Message

From: Bergman, Ronald [Bergman.Ronald@epa.gov]
Sent: 5/11/2021 5:48:25 PM
To: Bates, William [bates.william@epa.gov]
Subject: RE: Hill request for USE IT briefing

Ex. 5 Deliberative Process (DP)

From: Bates, William <bates.william@epa.gov>
Sent: Tuesday, May 11, 2021 1:12 PM
To: Bergman, Ronald <Bergman.Ronald@epa.gov>
Subject: RE: Hill request for USE IT briefing

Ex. 5 Deliberative Process (DP)

William J. L. Bates, P.G.
Branch Chief
Office of Ground Water & Drinking Water: Prevention Branch
U.S. Environmental Protection Agency
Washington, D.C.
Office: 202-564-6165
Cell: Ex. 6 Personal Privacy (PP)

From: Bergman, Ronald <Bergman.Ronald@epa.gov>
Sent: Tuesday, May 11, 2021 13:06
To: Bates, William <bates.william@epa.gov>
Subject: RE: Hill request for USE IT briefing

This is a good start. Can we say what we will add to the DOE report – in general terms? Are we just adding the permitting perspective, or is there more?

From: Bates, William <bates.william@epa.gov>
Sent: Tuesday, May 11, 2021 12:50 PM
To: Bergman, Ronald <Bergman.Ronald@epa.gov>
Subject: RE: Hill request for USE IT briefing

Hey Ron,

What do you think of something like this?

Deep Saline Formation Report:

- Congress mandated that EPA develop a report on Deep Saline Formations that looks at: 1) identification of potential risks and benefits to project developers associated with increased storage of carbon dioxide captured from stationary sources in deep saline formations, 2) recommendations for managing the potential risks,

including those on public lands, and 3) recommendations for Federal legislation or other policy changes to mitigate any potential risks.

- Office of Water has taken lead for developing the report and will be coordinating with other offices in the development of the report.
- Ex. 5 Deliberative Process (DP)

William J. L. Bates, P.G.
Branch Chief
Office of Ground Water & Drinking Water: Prevention Branch
U.S. Environmental Protection Agency
Washington, D.C.
Office: 202-564-6165
Cell: Ex. 6 Personal Privacy (PP)

From: Corr, Elizabeth <Corr.Elizabeth@epa.gov>
Sent: Tuesday, May 11, 2021 10:46
To: Bates, William <bates.william@epa.gov>
Cc: Bergman, Ronald <Bergman.Ronald@epa.gov>; Cooper, Tiffany <Cooper.Tiffany@epa.gov>
Subject: RE: Hill request for USE IT briefing

Hi Bill, and thanks much for your participation on the OCIR call just now.

For the "where we are" bullets that OCIR requested: Please be aware that we will need to run those by Jennifer / Yu-Ting for their awareness and in time to address any questions/comments they might have. Before that, we will need DWPD division-level review also (counting on Ron to determine with the D-Team whether that is his or Anita's to provide).

Ron and Bill: Would it be possible to get the bullets cleared at the division level by, say 10 a.m. tomorrow Wednesday morning?

Glad to discuss the report including the ownership aspects with you following up on Greg's comments during the meeting.

Including Tiff in light of the potential resources aspect for DWPD/OGWDW depending on where things land with report ownership and scope.

Thanks!

From: Corr, Elizabeth
Sent: Tuesday, May 11, 2021 9:58 AM
To: Bates, William <bates.william@epa.gov>
Cc: Bergman, Ronald <Bergman.Ronald@epa.gov>
Subject: FW: Hill request for USE IT briefing

Hi Bill,

Seeking your response to OW's question below. No deadline per se, but sometime today would be helpful. If that's not readily doable, LMK.

Also, there is an agency-wide planning meeting this morning on how EPA will brief Congress on the USE IT. I can attend for us and bring the conversation back to OGWDW. You are also welcome to attend (fine either way). I will share the invite with you when I get it.

Thanks,

Elizabeth

From: Spraul, Greg <Spraul.Greg@epa.gov>
Sent: Tuesday, May 11, 2021 9:33 AM
To: Corr, Elizabeth <Corr.Elizabeth@epa.gov>
Subject: RE: Hill request for USE IT briefing

Ex. 5 Deliberative Process (DP)

> '(ii) REPORT.—In consultation with the Secretary of Energy, and, as appropriate, with the head of any other relevant Federal agency and relevant stakeholders, not later than 1 year after the date of enactment of the Utilizing Significant Emissions with Innovative Technologies Act, the Administrator shall prepare, submit to Congress, and make publicly available a report that includes—
>
> (I) a comprehensive identification of potential risks and benefits to project developers associated with increased storage of carbon dioxide captured from stationary sources in deep saline formations, using existing research;
>
> (II) recommendations for managing the potential risks identified under subclause (I), including potential risks unique to public land; and
>
> (III) recommendations for Federal legislation or other policy changes to mitigate any potential risks identified under subclause (I).

