

U.S. EPA Update: Drinking Water Protection Division

Anita Thompkins, Director | September 16, 2019



OFFICE OF GROUND WATER
AND DRINKING WATER



EPA'S DRINKING WATER PROTECTION DIVISION

- Improving efficiency and transparency
- Building strong partnerships and engaging stakeholders
- Investing in training and education
- Balancing protection and sustainability

Improvements in Efficiency



Efficiency
Improvements

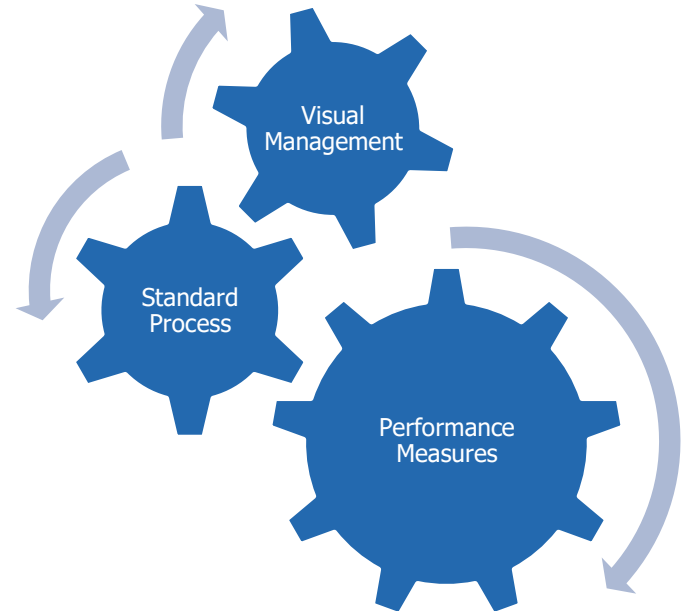
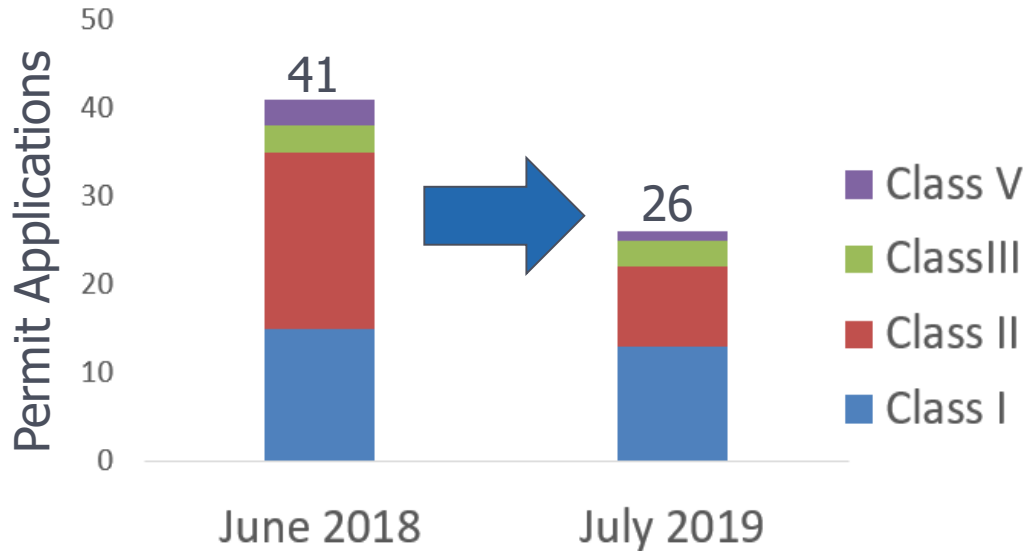
Adaptive
strategies

- Increase timeliness
- Improve processes
- Enhance transparency
- Facilitate coordination
- Manage resources responsibly

