

United States Senate

WASHINGTON, DC 20510

March 2, 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 write with concern regarding the Biden administration Environmental Protection Agency's (EPA) final rule revising annual cargo tank vapor tightness certification requirements under the Clean Air Act (CAA) regulations. Issued by the Biden EPA in 2024, this rule would impose standards originating in California under Governor Newsom and extend them nationwide. We urge you to continue the Trump administration's longstanding support for small businesses by reversing this Biden-era mandate and restoring the prior cargo tank testing standard to avoid fuel supply disruptions and ensure small business fuel marketers can remain competitive in the marketplace.

Gasoline is typically transported daily in large cargo tank vehicles collecting the product from supply terminals and delivering it directly to underground storage tanks at gas stations. These gasoline cargo tanks are subject to annual vapor tightness testing pursuant to EPA Method 27. Under the Agency's revised rule, EPA Method 27 mandates a maximum allowable pressure loss of 0.50 to 1.25 inches of water over a five-minute period, depending on the cargo tank compartment size. This pressure loss standard replaces the previous maximum allowable pressure loss of three inches of water column over the same period regardless of cargo tank compartment size for bulk gasoline terminals and plants under Subpart XXa and Subpart BBBBBB of the CAA. In addition, the amended regulation reduces by half the applicable pressure loss range for bulk gasoline terminals subject to Subpart R.

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 this Biden EPA mandate. These challenges are already materializing as some operators at liquid fuel terminals are prematurely enforcing the revised vapor tightness standards ahead of the 2027 compliance date, creating confusion and imposing unexpected costs on small business fuel marketers. Industry stakeholders have warned that, absent corrective action by the Trump administration, these standards could result in fuel supply disruptions if charge tank vehicles are denied terminal access due to an inability to immediately comply with these unnecessary requirements.

Small businesses in our states should not be subject to California's regulatory overreach. We respectfully request that the EPA work with industry stakeholders to revisit the final rule and restore the prior standard for sources regulated under Subpart XXa and Subpart BBBBBB, while reverting to the former range pressure drop range of 1.0 to 2.5 inches under Subpart R. Reverting

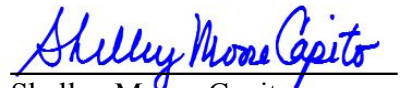
to this standard will support fuel supply continuity and ensure that first responders, motorists, farmers, ranchers, and other industries critical to America's success have reliable access to an adequate fuel supply.

We recognize the EPA's commitment to its mission and appreciate the Agency's consideration of the potential negative impacts the revised rule will have on the nation's fuel supply and the small businesses community. We appreciate your attention to these concerns and look forward to our continued collaboration.

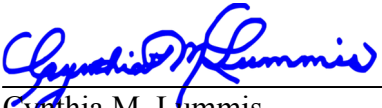
Sincerely,



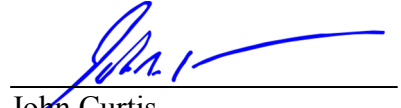
Kevin Cramer
United States Senator



Shelley Moore Capito
United States Senator



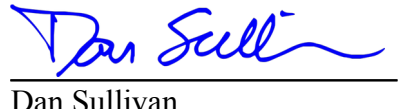
Cynthia M. Lummis
United States Senator



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