting. We see it as a huge opportunity to get all of the executives around the table and be sure that we are pursuing those goals that you and others would like us to pursue.

Senator Cardin. Okay, I have the summer for water affordability, the fall for the leadership coordinating committee, let us see if I can get something for the winter done.

How are we doing on the lead pipe eliminations? That was a major part of the Biden Administration's initiative in the infrastructure package. Baltimore has significant problems

today on lead pipes, lead poisoning. Our public schools, many are not connected to water because the connecting pipes are still contaminated by lead.

Can you just give us a progress report on how we are dealing with the remedial issues concerning lead pipes?

Mr. Regan. Absolutely. To date, we have made \$9 billion of Federal funding available for water systems across the Country to focus on lead. The President and I just announced another \$3 billion recently. I think this year Maryland is slated to get about \$30 million of that.

These resources are transforming communities all across the Country, especially cities like Baltimore. To date, we have also replaced more than 220,000 lead service lines, that is since 2021. This has been a game changer, a huge shot in the arm, and we appreciate those resources.

Senator Cardin. Thank you. It is a very, very high priority for us with older cities, particularly the connectors between the mainlines and the users and public facilities, such as schools. Thank you for your leadership on that.

Thank you, Mr. Chairman.

Mr. Regan. Thank you.

Senator Carper. Senator Cardin, thanks for joining us. Thanks very much for your faithful participation and leadership on this committee. Thank you.

I think Senator Ricketts, you are next. Thanks so much for joining us. You probably get the best attendance record of anybody on the committee, except maybe for Shelley and me. Thank you.

Senator Ricketts. Great, thank you very much, Mr. Chairman.

Thank you, Administrator Regan, for being here. As you are aware, on Wednesday last week, I led a bipartisan Congressional Review Act to block the implementation of your agency's Multi-Pollutant Emissions Standards for model year 2027 and later for light-duty and medium-duty vehicles.

Your agency keeps saying that the final EV mandate rule is less burdensome than the proposal, but I note the CO2 standard of 85 grams per mile in model year 2032 is exactly the same as what you originally proposed. This is an average reduction in the standard of 10 to 12 percent a year.

You and others have said that this is actually not an EV mandate, but how many current gas, diesel, and traditional hybrid vehicles meet the 85 grams per mile CO2 standard today?

Mr. Regan. The rule is for 2027 and beyond, and this is based on the projections that the auto industry are actually making themselves. So I don't know how many to date, I just know that the Automobile Association, UAW, and others supported the rule that we put across the finish line, which gave a lot

more credence to plug-in hybrids, biofuels, traditional fuels, as well as EVs.

So, when you say that CO2 goal looks similar, the CO2 goal looks similar because what the automobile industry gave to us through the comment period is, if you actually look at the penetration of plug-in hybrids, it exceeded what we had budgeted for, and so that took up that gap in terms of what people anticipated the percentage or level of EVs to be. That was automobile industry driven on that point.

Senator Ricketts. But in 2024, to your knowledge, there aren't any gas, diesel, or hybrids that are actually meeting the 85 grams per mile today? Is that accurate?

Mr. Regan. I don't know of any current technology that is doing so, but I could have my staff look into that, but this is a rule focused on the future and not today. So I think that is an appropriate caveat there.

Senator Ricketts. Well, good. Let us talk about the future, because chargers are another thing that has to go along with this, right, whether you are going to talk about a plug-in hybrid or an electric vehicle.

Of the 147 communities in my State that are classified as cities, 99 don't have a charger. So you could be in Bloomfield, Valentine, Alliance, and be 45 minutes from the nearest charger. Nationally, right now, I think the publicly available charging

stations is 27 to 1, versus the number of EVs out there.

The National Renewable Energy Laboratory estimates that 1.1 million public chargers are going to be needed to be deployed by 2030 to support the Administration's goal here. This means that we are going to need three public chargers deployed every ten minutes.

Do you and your agency know where are we with regard to getting chargers deployed on this? Are we on track?

Mr. Regan. Yes, I think we are moving forward. Our rule was designed in coordination with both the investments that are being made by the Department of Energy from the Bipartisan Infrastructure Law and the Inflation Reduction Act, but also with the metrics and data provided to us by the automobile industry.

When you look at our rule and the timeframe and the levels of stringency, one of the reasons that both the UAW and the automobile manufacturers supported this rule is because they believe that it is achievable. It is a stretch goal, but it is achievable, and that directly coincides with where we, at EPA, DOE, DOT, and the private sector believe the investments of infrastructure will be 2027 to 2032.

Senator Ricketts. You are talking, you have talked a lot about the manufacturers working with this. Is part of those conversations what will happen to the price of used vehicles?

I mean, the average EV right now goes for \$53,000, last year it was. Your average low-income family spends \$12,000 on a vehicle. Was the cost of used cars part of this conversation when you were talking to the automakers?

Mr. Regan. When we look at vehicle cost and our cost-benefit analysis, we take into consideration a lot of things. Affordability is one. We took to heart what the companies were telling us about used or resale vehicles. What we see with new vehicles, we see a cost savings over time, especially from maintenance and durability. And in that recently, we see those costs --

Senator Ricketts. What about the cost, getting directly back at the cost of a used vehicle, was that part of the conversations you had? How much will a used vehicle cost as we progress down the road under your rule?

Mr. Regan. I would have to get you those specifics, because a used vehicle, I mean, what brand, what make?

Senator Ricketts. So you did talk about used vehicles, just broadly speaking though, about what cost?

Mr. Regan. We talked about all of the new vehicles moving forward and took into consideration what that means for used and second-hand vehicles.

Senator Ricketts. The cost of new vehicles, okay.

Mr. Chairman, I think my timer is blinking here. Did I run

out of time?

Senator Carper. I think you have broken the timer.

[Laughter.]

Senator Ricketts. Did I break the timer? Okay.

Well, I hope we will get a second round of questions here, then. Great. Thank you.

Senator Carper. I hope so too. Thanks so much for those questions.

I think next is Senator Kelly, and then Senator Mullin. Senator Kelly, you are recognized. Welcome.

Senator Kelly. Thank you, Mr. Chairman. Administrator Regan, good to see you again.

I want to start by talking about air quality. Right now in the Phoenix metro area, we are seeing ozone concentrations increase, which has placed the region into non-attainment. This is happening as the Phoenix area is becoming one of the largest manufacturing hubs in the Country of microchips, battery technology, and electric vehicles.

These projects not only create great-paying jobs, but they are the type of investments we need to combat climate change and ultimately reduce emissions across the Country. But right now, the biggest impediment to getting some of these projects off the ground is air quality non-attainment.

Everyone in Arizona is united around finding a solution

that allows these projects to move forward while continuing to reduce emissions in the region. That includes elected officials at the State, county, local level and our business community.

That is why, before I supported his confirmation, I asked Joe Goffman, your Assistant Administrator for Air and Radiation, to commit to coming out to Arizona to meet with all of our stakeholders. I appreciate that he agreed to make the trip.

When he was in Arizona in March, Administrator Goffman heard about two innovative proposals developed by Maricopa County to generate emission reductions called Rule 204 and Rule 205. Broadly speaking, these rules would allow manufacturers to offset new emissions by helping to electrify mobile sources of emissions, like cars, trucks, construction equipment, and other vehicles.

Before his confirmation and while he was in Arizona, Administrator Goffman provided me and my staff with some commitments to making progress on rules 204 and 205, but it has been a few months since his visit, so I want to ask you for an update.

First of all, in Rule 205, after Administrator Goffman visited Arizona, EPA Region 9 provided Maricopa County with a commitment to conditionally approve rule 205 if the county committed to make some minor technical changes. Last week, Maricopa County sent a letter to Region 9 confirming that they



would make all of the required technical changes. That means the next step is for the EPA to conditionally approve Rule 205.

Administrator Regan, can you confirm that EPA Region 9 will now move forward with providing conditional approval for rule 205?

Mr. Regan. I can, yes, absolutely.

Senator Kelly. When do you expect that Region 9 will be able to grant this conditional approval?

Mr. Regan. We anticipate being able to do that this summer.

Senator Kelly. Can you confirm that EPA will work closely with Maricopa County to ensure that final approval is granted to rule 205 within the next year?

Mr. Regan. Yes.

Senator Kelly. Thank you. Now, Rule 204, which I will note was submitted by Maricopa County to Region 9 back in 2019. To date, no action has been taken by Region 9 to approve the rule or even provide feedback. But during their visit, Assistant Administrator Goffman and Regional Administrator Guzman committed that after we got conditional approval on 205, we then turn our attention to 204.

Administrator Regan, will you commit that EPA will, by the end of this year, work with Maricopa County to decide whether Rule 204 can be approved, and if not, identify what changes are

needed to make the rule approvable?