Proactive responses
Modern systems
Streamlined approaches
Efficient resource use

UIC Permitting

UIC DI Permit Applications >180 Days



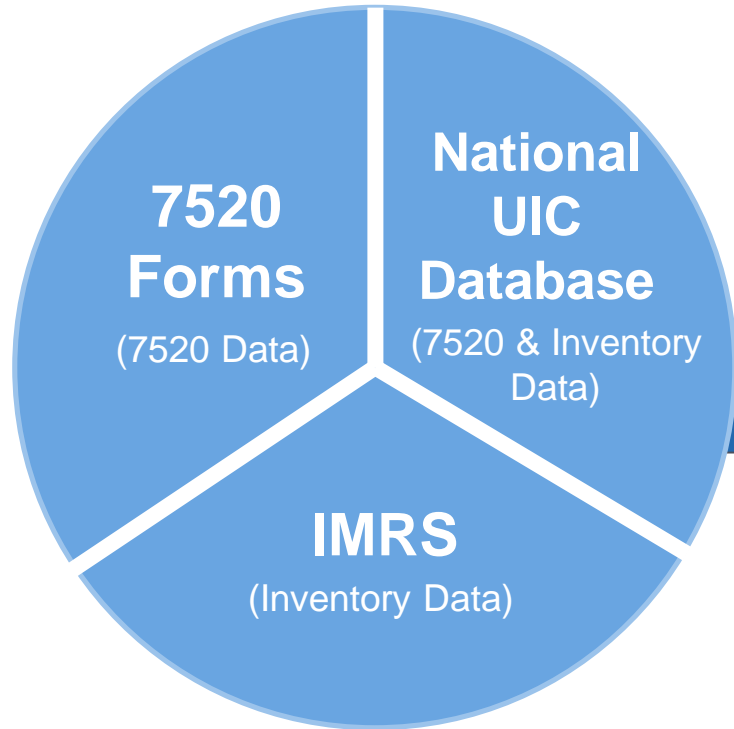
45Q Tax Credit for Carbon Oxide Sequestration

- Provides tax credits to eligible CCUS projects, including carbon oxide disposed of in secure geological storage
- Congress amended 45Q with the 2018 Bipartisan Budget Act (BBA)
- Department of Treasury and IRS “anticipate issuing regulations and other guidance to implement the provisions of 45Q” (IRS Notice 2019-32)

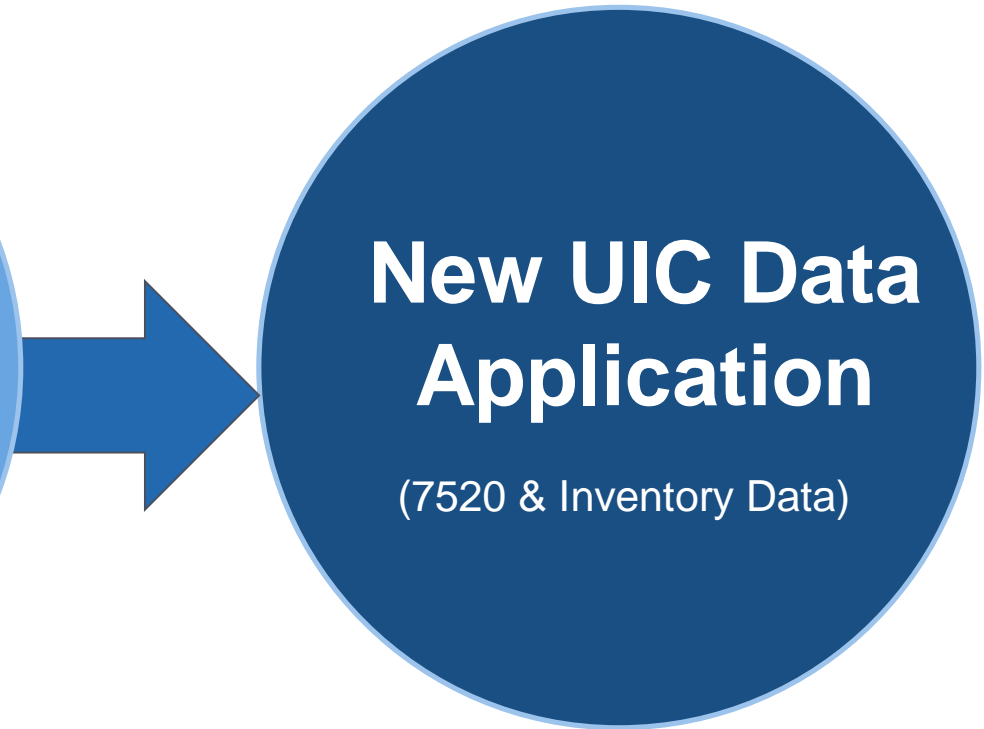
Then	Now
<ul style="list-style-type: none"> • Captured <i>carbon dioxide</i> eligible for credit • \$20 per ton stored • \$10 per ton utilized for EOR • Capped at 75 million tons in total 	<ul style="list-style-type: none"> • Captured <i>carbon oxides</i> eligible for credit • Up to \$50 per ton stored • Up to \$35 per ton utilized (EOR or other) • Credit can be claimed for up to 12 years • Projects must start construction before Jan. 1, 2024

