

Coalition Warns EPA Veto Power Threatens Pipeline, LNG Projects

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A new industry coalition is urging the Trump administration to limit the EPA's authority to retroactively block permitted energy and infrastructure projects under the Clean Water Act.

(P&GJ) — A new industry-backed coalition is calling on the Trump administration to limit the Environmental Protection Agency's authority to retroactively block permitted energy and infrastructure projects under Section 404(c) of the Clean Water Act.

The group, called the Fix the EPA Veto Coalition, argues the provision creates regulatory uncertainty for projects involving pipelines, LNG terminals, mining developments, and other large-scale infrastructure investments.

Under the current law, the EPA can veto certain U.S. Army Corps of Engineers-issued dredge and fill permits tied to waterways and wetlands. Coalition members contend the authority could be used by future administrations to halt projects after permits have already been issued or construction has begun.

The coalition is backing legislative efforts tied to the proposed Reducing Permitting Uncertainty Act, which would place limits on when the EPA can exercise its veto authority and establish defined timelines for challenges.

Industry groups involved in the coalition pointed to previous uses of the authority during the Obama and Biden administrations, including the EPA's veto of the Spruce No. 1 coal mine permit in West Virginia after the project had already received federal approval.

Supporters of the proposal say limiting the veto authority would improve long-term investment certainty for projects tied to pipelines, LNG export infrastructure, critical minerals and domestic energy production.

The coalition also cited potential implications for future projects such as Alaska natural gas infrastructure, LNG terminals and mining developments requiring federal permits from the Army Corps of Engineers.

According to coalition estimates, the Army Corps issues between 60,000 and 75,000 Section 404 permits annually, supporting roughly \$200 billion in economic activity.