

EPA 'Kill Switch' Sparks Alarm Over Energy Security



(Getty Images)

By Jerry McGlothlin | Tuesday, 09 June 2026 06:36 AM EDT

For decades, critics have argued that environmental regulations promoted under politically popular slogans such as “clean air” and “clean water” have carried consequences extending far beyond pollution control, increasingly restricting American energy production and industrial development.

Now, a new coalition is warning that a little-known provision of the Clean Water Act could give future administrations sweeping authority to halt major U.S. energy, mining, and infrastructure projects long after federal permits have been approved.

The newly launched Fix the EPA Veto Coalition says Section 404(c) of the Clean Water Act effectively grants the Environmental Protection Agency an open-ended veto power that could threaten pipelines, liquefied natural gas terminals, critical mineral mines, and other projects vital to American energy independence and national security.

Coalition members argue that the issue extends far beyond environmental policy and strikes at the heart of whether the United States will remain energy independent or become increasingly reliant on foreign suppliers for oil, natural gas, and strategic minerals.

“This creates enormous uncertainty for investment in America,” said Myron Ebell, an energy policy expert and senior adviser to the coalition. “Projects can spend years navigating the permitting process and complying with federal regulations, only to face the possibility of retroactive cancellation after construction has already begun.”

Under Section 404(c), the EPA has the authority to veto projects involving dredged or fill material if the agency determines they could have adverse environmental effects. Critics argue that the law contains no meaningful statute of limitations, leaving projects vulnerable indefinitely, even after permits have been issued and construction is underway.

The coalition says Alaska may be especially vulnerable because of its vast untapped reserves of oil, natural gas, and critical minerals needed for energy production, technology manufacturing, and military systems.

“Alaska is ground zero,” said Deantha Skibinski, executive director of the Alaska Miners Association. “A future administration hostile to domestic energy and mining development could systematically dismantle projects that are essential to America’s economy and energy security.”

The coalition estimated that 60,000 to 75,000 federal permits issued annually could theoretically remain exposed to retroactive EPA intervention, creating doubt across industries tied to energy, mining, transportation, and infrastructure development.

Business advocates warn that the uncertainty also threatens America’s ability to compete with countries such as China, which continues aggressively securing critical minerals used in semiconductors, batteries, defense systems, and renewable energy technologies.

“Investors need certainty,” said Mark Compton, executive director of the American Exploration & Mining Association. “Without predictable permitting, capital moves elsewhere, projects get delayed, jobs disappear, and America becomes more dependent on foreign adversaries for strategic resources.”

Ebell told Newsmax that the concern is not about eliminating environmental protections but about preventing what supporters describe as politically driven reversals years after companies have complied with federal permitting requirements.

“The coalition believes environmental review should happen during the permitting process, not indefinitely after approvals are granted,” Ebell said. “The concern is that companies can invest billions of dollars only to discover years later that the rules have suddenly changed.”

The coalition is urging the Trump administration to support reforms modeled after the Reducing Permitting Uncertainty Act, legislation introduced by Rep. Pete Stauber, R-Minn., which has twice passed the House of Representatives.

The proposed legislation would establish clearer limits on EPA veto authority by restricting retroactive actions to projects involving significant environmental concerns and requiring challenges to be brought within a defined timeframe.

Supporters say the reforms would preserve environmental protections while reducing the regulatory skepticism they argue discourages long-term investment in American energy infrastructure.

Energy policy has become an increasingly divisive issue in Washington as lawmakers debate domestic drilling, LNG exports, pipeline construction, and critical mineral development.

Supporters of permitting reform argue that reliable domestic energy production is essential not only for economic growth but also for military readiness and geopolitical leverage.

Critics of expansive EPA authority contend that prolonged permitting uncertainty undermines efforts to strengthen U.S. supply chains and restore domestic manufacturing capacity.

The coalition said the stakes extend far beyond Alaska.

According to coalition estimates, as much as \$200 billion in annual economic activity could be affected if future administrations aggressively use EPA veto powers against previously approved projects.

“If America wants energy security, stable supply chains, lower energy costs, and independence from hostile foreign powers, then America must provide certainty that legally permitted projects cannot be canceled years later through unlimited regulatory authority,” Ebell said.

Jerry McGlothlin is a writer, media consultant, and CEO of Special Guests Publicity, a firm specializing in booking guests on major media platforms. With decades of experience in communications, he focuses on exploring political and societal issues from a conservative perspective.

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