

ONE HUNDRED NINETEENTH CONGRESS
Congress of the United States
House of Representatives
COMMITTEE ON ENERGY AND COMMERCE
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June 22, 2026

MEMORANDUM

To: Subcommittee on Environment Members and Staff
From: Committee Majority Staff
Re: Subcommittee on Environment Hearing on June 24, 2026

I. INTRODUCTION

The Subcommittee on Environment will hold a legislative hearing on Wednesday, June 24, 2026, at 10:15 a.m. (ET) in 2123 Rayburn House Office Building. The hearing is entitled, “From Trash to Treasure: Examining Legislation to Support Domestic Critical Mineral Recovery and Recycling.” The hearing will review the following legislation:

- H.R. ____, Battery Recycling for America’s Competitive Economy (BRACE) Act
- H.R. ____, Coordinating and Harnessing America’s Recovery of Minerals (CHARM) Act
- H.R. ____, Environmental Monitoring and Remediation Technology Assessment Initiative (EMRTAI) Authorization Act of 2026
- H.R. 3059, Streamlining Critical Mineral Permitting Act (Rep. Carter)
- H.R. 3713, Legacy Mine Cleanup Act of 2025 (Reps. Crane and Stanton)
- H.R. 4370, Securing America’s Mineral Supply (SAMS) Act (Rep. Palmer)
- H.R. 7523, Spent Petroleum Catalyst Recycling and Critical Minerals and Metals Recovery Exemption Act (Rep. Balderson)

II. WITNESSES

- **Greyson Buckingham**, Co-Founder, Chief Executive Officer, and President, DISA Technologies
- **Aaron H. Goldberg**, Principal, Beveridge & Diamond
- **David Klanecky**, Chief Executive Officer, Cirba Solutions
- **Dr. Jessica Dunn**, Scientist, Clean Transportation, Union of Concerned Scientists

III. BACKGROUND

A. Overview

In recent years, the Committee has examined the uses and sources of critical minerals in the United States as well as their role in critical infrastructure, national security, and energy independence. This analysis has also assessed supply chain vulnerabilities, including areas of potential fragility and the consequences of disruption to critical supply chains. The Subcommittee has also considered legislation to support domestic capacity for recovering and refining critical minerals and manufacturing critical materials.

B. Previous Committee Activity

On April 22, 2026, the Subcommittee on Environment held a hearing entitled, “Help or Hindrance? The Impact of U.S. Environmental Laws on Critical Material Supply Chains, National Security, and Economic Growth.”¹ Members and witnesses identified opportunities to remove unnecessary barriers to developing domestic sources of critical minerals and strengthening supply chains. Witnesses flagged potential impediments posed by the implementation of the Resource Recovery and Conservation Act (RCRA).² For example, Jane Neal of AMG Vanadium explained that shifting RCRA interpretations and regulatory uncertainty have jeopardized investment in Ohio facilities that recover the critical mineral vanadium from spent refinery catalysts.³ Josh Gubkin of Redwood Materials detailed how the RCRA framework has posed significant barriers to domestic lithium-ion battery recycling and critical mineral recovery.⁴

On May 21, 2025, the Subcommittee on Oversight and Investigations held a hearing entitled, “Examining Ways to Enhance Our Domestic Critical Mineral Supply Chains.”⁵ The Subcommittee discussed China’s dominance in critical mineral processing and refining and the extent to which both Chinese dominance and domestic permitting challenges threaten U.S. competitiveness.

In the 118th Congress, the Subcommittee on Environment, Manufacturing, and Critical Materials held a hearing on June 13, 2024, entitled, “Securing America’s Critical Materials Supply Chains and Economic Leadership.”⁶ Members considered the landscape of the critical minerals and materials market, the risks associated with overreliance on China for critical materials, and barriers for permitting domestic critical mineral mines.

¹ *Help or Hindrance? The Impact of U.S. Environmental Laws on Critical Material Supply Chains, National Security, and Economic Growth: Hearing Before the Subcomm. on Env’t of the H. Comm. on Energy and Commerce*, 119th Cong. (2026) (hereinafter *E&C Supply Chains Hearing*).

² The Solid Waste Disposal Act (42 U.S.C. § 6901–6992) is often referred to as the Resource Conservation and Recovery Act, the law that amended the Solid Waste Disposal Act in 1976 (P.L. 94-580).

³ *E&C Supply Chains Hearing*, *supra* note 1 (statement of Jane Neal, Senior Vice President, AMG Vanadium).

⁴ *Id.* (statement of Josh Gubkin, Associate General Counsel, Redwood Materials).

⁵ *Examining Ways to Enhance Our Critical Mineral Supply Chains: Hearing Before the Subcomm. on Env’t of the H. Comm. on Energy and Commerce*, 119th Cong. (2025).

⁶ *Securing America’s Critical Materials Supply Chains and Economic Leadership: Hearing Before the Subcomm. on Env’t, Mfg., and Critical Materials of the H. Comm. on Energy and Commerce*, 118th Cong. (2024).

The Committee also advanced environmental legislation in the 118th Congress to support domestic critical mineral refining and critical material production. For example, on March 30, 2023, the House passed H.R. 1, the Lower Energy Costs Act.⁷ Among other provisions, the legislation would allow facilities that process or refine critical energy resource to operate under an interim permit under RCRA (reflected in H.R. 3059, Streamlining Critical Mineral Permitting Act, in the current Congress),⁸ provide waivers from certain Solid Waste Disposal Act (SWDA) requirements under certain circumstances,⁹ and eliminate delays for review of substances considered critical energy resources under the Toxic Substance Control Act.¹⁰ This legislation did not receive a vote in the Senate.