Streamlining & Modernizing UIC Data

Old Process



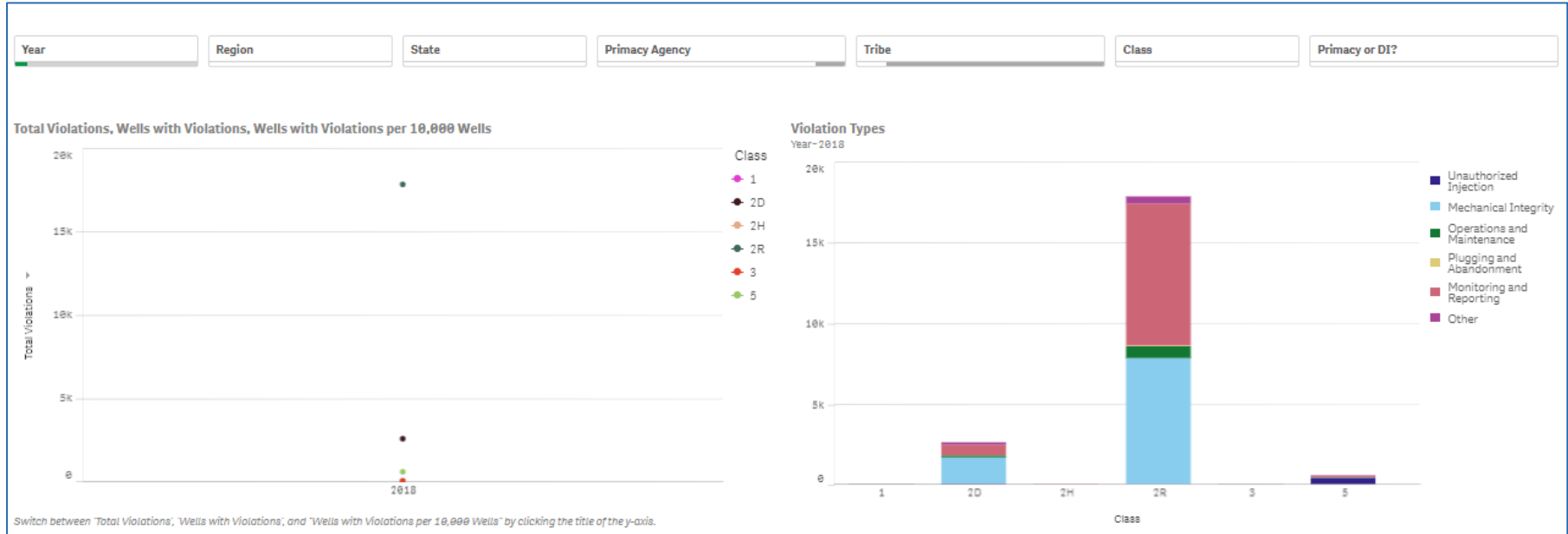
New Process



Data Visualization Tools to Increase Effectiveness

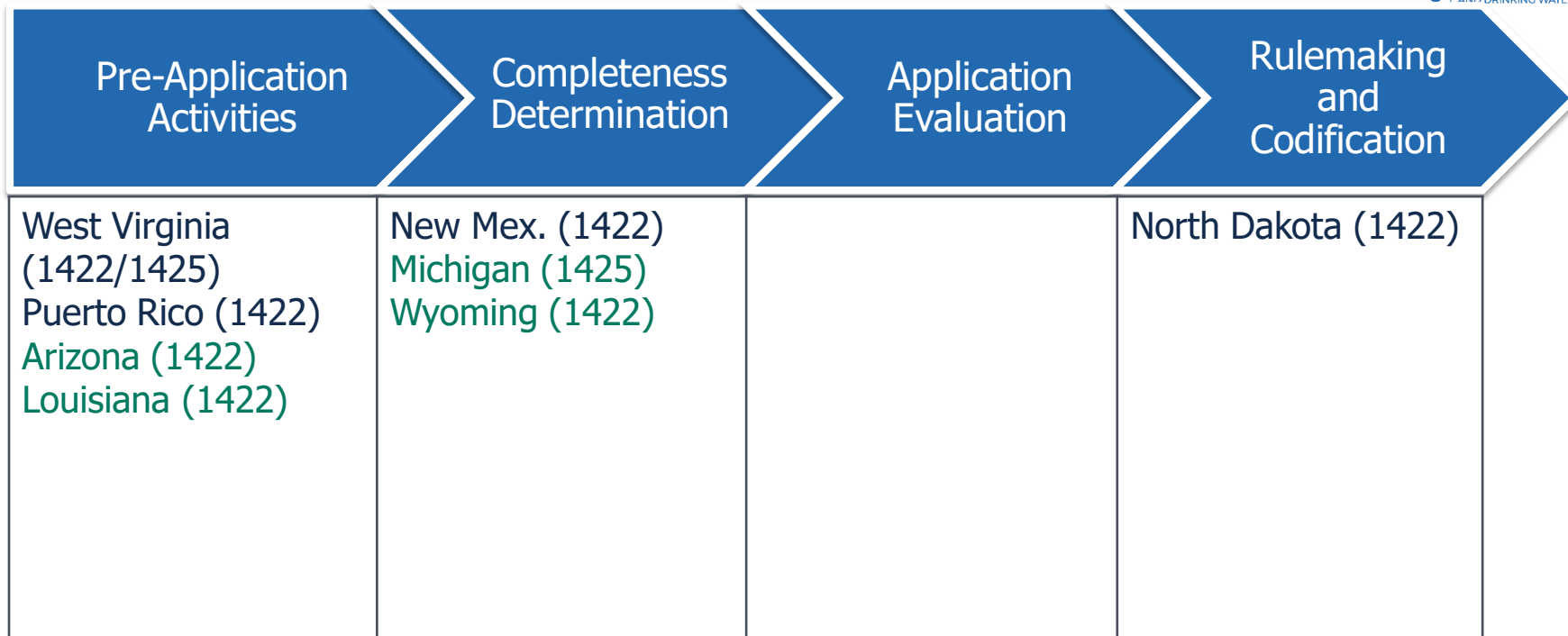


Qlik Reports, available in the UIC Data Application



Switch between "Total Violations", "Wells with Violations", and "Wells with Violations per 10,000 Wells" by clicking the title of the y-axis.

