



OFFICE OF GROUND WATER AND DRINKING WATER

WASHINGTON, D.C. 20460

December 13, 2024

Mr. Tom Torres
Hydrogen Program Director
Ohio River Valley Institute

Dear Mr. Torres:

Thank you for your letter and input on the U.S. Environmental Protection Agency's proposed rule to approve Underground Injection Control Class VI primacy for the state of West Virginia. I appreciate your concerns and input, and your comments will be taken into consideration as the EPA makes a final decision on this proposed action.

In your letter, you requested that the comment period be extended by 60 days and that the public hearing be rescheduled. The EPA has given these requests careful consideration and determined that the original 33-day comment period and scheduled December 30, 2024 public hearing are appropriate, offer a meaningful opportunity for public comment, and will result in a robust set of input from the public. Consequently, the EPA will retain the December 30, 2024 deadline for comments and public hearing date.

To provide the public with additional time to review and prepare comments on the West Virginia UIC Class VI proposed rule, the Agency made publicly available a pre-publication version of the proposed rule Federal Register Notice on November 22, 2024. Subsequently, the proposed rule was published in the Federal Register on November 27, 2024, officially initiating the public comment period, which is scheduled to conclude on December 30, 2024, for a total of 33 days. Therefore, commenters will have had access to the proposed rule FRN for a total of 38 days. Further, to encourage participation, the EPA is offering the option to attend the public hearing both virtually and in-person.

Additionally, the state of West Virginia has undertaken public participation efforts on its Class VI regulations prior to applying to the EPA for UIC Class VI primacy. These public participation efforts included a 30-day public comment period from June 23, 2021 to July 23, 2021, a virtual public hearing on July 23, 2021, a 36-day public comment period from June 12, 2023 to July 18, 2023, and a public hearing on June 18, 2023 in Charleston, West Virginia.

Again, thank you for your letter. If you have additional questions, please contact Bill Bates at bates.william@epa.gov or (202) 564-6165.

Sincerely,

Anita Thompkins
Director, Drinking Water Infrastructure
Development Division, Office of Ground Water and
Drinking Water