IV. LEGISLATION

A. H.R. ____, Battery Recycling for America's Competitive Economy (BRACE) Act

This draft bill directs the Environmental Protection Agency (EPA) to revise its regulations for the universal waste category of hazardous waste to establish standards for lithium-ion batteries. The updated regulations would allow destination facilities that recycle lithium-ion batteries to temporarily store such batteries prior to recycling under requirements similar to those applicable to handlers of universal waste. The bill also updates the Mercury-Containing and Rechargeable Battery Management Act's language preempting state regulation of rechargeable batteries to reference current regulations.¹¹

B. H.R. ____, Coordinating and Harnessing America's Recovery of Minerals (CHARM) Act

This draft legislation directs the EPA Administrator, in consultation with the heads of other federal agencies, to develop and carry out a National Critical Mineral Recovery Strategy to coordinate federal efforts to recover critical minerals from discarded materials.

C. H.R. ____, Environmental Monitoring and Remediation Technology Assessment Initiative (EMRTAI) Authorization Act of 2026

This draft legislation would authorize EPA to establish a program to investigate, evaluate, and support processes, methods, and systems which may be utilized to identify and recover critical materials from contaminated media, solid waste, and other sources.

⁷ H.R. 1, 118th Cong. (2023).

⁸ § 10010.

⁹ § 10012.

¹⁰ § 10013.

¹¹ Pub. L. No. 104-142 § 104(a) (42 U.S.C. § 14323).

D. H.R. 3059, Streamlining Critical Mineral Permitting Act (Rep. Carter)

This legislation amends the Solid Waste Disposal Act (SWDA)¹² to expedite the permit process for storage, treatment, or disposal of hazardous waste under Subtitle C of the SWDA for certain facilities. It would allow the owner or operator of a critical energy resource facility who has filed Part A of a permit application (requiring basic information) to operate under “interim” status during the review of, and subject to final approval of, Part B of the permit application (requiring comprehensive details) by the EPA Administrator or a state with primary enforcement responsibility.

E. H.R. 3713, Legacy Mine Cleanup Act of 2025 (Reps. Crane and Stanton)

This legislation establishes within EPA an Office of Mountains, Deserts, and Plains to coordinate cleanup actions at covered mine sites (hardrock mines), including covered mine sites on Tribal land. The bill requires the EPA Administrator to prioritize covered mine sites for cleanup; create a list of, and report to Congress on, the status of cleanup actions; and coordinate with EPA Regional Offices, federal agencies, states, Tribes, Alaska Native Corporations, and stakeholders to update priority sites and share best practices on cleanup actions.

The bill directs EPA to identify best practices for certain activities at covered sites; coordinate research on technologies and cleanup approaches that reduce risks to human health and environment; and support consultation with Tribes. The EPA Administrator must also develop a 10-year interagency plan to coordinate federal, state, and Tribal government efforts to carry out cleanup actions at Navajo Nation abandoned uranium sites. It requires EPA to provide technical assistance for cleanup actions on covered mine sites for states, local governments, Tribes, and other entities.

F. H.R. 4370, Securing America’s Mineral Supply (SAMS) Act

This legislation states that the following Executive Orders shall have the force of law: Executive Order 13817 (82 Fed. Reg. 60835; relating to a Federal strategy to ensure secure and reliable supplies of critical minerals); Executive Order 13953 (85 Fed. Reg. 62539; relating to addressing the threat to the domestic supply chain from reliance on critical minerals from foreign adversaries and supporting the domestic mining and processing industries); Executive Order 14154 (90 Fed. Reg. 8353; relating to unleashing American energy); Executive Order 14241 (90 Fed. Reg. 13673; relating to immediate measures to increase American mineral production); and Executive Order 14272 (90 Fed. Reg. 16437; relating to ensuring national security and economic resilience through section 232 actions on processed critical minerals and derivative products).

G. H.R. 7523, Spent Petroleum Catalyst Recycling and Critical Minerals and Metals Recovery Exemption Act (Rep. Balderson)

This legislation directs EPA to revise its regulations implementing Subtitle C of the SWDA to provide that units reclaiming valuable metals, from spent hydrotreating catalysts and spent hydrorefining catalysts from petroleum refining operations, are exempt from the boilers

¹² See *E&C Supply Chains Hearing*, *supra* note 1.

and furnaces requirements under the SWDA. It also requires EPA to clarify that this exemption applies to the particular units specified in the bill. The bill also requires these EPA regulations to clarify that the transfer-based exclusion under 40 C.F.R. § 261.4(a)(24) can be used when a spent petroleum catalyst is sent to a third party for metals reclamation. The bill also states that the final rules promulgated pursuant to this bill shall take effect immediately upon publication in the Federal Register and exempts them from the requirements of formal rulemaking under the Administrative Procedure Act.¹³

V. DISCUSSION TOPICS

The hearing may include discussion of the following questions:

- What role could the EPA play in efforts to develop strong critical mineral supply chains? How could EPA work with other federal agencies in doing so?
- How could policies supporting recycling and recovery activities help develop supply chains for critical minerals and identify new domestic sources?
- What is the current regulatory status of lithium-ion batteries destined for recycling, as well as materials recovered from those batteries. Does the current regulatory scheme for lithium-ion batteries impose unnecessary barriers to recycling them and recovering critical materials?
- How can EPA facilitate cleanup of contaminated sites, and how could EPA support efforts to recover critical minerals from mining waste?
- How could the proposed legislation strengthen domestic supply chains of critical minerals and reduce dependence on foreign adversaries, such as China?

VI. STAFF CONTACTS

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

¹³ 5 U.S.C. § 553.