UIC Primacy Applications and Program Revisions



Program Revisions; New Primacy Applications

UIC Comprehensive Program Evaluations



Comprehensive UIC Program Evaluations February 21, 2019

Introduction

The mission of the EPA's Underground Injection Control (UIC) program is to prevent endangerment of underground sources of drinking water (USDW's) where injection activities are occurring. States, tribes, and territories (referred to collectively as "primacy programs" in this document) may apply for, and the EPA may grant, by rulemaking, primary enforcement responsibility ("primacy") for all or part of the UIC program. These primacy programs are then responsible for permitting or, in the case of rule-authorized wells, otherwise regulating underground injection wells so they do not endanger USDW's as required by the Safe Drinking Water Act (SDWA).

The EPA conducts UIC program oversight to help ensure that states who have been granted primacy continue to implement their programs in a manner consistent with the SDWA and their memorandums of agreement (MOAs) with EPA. EPA oversees UIC program performance within a robust framework that governs states and EPA UIC program implementation. A key resource for UIC program oversight is EPA's Guidance 30: *Interim Guidance for Overview of the Underground Injection Control Program* (Guidance 30). Guidance 30 supports the EPA UIC program in applying certain oversight framework elements in a consistent manner.

Guidance 30 identified four elements of the UIC oversight system: Annual (federal) reporting, grant reporting, non-compliance reporting, and program evaluations. The UIC program has evolved since Guidance 30 was developed, and EPA, in more recent years, has conducted two types of program evaluations: (1) annual performance reviews based on negotiated work plans related to UIC grant funds; and (2) comprehensive program evaluations.

The purpose of this document is to:

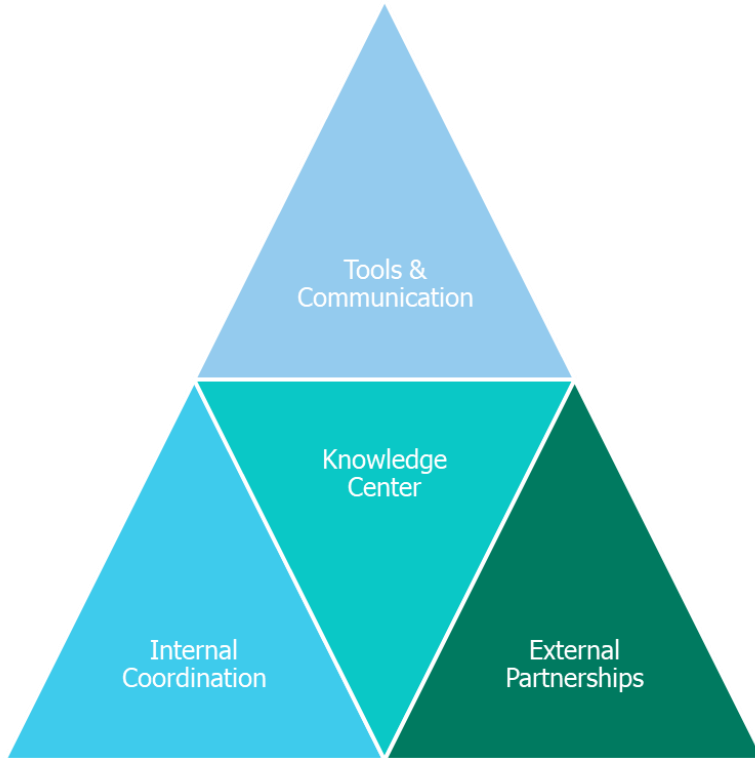
- Clarify the scope of comprehensive UIC program evaluations conducted by EPA.
- Present the general steps associated with comprehensive primacy program evaluation plans.
- Identify the core program elements that EPA will examine during a comprehensive primacy program evaluation process.

The EPA undertook this effort to bring consistency to comprehensive program evaluations of authorized UIC programs across regions; to establish clear expectations for primacy programs regarding what such evaluations will entail with respect to scope and information that EPA may request that a primacy program provide; and to help EPA identify issues where clarity is needed to achieve national consistency wherever possible.