Mr. Regan. We can absolutely do that. We will be shifting all of our resources from 205 to 204 to get that done in a timely fashion.

Senator Kelly. Thank you. Now, as you may know, EPA issued a finding of a failure to submit a State implementation plan or a SIP for ozone non-attainment last year. We now face a deadline to submit our SIP of August of 2024 as the deadline. Arizona intends to meet this deadline.

However, because of how long it has taken for Rule 205 to be approved, we may have to submit our SIP very close to the deadline. I understand that it can take some time between when a SIP is submitted to Region 9 and when it is considered received by EPA. We don't want Arizona to be penalized for passing the August deadline because of an EPA paperwork processing delay.

So, Administrator Regan, will you commit that as soon as the State of Arizona submits its SIP, Region 9 and EPA headquarters will move as quickly as possible to confirm it has been received so that sanctions are not imposed on Arizona?

Mr. Regan. Yes, I can. As a matter of fact, our staffs are already talking with the State. We anticipate getting that late June, early July, so we believe we are on track.

Senator Kelly. Thank you.

Mr. Chairman, if I could, could I have one more minute? I also want to ask you about some exceptional events rules. I understand that the EPA established a new air quality standard for particulate matter earlier this year. You committed to putting out updated tools to help air quality managers submit exceptional event demonstrations for days where particulate matter emissions exceeded legal limits due to wildfire.

But I am concerned this same level of attention has not been applied to ozone pollution caused by wildfires. Between 2015 and 2019, the Maricopa Association of Governments submitted documentation for 33 days where ozone emissions exceeded legal limits because of wildfire smoke. But to date, Region 9 has only evaluated the documentation for 19 of these days, and they have only granted the exemption for 3 days.

The failure to quickly review, or even review at all, exceptional event demonstrations submitted by air quality managers makes it difficult for Phoenix, the region, to develop a plan to get into attainment.

Administrator Regan, can you explain how the new exceptional event tools for wildfires, and I am going to ask this for the record, because I am over my time, but can you submit for the record how the new tools, which EPA committed to release as part of the particulate matter rulemaking, will assist air agencies in easily submitting exceptional event demonstrations?

So, if you could just submit that for the record.

Mr. Regan. Yes, thank you.

Senator Kelly. Thank you.

Senator Carper. As Senator Kelly knows, we will be submitting a variety of a number of questions for the record following this hearing. That will be one of them that will be included. Thank you.

Senator Kelly. Thank you for the extra time, Mr. Chairman.

Senator Carper. You are quite welcome.

Senator Mullin, you are recognized. Welcome.

Senator Mullin. Thank you, Chairman.

Administrator, honestly, you are hard not to like. I just don't like the agency you work for.

Senator Carper. I think that is a compliment.

Senator Mullin. Thank you. It is a compliment.

Senator Carper. That is as close as a compliment you are going to get from this guy.

Senator Mullin. From me, it is probably the best you are going to get, and I mean that sincerely, because I get the EPA's role. But it seems like the EPA just constantly looks back at old laws that were passed, the Clean Water Act, the Clean Air Act, and continue to rewrite them, and continue to go after agents or industry over and over and over again, and not understanding actually the add cost or what it does to

downstream.

You say you take the economic impact, you do take that into consideration, but you don't, because we continue to see the ad. What Senator Ricketts was just asking you about the vehicles, I did some quick research on it. I will let him talk a little bit more about it.

But the ad that is costing, you talk about trying to have better fuel efficiency, but yet the rule that you guys put on diesel trucks, which I drive every day, by making us put DEF, diesel exhaust fluid, into it, it runs our gas mileage down, and that actually is worse for the environment. When you see this stuff and it spills and crystallizes all over the floor, you can remove it from a truck, which is illegal, I understand that, but you can take it off a truck and you will increase your gas mileage by 20, 30, and sometimes 50 percent. But you guys don't take that into consideration, but you still continue to push that.

Now, we have the farm industry, which, I am a rancher, we have a cow-calf operation. We see protein prices going through the roof, and it continues to climb. We have a hard time finding enough markets to go to right now. We have meat packers that are pretty consolidated right now, as we see. We see the poultry consolidating faster for processing plants. We see the pork industry very consolidated, and yet now, the EPA is coming

out with new guidelines for ELG.

By your own admittance, you said that this was going to cause some plants to close. Is that good for the industry, because on the other hand, you said you want to have, you guys have talked about wanting to have a more resilient meat and poultry and protein supply chain.

How is this new proposed rule that you guys are running towards on your options for ELG, how is this positive for the cattle market? How is this positive for consumers when you see protein already spiking at higher prices than we have ever seen in the history of the United States? How is this positive for the consumer? How is this a positive move for the EPA to be making this move right now?

Mr. Regan. I will tell you that, number one, I hear you loud and clear. We are listening to our farmers and our ranchers. As we look at --

Senator Mullin. Are you, though?

Mr. Regan. We haven't finalized the rule, and we have taken a look at what we are seeing in terms of these discharges and trying to eliminate some of the negative environmental impacts from these discharges, but as we look at the economic --

Senator Mullin. But hasn't industry done a tremendous job on already changing a lot of their discharge? They have gone a long ways in where they were at 50 years ago to where they are

at today, and yet, it is still not even kind of good enough, so are you really listening to them?

Mr. Regan. Well, I will tell you, you make a very good point. When we look at these standards, we do have people, and the majority of the people in the industry are performing, are doing well. So we are trying to create that level playing field to bring some of those who are not taking those additional investments to reduce that footprint.

Senator Mullin. So, Administrator, why wouldn't you just work with those individuals by themselves rather than make it a new rule and it affecting the entire industry? Because this is going to affect the entire industry, and this is going to add a tremendous amount of cost to every dinner plate, and every breakfast plate, and every sandwich served.

We already see in prices because the minimum wage increased in California, where a hamburger at McDonald's is almost not going to be affordable. In 2013, I literally got people who were laughing when I said if we continued down this path before long, you are going to be paying \$20 for a hamburger at McDonald's. Is it so funny now? Because we are dang near there.

This is going to add cost, sir, and you know it. This is going to add a tremendous amount of cost to protein when you could just work with the few of those bad apples rather than

changing the entire industry on how they are discharging right now.

Mr. Regan. The industry is moving forward and updating, so by law, we have to update our standards that match with where industry is going, and so in order to bring --

Senator Mullin. No, they are meeting your standards today, and you are moving the goalpost again.

Mr. Regan. Some of them, many of them, are exceeding the standards.

Senator Mullin. Great, let them exceed. But why are you moving the goalpost? Why do you see the need to move the goalpost? Because you know, there is no way you can deny this, this is going to add cost to protein. Yes?

Mr. Regan. We have to update the standards.

Senator Mullin. No, no, no. Is it, or is it not?

Mr. Regan. We haven't finalized it, so I don't know.

Senator Mullin. You know it is going to do that.

Mr. Regan. I don't know the answer to that.

Senator Mullin. Is it going to cost the poultry and the meat industry, is it going to cost them to upgrade and spend a tremendous, millions of dollars? The answer to that is yes.

Mr. Regan. We have to look at the benefits, too. There are a lot of people who are benefitting from the industry actually moving forward and doing better.



Senator Mullin. Who is this benefitting from it?

Mr. Regan. Communities benefit from it. When you look at the water contamination --

Senator Mullin. The communities, you mean communities that is going to lose jobs when these industries shut down, these plants?

Mr. Regan. We have to balance that.

Senator Mullin. These same industry, these same communities that you say are going to benefit, are these same industries just going to lose maybe the largest employer in their community because they can't afford to make the changes? I am trying to figure out where you say communities are going to benefit.

Mr. Regan. We are talking about health benefits. We are talking about the people that live in these communities that we recognize do work in these facilities, but they are also drinking the water, they are breathing the air.

We are trying to balance those public health benefits with the jobs and the economics, and many in the industry, as you have pointed out, are doing it the right way, but we have to make sure --

Senator Mullin. [Remarks off microphone.]

Senator Carper. Wait, wait, wait, wait. Your time has expired. There is going to be a second round.

Senator Mullin. Can I have another minute, just like you gave Mr. Kelly?

Senator Carper. You can have another round.

Senator Mullin. You gave --

Senator Carper. Go ahead. Go ahead, take a minute.

Senator Mullin. Okay, thank you.

Let me just ask this, too. How do you explain this to the people right now that are struggling to put protein on the plates for the kids as I speak, or their families, as I speak now, knowing that this is going to add cost? You know this is going to add a, the industry is predicting this could add 15 to 20 percent cost to protein. So how can you say that this is a positive move for the Country?