From: Corr, Elizabeth <Corr.Elizabeth@epa.gov>
Sent: Monday, May 10, 2021 9:58 AM
To: Spraul, Greg <Spraul.Greg@epa.gov>
Subject: FW: Hill request for USE IT briefing

Ex. 5 Deliberative Process (DP)

From: Corr, Elizabeth
Sent: Sunday, May 9, 2021 11:47 AM
To: Spraul, Greg <Spraul.Greg@epa.gov>
Subject: RE: Hill request for USE IT briefing

Getting back to you based on where we last landed re the deep saline formations report to Congress:

- The first attachment discusses DOE's report and is the most recent item.
- It was not clear whether there was / was going to be a definitive agency level answer re ORD (second attachment).

I shared your email with the program last week but am not expecting them to have information beyond what is attached here.

From: Spraul, Greg <Spraul.Greg@epa.gov>
Sent: Friday, May 7, 2021 9:38 AM
To: Corr, Elizabeth <Corr.Elizabeth@epa.gov>
Subject: Fwd: Hill request for USE IT briefing

Elizabeth,

The first step on this will probably be an internal meeting to talk about it. We don't really have anything to tell the committee since the law just passed. We probably have equities in one of the reports but I think as you've mentioned

Ex. 5 Deliberative Process (DP)

Begin forwarded message:

> **From:** "Thundiyil, Karen" <Thundiyil.Karen@epa.gov>
> **Date:** May 7, 2021 at 9:01:39 AM EDT
> **To:** "Linkins, Samantha" <Linkins.Samantha@epa.gov>, "Spraul, Greg" <Spraul.Greg@epa.gov>, "Wooden-Aguilar, Helena" <Wooden-Aguilar.Helena@epa.gov>, "Moore, Steven" <Moore.Steven@epa.gov>, "Lewis, Josh" <Lewis.Josh@epa.gov>, "Sandfoss, Kristina" <Sandfoss.Kristina@epa.gov>, "Olson, Heather" <Olson.Heather@epa.gov>, "Lubetsky, Jonathan" <Lubetsky.Jonathan@epa.gov>
> **Cc:** "Richardson, RobinH" <Richardson.RobinH@epa.gov>, "Moody, Christina" <Moody.Christina@epa.gov>, "Kaiser, Sven-Erik" <Kaiser.Sven-Erik@epa.gov>, "Klasen, Matthew" <Klasen.Matthew@epa.gov>, "Borum, Denis" <Borum.Denis@epa.gov>, "Haman, Patricia" <Haman.Patricia@epa.gov>, "Walsh, Ed" <Walsh.Ed@epa.gov>
> **Subject: Hill request for USE IT briefing**
>
> Hi All,
>
> Radha got a request for a briefing on EPA's progress in implementing the USE IT Act. I'm reaching out to you because your office may have a role in USE IT.
> USE IT was a part of the FY2021 Omnibus signed into law at the end of last year.
>
> The request for a briefing originated with SEPW minority, but EPA will invite a larger set of offices given the bipartisan interest in both chambers. We're aiming to provide the briefing in the next couple of weeks.
>
> I'll give you a call next week to discuss what, if any, work your office may have initiated from USE IT. If nothing has been started, let me know. In addition, it might be useful for us to talk as a group as well. Based on feedback from your office and feedback from Radha, I'll come up with some parameters for any kind of briefing that is provided. I welcome any feedback you might have.
>
> Attached is the USE IT language and here is a brief list of USE IT EPA provisions:
>
> -Directs EPA to establish a competitive prize program that awards funds to direct air capture research projects to reduce CO2 from stationary sources.

-Authorizes the establishment of a Direct Air Capture Technology Advisory Board of experts to advise the Administrator.
-Requires EPA to prepare a report regarding carbon dioxide storage in deep saline formations, in consultation with DOE.
-Directs GAO to submit a report to Congress, not later than 5 years after enactment, identifying Federal grant programs regarding carbon capture and utilization technology research and examining any overlap or duplication.
-Requires DOE, in consultation with EPA, to carry out a research, development, demonstration, and commercialization program for carbon utilization.
-Directs DOE and EPA to have the National Academies conduct a study examining the barriers and opportunities related to commercial application of CO2.
-Not later than 180 days after enactment, CEQ, EPA and other Departments will also compile a report on relevant Federal permitting and review information for project developers in the carbon capture, utilization, sequestration (CCUS) space.
-Serve on a task force established by CEQ that will identify successes and challenges faced by developers and operators of CCUS projects and CO2 pipelines, and make recommendations to improve the permitting and regional coordination for efficient, orderly and responsible development of such projects.

Former EPW Chairman Barrasso's press release highlighting USE IT becoming law has some context. It's available here. Attached is the OCIR email that went out to EPA and program office leadership on EPA items in the FY2021 Omnibus.

Let me know if you have any questions or need any more info. Talk to you next week - -

Karen.

Karen Thundiyil
Office of Congressional Affairs
U.S. Environmental Protection Agency
(202) 564.1142