This document is based on Guidance 30 and is intended to be used by regional UIC programs to guide the comprehensive program evaluation process. In addition to any general and/or agency-specific questions, EPA regions are encouraged to share this document with primacy programs in advance, so states may be prepared for the evaluation. Comprehensive program evaluations

- In February 2019, EPA finalized a framework for conducting UIC comprehensive program evaluations, the CPE brings transparency to the oversight process and establishes consistency in EPA state primacy reviews. The CPE is applicable to primacy programs approved under both SDWA 1422 and 1425 and well classes I, II, III, and VI. EPA is planning a Class V addendum to the CPE.
- The final CPE framework was used to successfully evaluate Alaska's 1425 program earlier this year.
- The UIC CPE is consistent with the principles of cooperative federalism by providing
 - **Transparent Environmental Protection** whereby states gather, maintain, and share information transparently with EPA and the public on how human health and the environment are protected, based upon nationally agreed upon criteria; and
 - **A program-level approach to oversight** whereby EPA, as part of the CPE, avoids reviewing individual program decisions made by states pursuant to delegated authority. Instead, EPA considers CPEs of delegated programs to be periodic retrospective reviews to ensure that state decisions are consistent and legally accurate.

Source Water Protection Team Strategies



“Hardwire” Source Water Protection:
Expand Partnerships and Program
Coordination

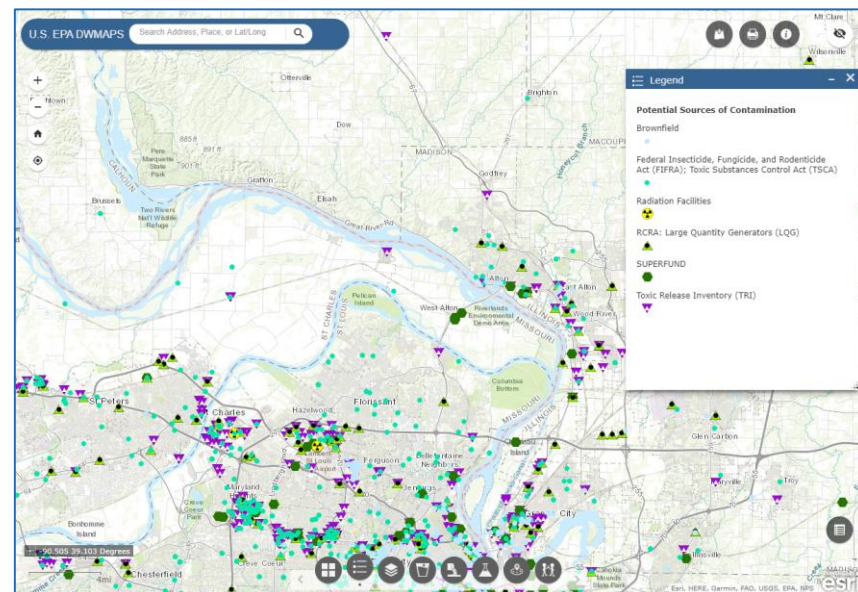
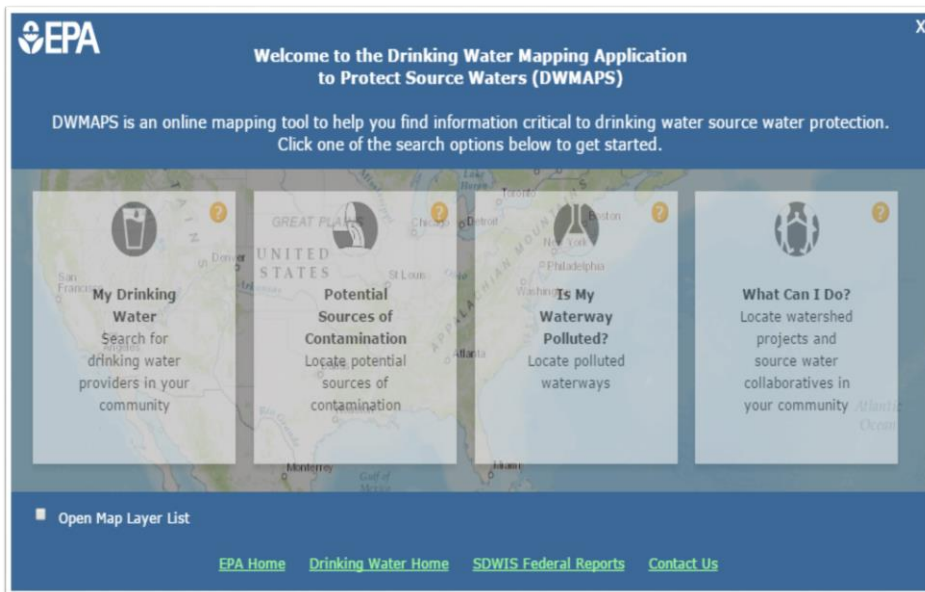