Mr. Regan. What I would tell them is, we have a Farming and Ranching Federal Advisory Committee and a new agricultural office that is advising me specifically on the impacts, the technologies available, and what this means to their communities.

Senator Mullin. And none of them are raising cattle like we do in Oklahoma. None of your advisories are actually doing that. They are professionals that work in colleges and universities that have a tremendous amount of theory, but they have never gotten crap on their boots before.

Mr. Regan. I think I will challenge you on that and

provide the details. We do have those who are farming and ranching on the Federal Advisory Committee.

Senator Carper. Okay. And if you are willing to stay, I will recognize you for another round, okay? Thank you.

Senator Markey, welcome. It is good to see you.

Senator Markey. Thank you. Good to see you.

Good to see you, Mr. Administrator. I like you, and I love your agency, you know.

Senator Carper. The time for the gentleman has expired.

[Laughter.]

Senator Markey. I was elected in 1976, six years after the agency was created, so I have been serving in Congress for 90 percent of the life expectancy of the EPA, and I know how much longer life expectancy is in the United States today than it was then, because of the EPA. That is a big benefit for our society.

Mr. Administrator, congratulations on making the historic Greenhouse Gas Reduction Fund awards for the National Clean Financing Network. When I introduced the National Climate Bank Act and when I worked with Chairman Carper on this language in the Inflation Reduction Act, I knew this would be a transformational program, if done right.

And you did it right, Mr. Administrator, and I am leading an appropriations letter to fight for your request on ongoing

support for oversight, as well. This climate bank money is out the door, and it is ready to bring clean power owned by communities onto the grid, help working families cut their electricity bills, and leverage new private dollars into projects that will do good for the public.

Is that a priority for your agency going forward, just to make sure that it is up and running by the end of this year?

Mr. Regan. It absolutely is, and thank you for your leadership and dedication. We have over 15 years focused on this topic. We were glad to get it done. We loved doing the visit with you in Boston to make the announcement. I feel really good about this program.

We have consulted with all of the experts outside, inside. We know that this capital will pull billions of dollars of private sector capital off the sidelines. So, yes, it is a priority. We want the oversight. We are asking for the oversight, because we know we have a solid program, so we appreciate your support on that.

Senator Markey. Thank you. As you know, it was in Waxman-Markey in 2009, but it took Chairman Carper to get it over the finish line. A little bit late, but still in time to be able to make a big difference.

Earlier this year, the Environmental Protection Agency finalized the Clean Cars Rule, which will help us accelerate

towards our climate targets and put the brakes on drivers' dependence on pricey fossil fuels. I thank my colleague, Senator Ricketts, for talking about the importance of investing in chargers. I would love to work with you on that, just to get them out there and make sure that people have confidence with this range anxiety, which plays a big role in how people view their ability to purchase a vehicle.

The rule that has been promulgated is estimated to avoid more than seven billion metric tons of carbon pollution, equivalent to four times the annual emissions from the entire transportation sector, making this the single most significant climate rule in U.S. and world history.

Administrator Regan, in addition to the climate benefits, is this regulation going to cut costs for American drivers as well?

Mr. Regan. Thank you for the question, Senator, and it absolutely has proven that it will cut costs over the duration of this regulation. I think I want to just say that it is not just me. These car companies are running \$7 million Superbowl ads to their constituents, saying the future is hybrid and electric.

What we have done is put together a regulation that coincides with where technology and the market is going, so it is not only good for the environment, but it is good for the

economy, and it will be good for people's pockets.

Senator Markey. Right. Again, it is projected to prevent 25,000 premature deaths. Big benefit.

Mr. Regan. Yes, big benefit.

Senator Markey. And also save \$6,000 for a consumer over the lifetime of that vehicle.

Last year, EPA selected 17 thriving community technical assistance centers to provide technical support and grant writing assistance to disadvantaged communities and grassroots organizations interested in the Inflation Reduction Act's historic new funding opportunities, and it is called TCTAC, which is easy to understand. While these centers were set up across the Country, Region 1, which serves Massachusetts and Rhode Island, still does not have an office in our region.

Administrator Regan, would you commit to working with us to ensure that a center that can partner with Massachusetts environmental justice groups is stood up in Region 1 by the end of this year?

Mr. Regan. I can do that. I know we are taking a very close look at that and putting those wheels into motion. So yes, we can commit to setting up that technical assistance resource for Region 1.

Senator Markey. That would be very helpful to us.

Administrator Regan, is the recently announced

Environmental Justice Clearinghouse another tool that community organizations can use to understand, track, and win grants from the Inflation Reduction Act?

Mr. Regan. Absolutely. This is a multi-agency tool that we put in place that speaks to not just the grant opportunities, multiple grant opportunities within EPA, but the multiple grant opportunities that span the entire Administration. This is a sort of fingertip way of getting information on technical assistance and training and funding opportunities, as well as screening and mapping tools to ensure that these grants that are submitted are competitive.

Senator Markey. Beautiful.

Mr. Administrator, when it comes to the power plant regulations, all I can say is, all these new arguments about carbon capture and hydrogen are a very different tune from what we heard when working on the Inflation Reduction Act. I am glad we have seen your strong-fought new rules, and I urge utility lobbyists to figure out what hymnal they are singing from.

If CCS and hydrogen are off the table, I will be happy to help my colleagues find a better use for the power sector's billions in subsidies and support. But I am glad that the Administration and you are moving forward with those proposals. Thank you.

Mr. Regan. Thank you, Senator. I can assure you that my

conversations with the industry assures me that CCS and hydrogen are on the table, taking advantage of tax credits and resources from IRA, and that I and we should ensure that there is a future for those specific technologies.

Senator Markey. They are interested and enthusiastic?

Mr. Regan. They are interested and enthusiastic, and as I said earlier, the tension points that are happening are based on timing and percentages, not whether we pursue it and how we do it.

Senator Markey. Got it, thank you.

Thank you, Mr. Chairman.

Senator Carper. Senator Markey, thanks so much for joining us and for your good work on a number of these issues.

Senator Lummis, welcome. Great to see you.

Senator Lummis. Well, thank you so much, Mr. Chairman.

Administrator Regan, welcome. Given your background in State government, I really held a measure of hope that you would lead the EPA with policies that were grounded in reality and in the States and maintain a healthy perspective of the hardworking American families who work and live under your rules and regulations, but that hasn't happened.

People in Wyoming are struggling with rising prices in every area of their lives, and what the policy prescriptions do, and what we see from the EPA and this Administration, is a



torrent of regulation that you know will lead to scarcity and higher costs, because you are restricting baseload energy.

Let's start with the Clean Power Plan 2.0, which forces coal and gas-fired plants to close down if they don't spend billions of dollars and meet unrealistic targets. These metrics are not achievable. Facts and rational arguments have been presented to the EPA, but they are rebuffed.

For this Administration, ideology wins at all costs, and the costs will be great as gas and coal-fired power plants account for around 60 percent of our Nation's electricity, at a time when EVs are going to be consuming more electricity, at a time when cloud computing is consuming more electricity, at a time when artificial intelligence will be consuming more electricity.

The State of Wyoming abounds with resources to fuel our Nation's current and future energy needs. Wyoming and our Nation are global leaders in clean energy. So, it is absolutely surreal to see the EPA devastate energy production even as energy demands increase for more data centers, artificial intelligence, and your own EV mandates.

The Supreme Court ruled against the EPA for overstepping its authority on the first Clean Power Plan, and rightly so, because Congress did not grant the EPA sweeping authority to regulate the Nation's generation and uses of electricity. Left

unchecked, the EPA has the power to destroy livelihoods, annihilate jobs, and wreck the economy.

Evidently, that is your agenda. You said so yourself, stating that when, and now I am quoting, "when you get an expedited facility retirement, that is the best tool for reducing greenhouse gas emissions." I join many of my colleagues in anticipation that this attack on energy is overturned again by the Supreme Court.

Now, the EPA also just finalized rules to force a transition to electric vehicles. It is astonishing that the Federal Government is telling Americans what kind of vehicles to drive and pushing an agenda that doesn't work outside of major urban areas. As with Clean Power Plans 1 and 2, you have exceeded your authority. Congress did not direct you to mandate electric vehicles.

Wyoming is a rural, high-altitude State of nearly 100,000 square miles with famously harsh weather conditions. People in Wyoming frequently drive long distances. My ranch and my farm are 400 miles apart, and yet they are still in Wyoming. Their livelihoods depend on affordable, reliable vehicles, and that means a gas or diesel-powered car or truck, or natural gas.

The average EV is over \$10,000 more expensive than the average gas-powered car, and they don't work at altitude. They don't work when it is that cold, and they don't work when you

can't get them charged, because there are no charging stations.

