Message

From: Bates, William [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=3D20593736A64CDBA3211A9301B80D70-WBATES]
Sent: 6/8/2021 6:22:08 PM
To: Thompkins, Anita [Thompkins.Anita@epa.gov]; Bergman, Ronald [Bergman.Ronald@epa.gov]
Subject: RE: EPW request for a USE IT update
Attachments: Deep Saline Formation Outline_4.docx; Briefing_06-10-2021_DeepSalineFormationReport.docx; Executive Summary - Overview of Potential Failure Modes and Effects Associated with CO2 Injection .docx

Hey Anita,

Attached our outline for the Deep Saline Formation Report as well as our briefing document. In addition, I have also extracted the executive summary from the DOE report on *Overview of Potential Failure Modes and Effects Associated with CO2 Injection and Storage Operations in Saline Formations*.

I have also added some additional thoughts for your consideration below. I have underlined the additional text.

- Ex. 5 Deliberative Process (DP)
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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: Thompkins, Anita <Thompkins.Anita@epa.gov>
Sent: Tuesday, June 08, 2021 10:54
To: Bates, William <bates.william@epa.gov>; Holsinger, Hannah <Holsinger.Hannah@epa.gov>
Cc: Bergman, Ronald <Bergman.Ronald@epa.gov>; Simbanin, Cynthia <Simbanin.Cynthia@epa.gov>
Subject: FW: EPW request for a USE IT update

Please see below.....do we have info on this question and/or response?

Anita Maria Thompkins
Director, Drinking Water Protection Division
Office of Ground Water and Drinking Water
U.S. Environmental Protection Agency
Washington, DC
Office Phone: 202-564-5673
EPA Cell: Ex. 6 Personal Privacy (PP)

From: McLain, Jennifer L. <McLain.Jennifer@epa.gov>
Sent: Tuesday, June 8, 2021 10:46 AM
To: Corr, Elizabeth <Corr.Elizabeth@epa.gov>; Thompkins, Anita <Thompkins.Anita@epa.gov>
Cc: Wirth, Karen <Wirth.Karen@epa.gov>; Guilaran, Yu-Ting <Guilaran.Yu-Ting@epa.gov>
Subject: RE: EPW request for a USE IT update

Elizabeth – Do we have anything on this:

a) ORD and OW – need to harmonize with the EPW budget hearing's 2 questions/responses on USE IT when we have it. DWPD and RMES

QFR: February 2021
Section 102(b)(6)(C)(ii) in Division S of the Consolidated Appropriations Act of 2021 requires the EPA Administrator, no later than one year after the enactment of the USE IT Act, in consultation with the Secretary of Energy, and, as appropriate, with the head of any other relevant federal agency and relevant stakeholders, to 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).
Do you commit to ensuring the agency will release and submit this report within the time period established by the USE IT Act?

RESPONSE: Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

From: Corr, Elizabeth <Corr.Elizabeth@epa.gov>
Sent: Thursday, June 3, 2021 11:28 AM
To: McLain, Jennifer L. <McLain.Jennifer@epa.gov>; Guilaran, Yu-Ting <Guilaran.Yu-Ting@epa.gov>
Cc: Wirth, Karen <Wirth.Karen@epa.gov>
Subject: RE: EPW request for a USE IT update

This follows up on your conversation with Anita yesterday about the USE IT briefing for EPW that OCIR is planning. OCIR's feedback re whether this could be done some other way (e.g., in writing) is that it will be a briefing. They have sent the invite for the internal prep meeting with Radha to Anita with the understanding that she will speak for the UIC program at the briefing. (Greg also understands.)

I will let you know when we have a briefing date with EPW on the calendar.

From: Corr, Elizabeth
Sent: Friday, May 28, 2021 10:13 AM
To: McLain, Jennifer L. <Mclain.Jennifer@epa.gov>; Guilaran, Yu-Ting <Guilaran.Yu-Ting@epa.gov>
Cc: Thompkins, Anita <Thompkins.Anita@epa.gov>; Bergman, Ronald <Bergman.Ronald@epa.gov>; Simbanin, Cynthia <Simbanin.Cynthia@epa.gov>; Bates, William <bates.william@epa.gov>; Wirth, Karen <Wirth.Karen@epa.gov>
Subject: FW: EPW request for a USE IT update

Hi Jennifer and Yu-Ting,

This is a heads up based on conversations and an email from OCIR that plans for EPA to brief the Hill on USE IT Act implementation are taking shape, in the form of a call in June with Senate staff from SEPW and possibly from the Energy & Natural Resources Committee. (Not clear whether this would be for one or both sides of the aisle). This briefing would be separate from CEQ's efforts to inform the Hill. OCIR Is aware of the CEQ effort and of EPA's ongoing coordination, through OAR, with CEQ.

