



# FACT SHEET

## Underground Injection Control (UIC) Class VI Grant Program

11/2/2023

### Program Summary

EPA's Underground Injection Control (UIC) Class VI program is a key part of the Biden-Harris Administration's goal to reach a net zero emissions economy by 2050. The Agency's program balances prioritizing carbon sequestration and other carbon mitigation technologies while achieving the fundamental mission of the EPA to protect public health and the environment and specifically, the Safe Drinking Water Act (SDWA) mandate to protect Underground Sources of Drinking Water (USDWs).

Through the Bipartisan Infrastructure Law, EPA is providing over \$48 million in grants that will support states, Tribes, and territories in developing and implementing UIC Class VI programs. Under the SDWA, states, Tribes, and territories may apply for primary responsibility (primacy) for implementing and enforcing a UIC Class VI program in their respective lands. The UIC Class VI program ensures that groundwater resources are protected while supporting geologic sequestration of carbon dioxide (CO<sub>2</sub>) to reduce greenhouse gas emissions and mitigate climate change. Through this grant, EPA is ensuring state UIC Class VI programs follow the SDWA mandate to protect underground sources of drinking water.

### Eligible Applicants

On January 19, 2023, EPA Administrator Michael S. Regan sent letters inviting states, Tribes, and territories to submit letters of intent (LOI) to indicate their interest in the new grant program. Eligible applicants that submitted a LOI may apply for the grant program. Eligible applicants include states as defined in section 1401 of the SDWA, which includes the 50 states, various territories, and Indian Tribes that can be treated as states under section 1451 of the SDWA.

### Eligible Activities

Activities eligible to be funded through this grant program are activities related to the establishment and operation of a UIC Class VI primacy program. This may include primacy or program revision application activities such as Class VI regulatory development, environmental justice tool and process development, and development and submittal of a program submission. This may also include program implementation activities such as permitting, inspections, data management, and travel. Ineligible uses of grant funds include but are not limited to activities related to non-Class VI wells, construction, purchase of land, and other unallowable costs<sup>1</sup>.

### Environmental Justice Requirements

EPA is committed to securing environmental justice for environmentally overburdened communities while meeting the Agency's mission to protect human health and the environment. On December 9, 2022, and January 11, 2023, EPA Administrator Michael S. Regan sent letters to governors and Tribal leaders calling for partnership to advance the twin goals of combatting climate change and supporting environmental justice.<sup>2</sup> Additionally, on August 17, 2023, EPA released a *Memorandum on Environmental Justice Guidance for Class VI Permitting and*

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<sup>1</sup> 2 CFR 200 Subpart E

<sup>2</sup> [https://www.epa.gov/system/files/documents/2022-12/AD.Regan\\_.GOVS\\_.Sig\\_.Class%20VI.12-9-22.pdf](https://www.epa.gov/system/files/documents/2022-12/AD.Regan_.GOVS_.Sig_.Class%20VI.12-9-22.pdf)

*Primacy*<sup>3</sup>. As a condition of receiving funding, applicants to the new UIC Class VI grant program must demonstrate how environmental justice and equity considerations will be incorporated into their UIC Class VI primacy programs. Primacy program commitments may include identifying communities with potential environmental justice concerns, enhancing public involvement, developing appropriately scoped environmental justice assessments, enhancing transparency throughout the permitting process, and minimizing adverse effects associated with permitting actions.

### **Allocation of Funds**

The \$48,250,000 in available funds have been allocated evenly among the 25 states and Tribes that submitted LOIs by March 2023. Those states and Tribes include Alabama, Alaska, Arizona, Colorado, Delaware, Georgia, Kansas, Kentucky, Louisiana, MHA Nation<sup>4</sup>, Michigan, Mississippi, Montana, Navajo Nation, Nebraska, New Mexico, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Texas, Utah, West Virginia, and Wyoming. The allotment for each of these states and Tribes is \$1,930,000. Each state or Tribe may apply for grant funding under work plans of up to five years, with no federal cost share requirement. Programs interested in receiving awards in federal fiscal year 2024 should work with EPA Regions to ensure that complete applications are submitted by the applicable EPA Regional due dates.

### **Learn More About UIC Class VI Wells**

The geologic sequestration of carbon dioxide in UIC Class VI wells is used in carbon capture and storage to prevent industrial sources of carbon dioxide emissions from reaching the atmosphere. The carbon dioxide is injected through specially constructed wells that extend into deep rock formations. These formations must be tested and selected based on geologic characteristics suitable for the safe containment of carbon dioxide for long-term storage. This technology will provide good-paying jobs and promote an environmentally responsible industry.

EPA has, under the SDWA, developed stringent federal requirements for injecting carbon dioxide that protect public health by ensuring injection wells do not contaminate underground sources of drinking water. These UIC regulations mandate using a variety of measures to assure that injection activities will not endanger underground sources of drinking water. [Additional tools, resources and information about Class VI wells are available here.](#)

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<sup>3</sup> [https://www.epa.gov/system/files/documents/2023-08/Memo%20and%20EJ%20Guidance%20for%20UIC%20Class%20VI\\_August%202023.pdf](https://www.epa.gov/system/files/documents/2023-08/Memo%20and%20EJ%20Guidance%20for%20UIC%20Class%20VI_August%202023.pdf)

<sup>4</sup> The Three Affiliated Tribes of the Mandan, Hidatsa and Arikara Nation