Judging by the numbers, Americans don't want EVs. EV sales are around 6 or 7 percent, and dealerships are saying to pump the brakes on electric vehicles. For the good of the Country, pull the plug on this mandate.

Lastly, and I am just scratching the surface on the EPA's overreach, I will mention PFAS. All of us value clean drinking water. That is not the issue. The EPA's regulatory approach through CERCLA was flawed from the beginning and leaves innocent parties vulnerable for the cost liabilities.

And I will tell you, and I know my time is running out, justice and fairness dictate that we seek a polluter pays approach. Instead, EPA has placed the financial burden on little passive receivers like water utilities, industries, and people who did not create the PFAS substances. You would force rural water providers and ratepayers to bear those costs, and they are already feeling the squeeze from the economy and other Federal mandates.

In closing, Administrator Regan, I urge you to consider the real-world individual and cumulative impacts of these regulations by any reasonable standard. Within constitutional, representative government, these go too far.

Mr. Chairman, I yield back. Thanks for letting me unload.

Senator Chairman. There is not much to yield back.

[Laughter.]

Senator Carper. We are being visited by a lot of young people in the audience here today, Mr. Administrator. It is great to see all of them. They have probably the biggest stake in what we are talking about here today. Are we going to have a planet today, are we going to have a planet to grow up on and grow old on, and will they have the opportunity to have good jobs to support themselves and their families as the rest of us have? We welcome all of you.

With that in mind, let me say to Senator Whitehouse, welcome. It is great to see you.

Senator Whitehouse. Thank you, Chairman.

Welcome, Administrator. What timeframe can you commit to for the existing power plants part of the power plant rule, the existing gas-fired power plants?

Mr. Regan. Yes. We are working on that process right now, and we have engaged our stakeholders to start that formal process. We are going to move as quickly as possible.

Senator Whitehouse. Can you commit to any endpoint at all?

Mr. Regan. Well, it is too early for me to just throw out a date, so what I would like to do is be able to provide you a date that is grounded in the facts of how the process is going to be designed and going.

Senator Whitehouse. We have given you authority to

regulate methane emissions, and we have required in the law that you use, and I am quoting the law here, "empirical data," which means that you are supposed to actually measure it, correct?

Mr. Regan. Yes.

Senator Whitehouse. That is what empirical means. Has EPA historically underestimated methane leakage from the fossil fuels sector?

Mr. Regan. Not just EPA, but I think most have underestimated methane leakage.

Senator Whitehouse. But EPA for sure has?

Mr. Regan. Yes.

Senator Whitehouse. EPA did so because it relied on industry reporting in order to come to its numbers, correct?

Mr. Regan. I wouldn't say solely on industry reporting, but I think that industry reporting informed our measurements, yes.

Senator Whitehouse. Yes, and the result was underreporting.

Now, in 2018, which is five-plus years ago, EDF first reported that EPA's methane numbers were too low. EDF reported likely methane leak numbers that were 60 percent higher than your GHG inventory numbers. Two years later, Penn State reported further, as the science developed, and said that methane leaks were two times higher than EPA was relying on.

Stanford last year has put out its own research showing that methane leakage is likely three times higher than EPA has been relying on.

One of the things that we asked you to do was to acquire satellite data, and we appropriated money to do that. What is the status of EPA's acquisition of satellite data? Do you presently have access to satellite data for methane leaks?

Mr. Regan. I do know that we have started a process to acquire. We are leveraging the acquisition of satellite data from some of our sister agencies, like NASA and others.

Senator Whitehouse. Like NASA? When do you think you are going to have actual access to satellite data?

Mr. Regan. I will have to get back to you on that specific timeline, but what I can say is, and you will see this in the actions that we have taken, as we use the resources that you have given us, and we put out this call for competitions to look at the best technologies, you will see that satellite data is specified as something that we want to consider in our acquisition, along with our Federal family, to be sure that we are all working with the same numbers.

Senator Whitehouse. At a minimum, satellite data puts up a pretty good flag for further inquiry about methane leaks that you can do through drones, aircraft, or on-ground measuring, correct?

Mr. Regan. Correct.

Senator Whitehouse. Are you currently deploying that satellite information to trigger those further investigative methods?

Mr. Regan. We are looking at all the options above.

Senator Whitehouse. Okay. There is a point where looking at it has to end, and doing it has to begin.

Mr. Regan. I will say, you have cited 2018, 2019, 2020. I think there are a number of years where the agency was prevented from pursuing the pursuit of climate change gases. So with the resources that you all have appropriated since 2021 and under this Administration, I will say that we have moved as aggressively as we possibly can, and we will continue to do so.

Senator Whitehouse. On the enforcement side, some time ago, the Administration announced that it was putting together a methane task force, which, as a proposition, makes a lot of sense. Because if you have satellite data that points at methane leaks and allows for further investigative methods to be deployed or if it is reliable enough simply pursued on that basis, you might want to be talking to the Department of Justice about what their capabilities are with respect to enforcement. You might want to be talking to the Department of Interior about what they as landlords and permittees can do to push those leaks.

What is your view right now of that methane task force, how often it meets, how often your team meets with Interior and DOJ people, whether there is an actual war-room type setup for the task force to be operating through in a cooperative way?

Mr. Regan. I will say that when the President stepped out in 2021 and cited methane and the methane pledge as priorities, all of the agencies have been working to focus on this. When we look at the methane regulation, the most aggressive methane regulation this agency has ever finalized, that set the new bar for some of the ways we could enforce these actions.

There is a constant conversation and relationship, very close relationship, with the Department of Justice on looking at how we enforce our regulations. But with Interior as well as DOE and others, we have all received resources from the Inflation Reduction Act. So as we look at how we develop those grants, use the information, use the data and the technology, we are trying to be sure that we are leveraging all of our resources together in this whole-of-government approach.

It does take coordination, but I think the development of enforcement, regulations, and these grant programs is being done in concert with not just DOJ from an enforcement standpoint, but DOE and Interior, and others as well.

Senator Whitehouse. My time has expired.

Senator Carper. Thanks for those questions, Senator



Whitehouse.

We have been joined by Senator Padilla.

Before I recognize you, Senator Padilla, let me ask unanimous consent to submit for the record materials, including a statement from our President on the strength of the United States' economy. According to that data, over 15 million jobs have been created since he took office. That is more than the populations of Delaware, Kansas, Nebraska, New Mexico, New Hampshire, Oklahoma, and West Virginia combined.

With today's unemployment rate under 4 percent, the U.S. ties the record for the longest consecutive monthly streak set in the late 1960s. It has been under 4 percent now for more than 27 months in a row. Inflation has been under 4 percent for more than two years, and it has fallen by 10 percentage points since its height in 2021.

Without objection, so ordered.

[The referenced information follows.]

Senator Carper. Sometimes, I have a friend, they ask him, compared to what? And he will say, compared to what? So, compared to what, those are some pretty good numbers.

I yield to Senator Padilla. Thank you for joining us. You are recognized.

Senator Padilla. Thank you, Mr. Chair. Administrator Regan, I want to start by thanking you and your staff at the EPA for your collaboration, not just with my office, but a lot of State and local leaders in California on the many pressing chemical cleanup, clean water and clean air challenges that we face in California.

You know from our discussions and my many letters to you and to the agency that I have been consistently focused on how to reduce emissions, especially across the transportation and goods movement sectors, so I am so grateful for EPA's recent rulemakings on light-duty and heavy-duty vehicles. I understand they have gotten the attention of some of my colleagues on the committee on the other side of the aisle.

I want to ask you, Mr. Administrator, can you take a moment to reaffirm not just for me but for my friends on the other side of the aisle that the final emissions rules for both light and heavy-duty vehicles do not, in fact, ban conventional combustion engines?

Mr. Regan. They absolutely don't.

Senator Padilla. Thank you. Clear, concise.

Can you now spend a minute or two and emphasize the benefits of these rules to communities across the Country, not just those in California, but across the Country, and the people who live in these goods movement corridors?

Mr. Regan. We know that there are over 72 million Americans that live along these corridors that are disproportionately impacted by these emissions, especially from our heavy-duty vehicles. On the HDV side, the final standards will provide over \$13 billion in annual benefits to society. There are a lot of people that will be breathing cleaner air and living a healthier life because of these rules.

Again, I think we have done it in a way where we have looked at the technology. It is not just us. I think, as I said before, the automobile industry is running \$7 million Superbowl ads talking about the benefits of these technologies. So we have aligned our regulations with where technology and the market is going, and if we don't do it, we will be beholden to China. We need to have these rules in place, improve our health and our environment, and we need to manufacture these components domestically.

Senator Padilla. Thank you.

Just to underscore a statistic that can get lost on some, I believe you said about 72 million Americans?

