

# Congress of the United States

Washington, DC 20515

February 28, 2025

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

Administrator Zeldin,

We are writing to express our strong support for the Texas Railroad Commission's (RRC) application for primary enforcement responsibility (“primacy”) of Class VI underground injection control (UIC) wells, pursuant to section 1422 of the Safe Drinking Water Act (SDWA). Review of RRC’s primacy application is critical to the timely deployment of carbon capture, utilization, and storage (CCUS) projects not only throughout the state of Texas, but also throughout the country and across the world. These projects will help reduce emissions, provide jobs for hardworking Texans, and drive investments in new and innovative technologies in the State.

The EPA is currently reviewing over 160 Class VI well applications, with only eight final permit decisions issued to date.<sup>1</sup> While the EPA aims to review and make determinations within 24 months,<sup>2</sup> the average time for permit approval is currently between three and six years.<sup>3</sup>

We believe that prioritizing the review of the RRC’s application will benefit the EPA by establishing a clear precedent for review timelines. This will help streamline the approval process for future applications from other states, facilitate the launch of new CCUS projects, and ensure the implementation of appropriate environmental protections.

The RRC has worked extensively with the EPA throughout the pre-application process to ensure that the statutory requirements of the SDWA were met. Additionally, the RRC has demonstrated a long-standing commitment to regulatory excellence and a deep understanding of the unique challenges associated with subsurface injection activities in the state. With decades of experience in regulating energy production and environmental stewardship, the RRC has the technical expertise, infrastructure, and local knowledge required to effectively oversee the administration of Class VI wells.

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<sup>1</sup> <https://www.epa.gov/uic/current-class-vi-projects-under-review-epa#:~:text=EPA%20aims%20to%20review%20complete,completeness%20of%20the%20submitted%20application.>

<sup>2</sup> Ibid.

<sup>3</sup> <https://www.bhfs.com/insights/alerts-articles/2022/a-new-frontier-in-class-vi-carbon-storage-permitting-on-the-horizon>

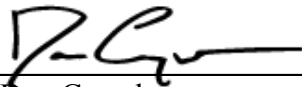
Class VI wells, which are designed to inject carbon dioxide (CO<sub>2</sub>) for the purpose of geologic sequestration, have significant potential in mitigating emissions. The RRC has developed and implemented robust regulatory frameworks that align with federal standards while incorporating the specific geologic and operational characteristics of the state. The RRC's application demonstrates its readiness to responsibly oversee the implementation and monitoring of these critical projects.

By reviewing RRC's application in a timely manner, the EPA will enable more efficient oversight, streamline permitting processes, and foster innovation in the growing field of carbon capture. This will also empower local stakeholders, including energy producers, environmental organizations, and the public, to have a more direct and effective voice in the regulation of these wells, which is vital to maintaining public confidence in the process.

We strongly believe that the RRC is well-equipped to manage the regulation of Class VI wells, ensuring they are operated safely, effectively, and with a strong commitment to environmental protection. We encourage the EPA to quickly review this application and continue supporting state-level leadership in environmental regulation.

Thank you for your consideration. We look forward to your favorable response and continued efforts to protect public health and the environment.

Sincerely,



Dan Crenshaw  
Member of Congress



August Pfluger  
Member of Congress



Randy K. Weber, Sr.  
Member of Congress



Craig A. Goldman  
Member of Congress



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Jake Ellzey  
Member of Congress




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Brandon Gill  
Member of Congress



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Lance Gooden  
Member of Congress



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Wesley Hunt  
Member of Congress



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Brian Babin, D.D.S.  
Member of Congress



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Beth Van Duyne  
Member of Congress



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Marc A. Veasey  
Member of Congress



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Lizzie Fletcher  
Member of Congress



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Jodey C. Arrington  
Member of Congress



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Morgan Luttrell  
Member of Congress



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Michael T. McCaul  
Member of Congress



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Roger Williams  
Member of Congress



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Ronny L. Jackson, M.D.  
Member of Congress



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John R. Carter  
Member of Congress

