Congress of the United States

Washington, DC 20515

November 9, 2026

The Honorable Lee M. Zeldin
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

Dear Administrator Zeldin:

We commend the Agency for reconsidering the burdensome aspects of the air quality standards applicable to gasoline distribution facilities under the National Emission Standards for Hazardous Air Pollutants (NESHAP) and New Source Performance Standards (NSPS) programs of the Clean Air Act (CAA), particularly the annual cargo tank vapor tightness certification requirements. We urge EPA, as part of its upcoming rulemaking, to harmonize these requirements across the relevant CAA programs at 1.0 to 2.5 inches of water pressure drop over a five-minute period.

In discussions with small business owners in our respective states, we were made aware of the technical challenges and costly operational changes required to comply with the current 0.5-inch threshold set by the 2024 rule. When certification becomes harder to achieve, more time-consuming, and more expensive, the consequences are not limited to the cargo tank operator. They ripple through the entire fuel supply chain, affecting the availability and cost of gasoline delivered to retail stations, businesses, and consumers across the country.

At a time when energy security and supply chain resilience are national priorities, regulatory requirements governing the movement of motor fuels should be grounded in demonstrated technical feasibility and cost-effectiveness. For these reasons, we urge EPA to finalize the proposed rule with a harmonized 1.0 to 2.5-inch standard as a more workable and reliable approach. Importantly, we urge the Agency to exercise enforcement discretion and consider delaying the current compliance deadlines while its reconsideration rulemaking proceeds. After all, requiring compliance with a certification requirement that is under active reconsideration through a proposed rulemaking risks imposing unnecessary burdens on fuel marketers at a sensitive time for gasoline prices.

We recognize EPA's ongoing commitment to its mission and appreciate the Agency's reconsideration of the 2024 rule for the annual cargo tank vapor tightness certification requirements.

Sincerely,

Gary J. Palmer
Member of Congress

Gabe Evans
Member of Congress

Laurel M. Lee
Member of Congress

John Joyce, M.D.
Member of Congress

Randy K. Weber, Sr.
Member of Congress

Robert E. Latta
Member of Congress

Nicholas A. Langworthy
Member of Congress