Mr. Regan. Seventy-two million Americans.

Senator Padilla. Live along these goods movements corridors. That is getting close to about 20 percent of the national population.

Mr. Regan. It is significant.

Senator Padilla. An idea, a policy that can improve the lives, the health, the well-being of one in five Americans in one fell swoop is hugely consequential.

Now, in addition to all that work, I know, and I know you know, that we can't stop with cars and trucks, given the significant pollution stemming from the rest of the freight system. California's ports, as busy as they are and as successful as they are, along with our freight system, move the goods that fuel not just the local and regional, but truly, our national economy.

Yet, it is California communities that bear the burdens of the poor air quality and harmful climate impacts that come with goods movement. That is why I have consistently called on the EPA, as you know, to do more to reduce the emissions from locomotives and ships and planes and off-road equipment, as well.

The EPA and the Administration do deserve a lot of credit for launching two efforts just this past month and a half to do just that. The Administration launched a zero emission freight

corridor strategy to help guide the deployment of zero emissions infrastructure along freight highways, and you followed up last month by setting a national goal of a zero emissions freight sector.

Now, a national strategy encompassing the whole freight sector, including heavy-duty vehicles, ships, trains, and more will help significantly in reducing these harmful impacts on air quality, climate change, and public health while improving American economic competitiveness and accelerating job creation. We have seen it happen in California. We want to really scale up.

Mr. Administrator, can you describe what the next steps are that the EPA plans to take to implement both the freight corridor funding strategy and the national goal of achieving a zero emission freight sector?

Mr. Regan. I will say, this is a very important topic. I have spent time in Georgia, New Jersey, California just visiting with these ports. This strategy is so important, and it is important that I, along with DOT and many of the Federal family are working together with the consolidated strategy.

I would say that, in addition to that strategy, where we are with the next steps is thanks to your leadership and the leadership of many in this committee. We have \$3 billion in grants that we are going to begin to dedicate to these ports to

invest in these technologies and these vehicles and the like.

Our ports want to be globally competitive. They know the future is driven by technology. They have welcomed this strategy and these investments with open arms. I think not only are we going to make this Country or keep this Country globally competitive, we are going to save a lot of lives, and we are going to reduce a lot of hospital visits.

Senator Padilla. Thank you very much. We have set ambitious goals. You visited; we have invested. We are setting more ambitious goals. You are going to continue to visit. I look forward to seeing you soon back in California.

Mr. Regan. Absolutely.

Senator Padilla. Thank you, Mr. Chair.

Senator Carper. Thanks, Senator Padilla.

We have been joined by Senator Sullivan. Before I recognize him, I just want to ask a quick question.

Administrator Regan, when you were the nominee of this President, you were questioned about your willingness to visit States. Not just the States that are represented here in this committee, but those who are not represented on this committee. I asked my staff to find out how many States you have visited thus far. I am told that you have made, as of this week, 116 visit to 38 States, and between you and the Deputy Administrator at EPA, you have visited a total of 45 States.

I think I speak for all of us, a special thanks, whether we agree with you on every single policy that we are discussing today, the fact that you have made the time to come to our States again and again is much appreciated and acknowledged, so thank you for that.

I want to yield now to Senator Sullivan. Welcome.

Senator Sullivan. Thank you, Mr. Chairman.

Mr. Administrator, good to see you. Thank you, by the way, in terms of States you are visiting, for coming up to Alaska. I know you had a good visit last summer. We would welcome you back.

I am just going to talk very briefly. Mr. Chairman, I do want to, you know we had a bit of a contentious exchange last week. I do want to keep working with your team, your staff, and the minority staff on this committee to work with my office on that issue we raised.

We haven't gotten any data or anything from your team, and I would like that. I think I am, out of courtesy, I think I deserve that, and my constituency. There are a lot of people who are watching what your staff was doing to my State when I was home over the weekend, and nobody was happy about it. I would like to not continue that debate, but I do want your staff to come and brief me, personally, on what they are up to.

But Mr. Administrator, I also want to just touch on one of

the issues. You are not doing it so much, but in this committee, I need to do it. So many decisions that the Biden Administration takes, particularly as it relates to Alaska and the so-called environment are lawless. The President two weeks ago announced that he was going to shut down the Ambler Road, which had already been approved in the EIS to the Ambler Mining District, one of the biggest critical mineral districts in the Country.

A Federal law in 1980 actually mandates that that road be permitted. I can read you the language. I am just going to submit it. This is ANILCA Section 201(b), I would like to submit it for the record, mandates it. The Biden Administration violated that law.

The Biden Administration on ANWR, which we got done, I submitted a letter to Secretary Haaland on May 2nd, 2024. I would like to submit that to the record.

ANWR, which we got into law, to have two lease sales required, mandated, by the Congress, in a law. Secretary Haaland just said she was going to ignore those leases; cancel them.

Interestingly, there was a FOIA request, and even the Biden OMB went back to Secretary Haaland saying, geez, where do you have the legal authority to do this, Madam Secretary? That is in this letter. The Biden Administration is asking her, you



can't do that. She is doing it. That is violating the law.

This, I would like to submit it for the record, 63 Executive Orders and Executive Actions targeting my State, the State of Alaska, 63 from this Administration, singularly focused on Alaska. Most of them are lawless.

[The referenced information follows:]

Senator Sullivan. By the way, most of them hurt the indigenous population of my State. Twenty percent of Alaska is indigenous. So it is a little rich when I keep hearing about the focus of this Administration on environmental justice, helping Indigenous communities, when they come after my State so much and hurt the Native people.

I am going to get to that with you, Mr. Administrator, but I do want to ask, West Virginia v. EPA, did you read that Supreme Court Case?

Mr. Regan. Yes.

Senator Sullivan. I can't remember, are you a lawyer?

Mr. Regan. No, thankfully.

[Laughter.]

Senator Sullivan. Yes. I was going to comment. There aren't a lot of good lawyers in the Biden Administration, since they violate the law all the damn time, but I will give you a pass on that.

But with regard to agency rules, it said the agency must point to a clear Congressional authorization for the power it claims. This new NEPA rule, I know it didn't come from you, Administrator, but do you think that that was something that the Congress granted the Administration authority to rewrite NEPA?

Mr. Regan. I can't say that I have dived into the NEPA rule. It is not in our agency, but I trust my colleagues have

followed the law. I do know that we have a part of the NEPA process, and we feel comfortable with our part of the process.

Senator Sullivan. I think the lawyers and even the good lawyers and even the non-lawyers, even the bad lawyers, need to reread *West Virginia v. EPA*. It is a really important case.

But let me get to something more positive with you. I really appreciate you meeting with our Alaskan Native communities, particularly on the contaminated lands issues, and you know the whole history there. You and I have talked about it.

We are working on it. Senator Kelly and I have legislation that we are trying to get through this committee and the WRDA bill relating to Indian tribes in Arizona, lower 48, and Alaska. We want to authorize the EPA and the Army Corps to enter into an agreement with Indian Tribes and Alaska Native Tribes for the purposes of compensatory mitigation for a permitted activity under the 404 program. You and I have talked about it before. I know it came up in that roundtable you had in Anchorage.

Would you support that idea, Mr. Administrator, and can you work with me and Senator Kelly on that idea?

Mr. Regan. We would be happy to provide technical assistance and work with Congress on those ideas, yes.

Senator Sullivan. How about, would the EPA support, again, kind of the same category, a categorical exclusion for Alaska

contaminated lands programs? That comes under NEPA review. Maybe, if that is too quick a question, I can submit that for the record for more detail to get your answer.

Mr. Regan. Yes, I was going to say, let us dig into that. I would love for our staffs to talk through that one.

Senator Sullivan. Then, I know in the President's budget, there was a significant amount of money on contaminated lands cleanup, but I will ask you, because I want to be respectful here.

For the record, what other resources or authorities does the EPA need to help clean up these Native lands, which, remember, the Native people in Alaska got the lands from the Feds, 44 million acres, in the biggest land settlement for Native people probably in the history of the world, and a lot of it was contaminated.

We worked together, the Chairman and I, to say, well, a couple years ago, at least CERCLA doesn't apply. These Alaska Native groups can't be liable, since the Federal Government gave them polluted land. Are there other resources or authorities you need to help clean up these Native lands that are contaminated in Alaska?

It is a top priority of mine, and I know you learned a lot about this when you were in Alaska. Again, I really appreciate you taking the time to meet with the different Native groups

that were impacted and do the due diligence on this really unjust situation.

Mr. Regan. Yes.

Senator Carper. Administrator Regan, I am going to ask you to be brief in your response, and then we are going to recognize Senator Fetterman.

Senator Sullivan. Yes.