Share Information and Support Effective
Decision Making



Build a Knowledge Center

Drinking Water Mapping Application to Protect Source Waters



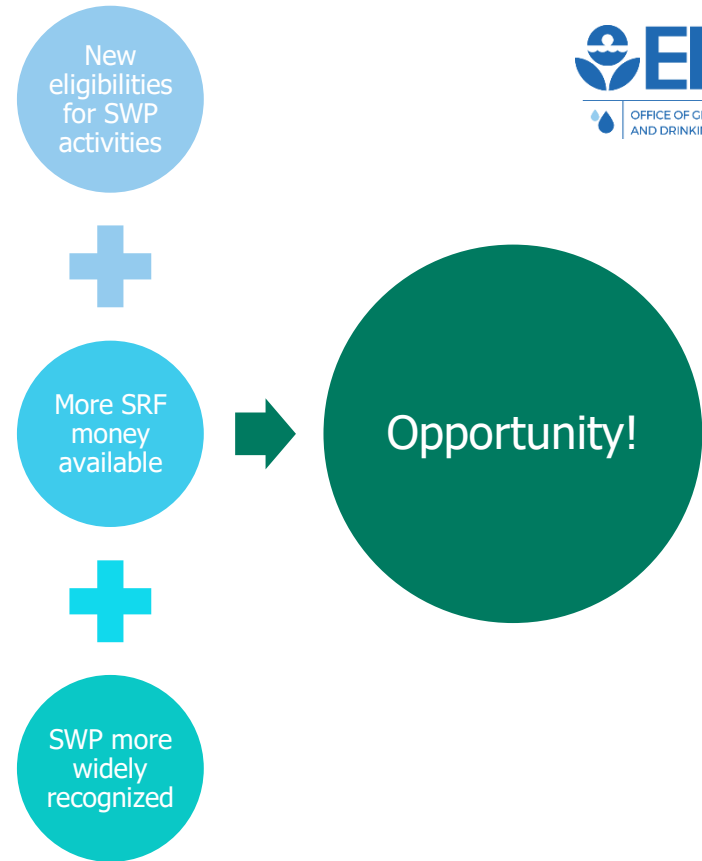
<https://www.epa.gov/sourcewaterprotection/dwmaps>

Now 29 Members!