OCIR would like to keep the briefing to a status update on several discreet topics listed below, which for us is the deep saline formations report, and is suggesting that the primary briefers would be congressional team members with technical experts available on the line—for us, Greg Spraul and Bill Bates. Please let me know whether this works for OGWDW.

OCIR is also requesting program feedback on several items. I have highlighted those below and added some thoughts (red font) about who among us would be involved in putting together a reply to OCIR.

Welcoming others to jump in if there is something that should be added to the above,

Elizabeth

PS – Previous plans for a Hill briefing were that EPA would participate in a larger interagency briefing led by DOE. It is not clear yet how those plans may shape up.

From: Spraul, Greg <Spraul.Greg@epa.gov>
Sent: Friday, May 28, 2021 8:48 AM
To: Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Linkins, Samantha <Linkins.Samantha@epa.gov>; Wooden-Aguilar, Helena <Wooden-Aguilar.Helena@epa.gov>; Moore, Steven <Moore.Steven@epa.gov>; Lewis, Josh <Lewis.Josh@epa.gov>; Olson, Heather <Olson.Heather@epa.gov>; Lubetsky, Jonathan <Lubetsky.Jonathan@epa.gov>; Kim, Eunjung <Kim.Eun@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>; Shaw, Denice <Shaw.Denice@epa.gov>; Bates, William <bates.william@epa.gov>; Corr, Elizabeth <Corr.Elizabeth@epa.gov>
Subject: RE: EPW request for a USE IT update

Thanks. Adding Elizabeth Corr to this group.

From: Thundiyil, Karen <Thundiyil.Karen@epa.gov>
Sent: Friday, May 28, 2021 8:36 AM

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>; Olson, Heather <Olson.Heather@epa.gov>; Lubetsky, Jonathan <Lubetsky.Jonathan@epa.gov>; Kim, Eunjung <Kim.Eun@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>; Shaw, Denice <Shaw.Denice@epa.gov>; Bates, William <bates.william@epa.gov>
Subject: EPW request for a USE IT update

Hi All – Last Friday I emailed you about USE IT, and now this Friday, I have another update for you: Time for a pivot!

EPA is going to provide a status update for EPW committee staff on the 3 specific USE IT topics where EPA is the lead (topics listed below).
With this email I am 1) sharing parameters of this update and 2) asking for your feedback.

Ex. 5 Deliberative Process (DP)

1)Parameters of the update:

Ex. 5 Deliberative Process (DP)

I suggest this speaker arrangement in an effort to reduce the burden on program leadership teams and to reduce the burden on the technical staff implementing this program. In addition, this arrangement should facilitate having a update call shortly after Memorial Day holiday.

2)Request for feedback:

Ex. 5 Deliberative Process (DP)

Don't hesitate to call/email. I'm happy to answer any questions or clarify anything here. After this Friday, I'm on AL through June 16th. Please include my supervisor, Pat Haman, on any replies - - thank you!

Karen.

Competitive prize:

a. ORD is leading this effort and has been coordinating with both OW and OAR on options and strategies for a competitive prize program focused on direct air capture innovations to reduce CO2 from stationary sources.

b. Should resources become available, potential areas of focus and partners have been suggested for a competitive prize program envisioned to be led by EPA and conducted through a public-private partnership
c. We have found a public-private partnership to be a successful approach in previous EPA prize programs.
d. EPA is taking steps to ensure that the EPA and DOE programs, both focused on carbon capture, are coordinated and consistent.

Deep saline report:

a. OW is leading the development of this report and has begun coordination with other EPA offices.
b. OW is also working with DOE on the development of EPA's report.
c. OW will leverage the DOE's December 2020 report, *Overview of Potential Failure Modes and Effects Associated with CO2 Injection and Storage Operations in Saline Formations.*

Advisory Board

NEED info!

From: Thundiyil, Karen
Sent: Friday, May 21, 2021 9:40 AM
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>; Jonathan Lubetsky <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: RE: Hill request for USE IT briefing

Hi All – Thank you to ORD, OW, OP and OAR for sharing your feedback on status of standing up a new program of USE IT activities in your offices. It was helpful in prepping to talk to the staffers.

I have connected with most of you with the latest by now, but just in case – Radha has indicated that DOE will take the lead on a briefing for USE IT. I'll reach out if/when I have an update.

Also, FYSA since some offices have been working with CEQ on USE IT provisions: Yesterday a bipartisan group of senators (Capito, Whitehouse, Barrasso, Manchin + others) sent a letter yesterday to CEQ about USE IT implementation. The senators want a full accounting of CEQ's progress on USE IT by early June, and regular updates every 3 months.

Don't hesitate to reach out if you have any questions or would like any clarification.

Karen.

From: Thundiyil, Karen
Sent: Friday, May 07, 2021 9:01 AM
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>; Jonathan Lubetsky <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