Mr. Regan. Yes. Thank you for hosting that meeting. I think you and I and Senator Murkowski announced \$150 million going towards some of this cleanup. There is more that we can tap in both BIL and IRA. We should talk about how we do that.

Senator Sullivan. Okay, I will submit those for the record for more detailed answers. Thank you, Mr. Chairman.

Senator Carper. You bet.

Senator Fetterman, welcome. Good to see you.

Senator Fetterman. Thank you, Mr. Chairman. Thank you for the opportunity to talk to an expert on all of this.

I am in Pennsylvania, and some people across the Nation really don't know what a brownfield is. A brownfield, would you like to give an exact definition?

Mr. Regan. Yes. These brownfields are sites that have been contaminated, that qualify for programs where we can clean these brownfields up, whether they are abandoned warehouses or gas stations that typically are blights in our communities, and

we can turn them into economic engines.

Senator Fetterman. Absolutely, absolutely. Sometimes they can be smaller than you were referencing, or they can be really large. They can be a couple hundred acres and everything.

I am in western Pennsylvania, and I literally am surrounded by brownfields. At one point last century, that was the engine that really helped shape American society and was about half of the world's steel output. Now, they are abandoned and left, really, kind of to hold the bag.

The investments, the proactive kinds of investments on these brownfields, have now allowed struggling communities to emerge from bankruptcy. I literally live next door to one, the Carrie Furnace site, as well. It is magnificent.

Now, it is actually going to be a national historic site of steeling. It is the last standing example of that kind of a blast furnace. Those are the kind of investments that help the communities that created so much of an investment and output for the history of our Nation. That is one of my priorities here, as a Pennsylvania Senator, is to continue that, because there are more and more sites like that in Allegheny County, where I live, but Pennsylvania, it is a story across all of it.

You run a very large agency, and I am not going to throw a lot at you. I just hope the one thing to take away from that is just how critical brownfield funding for Pennsylvania absolutely

is. It is the lifeline for communities like Duquesne, like Braddock, like Rankin, like Swissvale, like West Homestead, Munhall. All of these, and now without those kinds of investments, those fallow sites would not have had anything done for 30, 40, 50 years. It has really created an amazing impact on that.

If you have five minutes, that is an opportunity to talk to an expert like yourself. That really means everything. It is almost kind of, somewhat related to my colleague from Alaska, that it is land that has a lot of great value, but it needs a lot of remediation, as well, those invest in forgotten or communities that were left behind. This really is a very, very critical program.

If there is anything I can do to be more of an effective advocate for that, I really am here. I would like any feedback on that, and I want to thank you for your agency's investments to do that, and it is not just Pennsylvania. There are a lot of others de-industrializing, some States, that we all need those kinds of investments.

I would like to, if you have any observations, I cede the time to yourself, and I thank you for your Administration's work on all of it.

Mr. Regan. I appreciate your laser focus on this, and we appreciate the resources that we receive from the Bipartisan

Infrastructure Law to supercharge this. I think we have awarded over \$250 million towards our Brownfields Program. That is the largest in EPA's history.

Just a great example is in Pittsburgh, we worked with the State, vacant property, two gas stations that were converted into affordable senior living with cafes and the like. We see this as a huge opportunity not to leave any communities behind. So we will continue to work with your staff to be sure that we are prioritizing these investments, but there is a win-win opportunity there, as you have articulated.

Senator Fetterman. Yes, and I have a little bit, about 30 seconds left, and I would just say, more, more, and more. Thank you for those kind of investments. I am pleased. As a former mayor of one of those small communities, I cannot possibly express how critical those investments are to allow these communities to move forward, because without those kinds of help, they would continue to deteriorate and certainly not ever be able to prosper and come into a new phase.

Thank you, Mr. Chairman.

Mr. Regan. Thank you.

Senator Carper. Senator Fetterman, thanks so much for joining us. I think your perspective, I know my perspective as a former governor informs me in the work that I do every day, and I am sure your experience as a former mayor and, if I am not



mistaken, a Lieutenant Governor as well, and husband, father, all of that helps inform us for the work that we do.

I have a couple questions I want to ask. I am going to yield to Senator Capito. After that, Senator Cramer, and Senator Ricketts may be trying to come back and join us for a second round. Are you up to that?

Mr. Regan. Absolutely.

Senator Carper. Okay. Do we have to pay you overtime? I hope not.

Mr. Regan. More like hazard pay, Mr. Chairman.

[Laughter.]

Senator Carper. Some days, it might seem that way. I got a couple of questions. Let me just ask one of them, but I think you recently announced the selections of eight entities to administer some \$20 billion in funding from the Greenhouse Gas Reduction Fund created in the Inflation Reduction Act. Take a minute and just explain to people who might be tuned in around the Country, when we talk about the Greenhouse Gas Reduction Fund, what are we talking about?

Mr. Regan. Well, we are thankful for the Greenhouse Gas Reduction Fund, \$20 billion focused on ensuring that the average American can participate in the low carbon transformation, whether than be an energy efficient home or appliances, investing in those types of things.

Twenty billion dollars, we work with the Department of Treasury, HUD, those that specialize in clean energy financing underwriting. We spend some time with private equity, commercial banking, just to be sure that as we design this program, we do it in a transparent way that demonstrated that the government could put its money where its mouth is, and if we do, can we bring hundreds of billions of dollars of private capital off the sideline. I believe we have accomplished that. We created an excellent competition that selected eight grantees that are responsible for leveraging that capital.

We have a ton of transparency metrics and oversight built into that, and you will notice, and it was raised earlier that we have asked for resources in this budget to continue to do so. I try to meet as frequently as possible with our Inspector General. He has indicated that there could be a usage of additional resources there for IRA, and so we are trying to oblige that. To demonstrate that, we want to be as transparent as possible so that as many Americans as possible can benefit from these investments.

Senator Carper. Thanks. Let me ask a question about TSCA implementation. We had a hearing here about a year ago with respect to the implementation of TSCA legislation that a number of us helped write, the Toxic Substances Control Act that has been in effect for a couple of years.

But it was a disappointing hearing, and basically, it was very clear that we have a lot of work still to do. Part of what we heard from the senior staff who were here to speak on the issue was the resources. Human resources that were needed to help do the job simply weren't there.

One of the reasons why we are providing, the President is asking for additional resources, additional people, is in part to be able to do the work that Congress has said needs to be done with respect to the Toxic Substances Control Act. But we charged EPA with this demanding responsibility. It is also our responsibility to ensure that EPA has the appropriate resources to implement TSCA as intended.

What impacts would the Fiscal Year 2024 funding levels have on the TSCA program, and would you please give us a sense of what EPA could accomplish if the agency received the full budget request from the President for the TSCA program, as well as maximized revenue collections through the recently updated fees rule?

Mr. Regan. Yes. Well, thank you, Chairman. This is one of the ones that I scratch my head on. We received small increases to focus on TSCA in 2022 and 2023, and we more than doubled the number of chemical reviews that we were doing each month. We were really trying to honor the essence of what Congress asked us to do with TSCA.

I think that with this cut, we are just going to see slower approval of new chemistries, especially those companies that want to propel the semi-conductor automotive and battery sectors. It is just going to gum up the system. We need the resources; we need the bodies to do so.

Before 2016, before this TSCA revisit that you all championed, EPA was looking at about a 20 percent rate in these reviews. TSCA now requires that we do 100 percent. In order to keep pace with the economy and moving forward, we need to review these chemicals each and every month, and it doesn't make sense to cut that funding now.

Senator Carper. Thank you for that.

I have another question or two to ask you, but I am going to yield to Senator Capito for any questions that she has.

Senator Capito. Great, thank you.

Let me ask you, I asked you this in Appropriations and mentioned it again, and then it was asked again about the Green Bank oversight accountability. Can you give me in specific details two examples of accountability mechanisms the agency is developing for these final agreements, specifically?

Mr. Regan. Yes, there are a number.

Senator Capito. Just two.

Mr. Regan. Yes, first and foremost, with the Green Bank, there is a transparency aspect to this that focuses on basic

transactions underwriting. It is aligned with most banking protocol, but these investments must go to recipients that can demonstrate not only a leverage of capital, but must get specific reductions from carbon or climate warming pollutants.

When we think about just the level of transparency and the process, it is very clear, it is very concise that they are held accountable to use the resources that they are given to get certain reductions according to traditional banking approaches.

Senator Capito. So, you have, I think you have, what, 20 people that are overseeing this, right, in your department? About 20?

Mr. Regan. I believe that is, yes, about 20 individuals.

Senator Capito. So, they are looking specifically at how people are enumerating carbon reduction and whether they can leverage by banking standards?