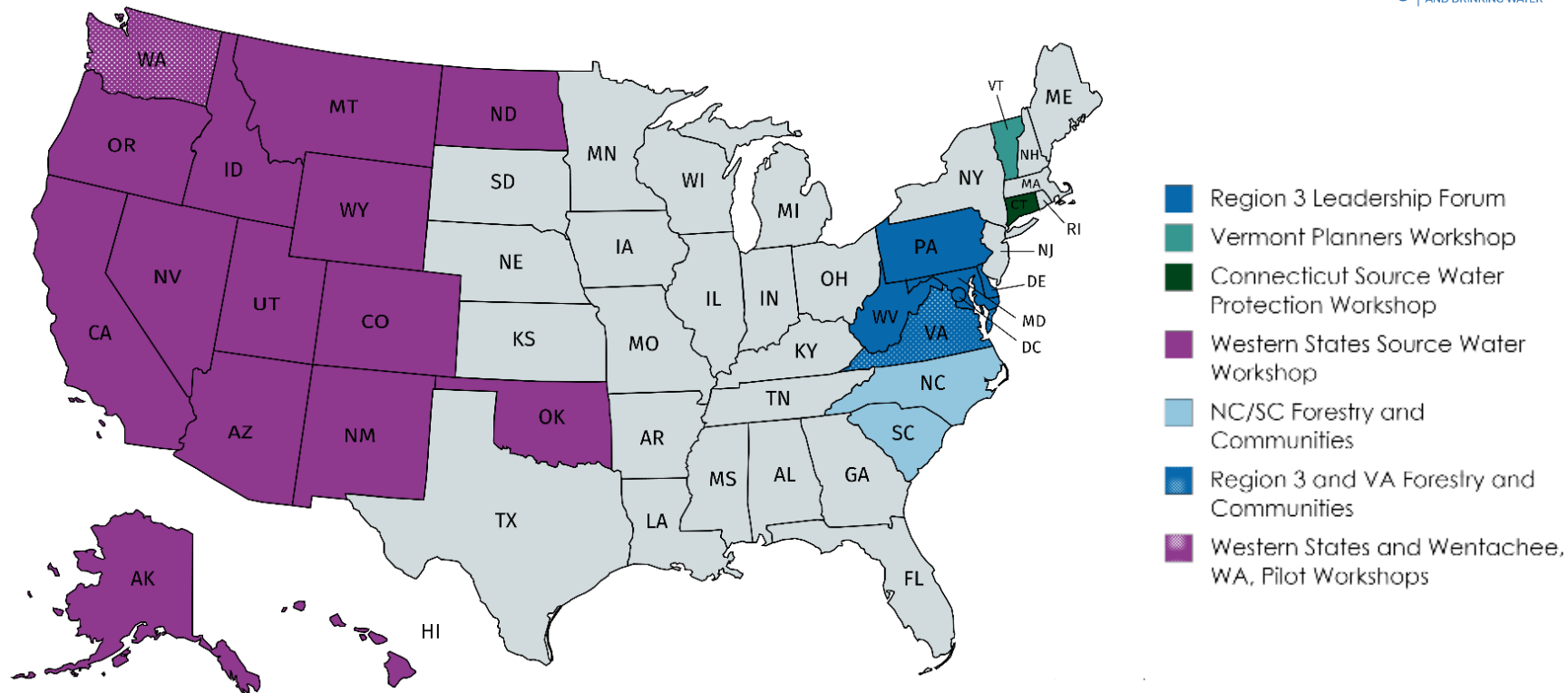


Funding Opportunities

- Now is the time for conversations between SWP programs and the DWSRF administrators in states about the opportunities to dedicate set-aside money for source water protection.
- EPA encourages states to re-think how they are utilizing their set-asides and consider new opportunities for leveraging these dollars for SWP



FY18 Source Water Protection Partnership Workshops



UIC Training Initiative



Underground Injection Control

Introduction to the Underground Injection Control (UIC) Program and Injection Well Permitting



Lesson 1 Introduction to UIC



Developing online training modules to support EPA and state UIC implementation programs with technical information and credentialing requirements.

Leveraging stakeholder review and feedback on training modules.

- National Technical Workgroup
- GWPC and GWPC selected states
- Federal partners

Planning Forty-two UIC modules (focusing on permitting, construction and operation, inspection and enforcement) and eight induced seismicity modules (to assist UIC permit writers manage injection induced seismicity).

Eleven modules now under peer review - Eight induced seismicity modules and three UIC modules.

Final modules will be posted on EPA's FedTalent website within the next few months

Federal Partners and co-regulators will be free to access the modules from FedTalent site.

NATIONAL WATER REUSE ACTION PLAN

DRAFT



Draft National Water Reuse Action Plan

Other Sustainability Issues





THANK YOU