Mr. Regan. Those 20, which some are term limited, because that is the way IRA laid it out, were responsible for designing and connecting and creating the program. We now have to do the maintenance and the implementation. Some of the resources we are asking for is beyond the design phase. It is really to be sure that during the implantation phase --

Senator Capito. Right, that is what I am worried about.

Mr. Regan. -- we are very, very transparent, and so we have asked for resources for that. We have also asked for

resources for the Inspector General's office, because I see them as a partner.

Senator Capito. Well, that was left out of the IRA. It was put in for the Department of Energy, but not for EPA.

Mr. Regan. What we at EPA want to do is be transparent and responsible with the resources that Congress has given us.

Senator Capito. That is the correct statement, though, right? Right.

Let me ask you about the issue about TMDLs in West Virginia. This is a specific West Virginia. I mentioned in my opening statement, they announced the agency was entering into a consent decree with the Sierra Club to impose TMDL on 11 streams in West Virginia.

Here is what the West Virginia DEP said in their statement: "As the primary regulator of water quality in the State of West Virginia, the West Virginia Department of Environmental Protection is flummoxed" -- I love that they used the word flummoxed, I don't know why I think that is sort of humorous, but anyway, they are flummoxed as to why it has been kept in the dark regarding a proposed settlement, which had been months in the making.

The department is even more astounded that the EPA has apparently decided, in contrast to the prior litigation and without any advance notice to the department, not to mount any

kind of defense to the allegations leveled in the plaintiff's complaint.

Do you agree that the agency's decision to keep West Virginia in the dark is troubling?

Mr. Regan. I absolutely disagree with keeping West Virginia in the dark. In 2015, the courts stipulated to EPA and the State of West Virginia the results of that case that we contested. We have had, collectively, EPA and West Virginia, since 2015 to resolve this problem, yet the agency nor West Virginia could come to a solution.

We are running up against a timeline that a judge has given me. So what our agency did was we entered into the settlement, which we are legally obligated to do, and we got your letter about extending the comment period --

Senator Capito. Which you did, thank you.

Mr. Regan. We are going to extend that, but I just have to push back. I am a former State regulator. We would never do anything where we just ice out the State. From 2015 to 2024, that is a long time.

Senator Capito. So, well, they apparently disagree with that.

Let me go to the State regulator thing, back to the Good Neighbor rule that we were talking about earlier, where the 23 States developed, and you know more about the technicalities of

this, the State implementation plans. Two were rejected outright, and then 21 were rejected by you, blanket rejected, on the same day or exactly the same time when the Federal implementation plan came forward.

Did this kind of scenario ever happen to you as a State regulator, when you were not regulating in this space, but somewhere else, where you had a State implementation plan, it was rejected, and a Federal one came right in on top of it? Isn't the usual way to do it is to work with the States to say your State implementation plan is falling short here, there? Let's make adjustments, instead of just outright rejection? Has this ever happened to you when you were a State regulator?

Mr. Regan. I have never been surprised that a State implementation plan was either at a crossroads or not meeting the expectations of the Federal Government.

Senator Capito. No, that is not what I am asking. I am asking, were you, as a State regulator, ever a party to having a blanket rejection like this?

Mr. Regan. Yes, during the last Administration.

Senator Capito. Yes?

Mr. Regan. On a whole host of issues, I attempted to work with the Trump Administration, and we worked through it. Irrespective of the party who is in charge --

Senator Capito. Well, right, well, this isn't the option.



They are not getting the option to work through it. You are just coming in and telling them the Federal plan. It is getting challenging for them.

Mr. Regan. The Federal plan is in place until a State plan is agreed upon.

Senator Capito. But you rejected all the State plans.

Mr. Regan. Well, but this is the thing, though, you and I --

Senator Capito. I don't even get the sense that you had State regulators here. We didn't get the sense, the State regulators didn't get the sense that there was any kind of discussion going on here. It was just no.

Mr. Regan. Even when I was a State regulator, I recognized my limitations in negotiating with the Federal Government. If they rejected it once, I didn't resubmit the same homework.

Senator Capito. Well, no, but you got a chance to resubmit to have something else before a Federal plan would come in on top of you. Correct? That is the point I am trying to make.

Mr. Regan. It depends on the timeframe that we are looking at, and I think when you look at the Good Neighbor Rule, in order to fend off litigation from other States who have been asking for this relief for multiple years, we have to use the tools that we have.

The State implementation plan has been available for those

State secretaries for a number of years. They didn't get the job done. Now, there is a Federal plan in place until they can negotiate those State implementation plans. It is not a closed door.

Senator Capito. Well, it won't be, because the courts are going to come in and tell you you have overextended your authorities here, and you have to give the States the ability to do exactly what you are saying, rework their plans so that they can meet the standards that the Federal Government wants.

Thank you very much.

Senator Carper. Sure. You may want to continue this conversation beyond the walls of this room.

Mr. Regan. Absolutely.

Senator Carper. I am sure you would welcome that opportunity, Senator Capito.

Okay, we have been rejoined by Senator Ricketts. Thanks for coming back.

Senator Ricketts. My pleasure, Mr. Chairman. Thank you very much for allowing a second round of questions so I can continue the conversation you were just talking about.

Senator Carper. You bet.

Senator Ricketts. Administrator Regan, we talked about, when I was doing the questioning earlier that when it comes to the 85 grams per mile, we are going to follow up on the current

vehicles, gas, diesel, hybrids, in the 2024 model year, any make of those, so I think that, because you said you had conversations with car makers on that. You also said that we were on track with regard to charging stations, so we will follow up on that.

One of the questions I wanted to also ask you is, I presume that you do expect there to be a greater mix of both plug-in hybrids and electric vehicles to be able to make the 85 gram rule. Has your agency done any work with regard to the additional power generation that will be needed to be able to do that?

Mr. Regan. We have, yes.

Senator Ricketts. What do you project the amount of new power generation to be required by, say, 2032 to be able to meet the demand or meets the needs of however many more electric vehicles or plug-in hybrids?

Mr. Regan. We can provide you those statistics, those details.

Senator Ricketts. What about transmission lines, have you done that as well, looked at transmission lines?

Mr. Regan. We have worked in close concert with the Department of Energy, who is investing tremendously into those transmission lines. So yes, the thorough analysis of the demand, meeting that demand, reliability, we have done a

thorough analysis of how all of our rules impact the grid in all of those areas, and we would be happy to provide those details to you and your staff.

Senator Ricketts. Okay, but you don't know off the top of your head how much more power generation on a percent basis we are going to need?

Mr. Regan. No, that is not a number I retained.

Senator Ricketts. I presume, again, the power generation you are talking about also takes into consideration that you have your Clean Power Plan 2.0, which Ranking Member Capito has already talked about, is going to put constraints on coal plants, essentially putting them out of business, natural gas plants as well it is going to constrain.

Your power generation plans are going to take into consideration all of that. Is that accurate?

Mr. Regan. The power plant strategy, I want to be very clear, it is not a Clean Power Plan 2.0. This is a power plant strategy that I have talked with the industry about over two years, and yes, it takes into account the generation and the demand, the reliability, and the cost.

Senator Ricketts. All right. Now, I also want to get into your modelling when you are talking about, how do you get to that 85 grams per mile. I believe what you model is that EVs are charged with 100 percent renewable energy. Is that correct?

Mr. Regan. I would have to get back to you on that. I don't know if we model it at 100 percent renewable energy. I don't think we would do that.

Senator Ricketts. Okay, do you know what State has the highest percentage of its energy coming from renewable energy?

Mr. Regan. I don't.

Senator Ricketts. It is Iowa. I presume, since you didn't know it was Iowa, you don't know what percentage it is, either. Do you?

Mr. Regan. No, I don't think our rule is predicated on a State generating 100 percent renewable energy. Your question is sort of so out there, it is throwing me off. That is why I am responding like that.

Senator Ricketts. Okay, so the point is, your model calls for all EVs being charged, my understanding is, that it is from 100 percent renewable energy. Iowa is the leading State for generating electricity from renewable energy, and it is at 60 percent. Nebraska, actually, is pretty good. I think we rank number 12. We are at 31.7 percent.

But where you have a lot of EV use here on the east coast, the States of Maryland, New Jersey, Delaware, Connecticut, and Pennsylvania, they are all under 5 percent of their electricity coming from renewable energy. New York, they are actually doing better. They are at 7.2 percent. Massachusetts, and I am sorry

Senator Markey is not here, because they are actually, on the east coast, one of the leaders, at 16 percent.

My point being is that your model is a lie if it is relying on, if you are telling the American public you are charging your EV and it is with renewable energy, that is just not true, because most States are not generating that much of their electricity from renewable energy.

So if you are thinking you are saving carbon because, and you are giving car manufacturers credit for having an EV, assuming that it is powered by renewable energy, it is just not true. It is just not true. We have got to be able to tell the American people the truth about how these models work.

Mr. Regan. I am not accepting what you are promoting here. If you look at our power plant strategy, it is not 100 percent renewable energy, and we know that our power plant strategy is going to electrify this Country. So, that is the purpose of best management practices and technology.

Senator Ricketts. That is how it interacts, but I am not talking about the power plant strategy, I am talking about charging EVs and plug-in hybrids.

Mr. Regan. How else do you provide power to those EVs absent than the power sector?

Senator Ricketts. Right. My point is, if you are assuming that the EVs are charged by renewable energy, it is actually not

true, right? It is partially true, but it is not totally true.

Mr. Regan. I contest that our model is making that assumption. Our modeling, when we look at our power generation, our power sector and what that means in terms of affordability and reliability on the grid, and you overlay that with our cars and trucks rule, I am not aware that any of our modelling says, ignore all of the generation from clean natural gas, from using hydrogen, from using CCS, to create electrons that tackle the grid, and we are going to parse out and just use renewable ones.

That is not the purpose of the EPA. EPA sets standards to control pollution and allows for companies to choose combinations of technologies to provide cleaner power, and that cleaner power will fuel our cleaner vehicles.

So, the wedge issue here, which I would love for our staffs to converse about, is the notion that all of the new electric vehicles would solely rely on renewable energy. That is the first time I have heard that.

Senator Ricketts. Okay, great.

Second, my time has expired here, so I am going to bear with the Chairman just a moment more, but we will follow up on this, so I won't ask you to respond back to it.

But there are other cost considerations in this as far as heavier electric vehicles and, for example, guardrails, or wear and tear on the roads and stuff like that. I would like to know

if the EPA has also modelled that into their cost-benefit analysis.

Mr. Chairman, thank you very much for doing a second round of questions. I appreciate it.

Senator Carper. We are glad you came back. Thanks for your thoughtful questions.

We had a bunch of young people here today. There are still some young people out in the audience, but we had a bunch of young people here. I don't know if they are in high school or college or what, but I was sitting here thinking about when I was in their shoes, we didn't give much of a thought to solar energy and the ability to meet our energy needs on solar. We didn't think much about wind, either.

People talked about fusion, but you know, I think we were more confused about fusion than anything else. Now, fusion is on the edge of actually happening. Senator Capito and I have been pushing hard for a legislation that she has authored called the ADVANCE Act, which is advanced nuclear reactors, but there is a lot going on there in terms to meet our energy needs.

I drive an electric vehicle. I replaced a 2001 Chrysler Town and Country Minivan that I drove for 20 years that had 600,000 miles on it. My wife finally said, either that minivan goes, or you go. So I said, it goes.

We actually sold it to a guy that does yards in our



neighborhood, and I still see it. It looks worse than it used to.

The last thing I would say, I studied a little bit of economics through Ohio State as an undergraduate, and after that, after I got out of the Navy I moved to Delaware, I got an MBA. I studied a little more economics, and I am a big believer in market forces. We haven't talked a lot about market forces.

But one of the reasons why I like driving an electric vehicle, it is just a hoot to drive it. It is just so much fun. I know it does good things for the environment and so forth, but it is also a lot of fun to actually get out and drive, so we, it looks like we ought to keep in mind market forces and how do we harness market forces for the good.

Okay, last question. Senator Capito and I have worked a whole lot, along with our teams, and at least one of our colleagues from Arkansas, on recycling. We have a couple major recycling bills that we are trying to move through the Senate and the House and get signed into law, and I appreciate very much your leadership on that.

As we have discussed many times on this committee, there are significant issues plaguing our Nation's solid waste management system. I was proud to help lead the inclusion of, I think it is \$275 million of funding in the Bipartisan Infrastructure Law, for the solid waste infrastructure for the

Recycling Grant Program at EPA.

This funding provides the agency, I believe, with about \$55 million per year through Fiscal Year 2026 to support the establishment and expansion of recycling infrastructure. I understand that this funding is helping to implement the national recycling strategy, which EPA published in 2021 in addition to two subsequent strategies on plastics and organic waste.

Here is my question. Would you, as we prepare to close out, would you please describe for us the progress that EPA has made thus far in implementing the National Recycling Strategy and why continued funding from Congress is necessary to accomplish EPA's goal of achieving a 50 percent recycling rate by 2030?

Mr. Regan. Thank you for this. This is, as I travel the States and the world, this topic is one of those topics that our youth and young people gravitate to so much, so quickly. So we were excited to be able to work on a national recycling strategy.

The first part of the strategy was creating the Solid Waste Infrastructure and Recycling Grants Program which we have, and to date, we have selected about 164, or 165 applicants. We are providing about \$199 million through that.

We are just seeing a lot of demand for these grants. We

are actually creating a market and a demand to get more and more creative and innovative ideas in place around recycling, whether that be waste, plastics, and the like. So this is a great way for us to look at this closed-loop cycle system that will benefit our economy and the environment.

Senator Carper. Okay.

Before we adjourn, Senator Capito, any other questions?

Senator Capito. Yes. I just want to thank you for being here. I know I have been a little contentious with you, but I have great respect for your work. I think you know that.

I will say, in your characterization of the new clean power plan, you have emphasized stakeholders, stakeholders, power generators. So the National Rural Cooperatives very much vehemently oppose this plan. Jim Matheson, my former colleague from the House, is in charge of that. They provide power to over 42 million people, 92 percent of which live in persistently poverty areas. He characterizes this plan as, they characterize it on behalf of their members, because they are a membership organization as unrealistic, unachievable, and unlawful.

But thanks for coming.

Mr. Regan. Thank you, Senator.

Senator Carper. Thank you, Senator Capito. It is just a pleasure and a joy to be a partner with you on all these issues. I thank you and your staff, along with the members of our own

team.

I have been given by my staff a correction to a unanimous consent request that I had asked. I am not going to read the whole thing again, but in the original, I just want to modify it quickly.

I will begin that unanimous consent request to submit for the record materials with a correction, including a statement from President Biden on the strength of the U.S. economy. According to the data, over 15 million jobs have been created since he took office. That is more than the population, I mentioned a number of States.

With today's unemployment rate under 4 percent, the U.S. ties the record for the longest consecutive monthly streak set in, I think, the late 1960s. It has been under 4 percent for more than 27 months in a row. I think that might be a record.

Inflation is down by 60 percent since it peaked out in June of 2022. It has been less than 4 percent since June of 2023, and now it sits at 3.5 percent. That would be a revised UC request, without objection.

[The referenced information follows:]

Senator Carper. Now, a closing statement, if I could. We want to thank you not just for showing up today, but we want to thank you for showing up ready for, not for battle, but rather just to have a really informative and, I think, collegial and productive exchange of ideas. Hopefully, we helped set the stage with our opening comments, and you certainly have helped as well with your thoughtful remarks.

But all of us realize that leading EPA has more than a few challenges. I want to thank you, Administrator. You are providing the strong leadership we need to deliver on the priorities and the promises that we and the President have made to the American people. As we have heard today, robust funding and experienced staff are essential for the EPA to successfully protect human health and the environment and provide greater certainty and predictability to stakeholders, including businesses.

With that in mind, I hope that our members will join me in supporting the President's Fiscal Year 2025 budget request for EPA.

A little bit of housekeeping, if I could. Senators will be allowed to submit written questions for the record through the close of business on Wednesday, May 22nd. We will compile those questions. We will send them to you and to your team. We would ask that you reply to us by Wednesday, June 5th.

Before I adjourn, I just want to say, my sister and I were born in a coal-mining town, as Senator Capito knows, in West Virginia. My dad and all my uncles, all of our uncles, were in the military and served in World War II or Korea or both.

I spent many years in the Navy during the Vietnam War and after. I have known a lot of service members, men and women, who had spouses who also served. I have said to many spouses just as recently as this last weekend in Dover, that sometimes we think the person who wears the uniform in the military is the person who is serving, and oftentimes, it is not just the person wearing the uniform who serves, but the person, the spouse alongside the service members who serves.

I would just say to your family, to your wife and son, thank you to them. Welcome to the family. Just a real thank you to them for their service and, again, their willingness to serve you.

I especially am pleased with how many States you visited and how often you visited States. You have a few that you haven't been able to make it to, but you got five, six, seven months left for the year, and who knows after that. Knock them out, and you will maybe hold the record for State visits by an EPA Administrator. That would be a great record to hold.

Anything else, Senator? With that, I think we are done. It is a wrap. Thank you so much. With that, we are adjourned.

Thanks so much.

Mr. Regan. Thank you all.

Senator Carper. Thank you.

[Whereupon, at 12:23 p.m., the hearing was adjourned.]