



REGION 9

SAN FRANCISCO, CA 94105

Sent electronically only

February 27, 2025

Travis Lane
Chief Executive Officer
Tulare County Carbon Storage Project LLC

Re: Administrative Review – Notice of Complete Application
Tulare County Carbon Storage Project (TCCSP)
Underground Injection Control (UIC) Permit Application
Class VI Pre-Construction Permit Application No. R9UIC-CA6-FY25-1.1-1.2

Dear Travis Lane:

The United States Environmental Protection Agency, Region 9 (EPA), pursuant to 40 CFR §124.3(c), has conducted an administrative review of the subject permit application by the Tulare County Carbon Storage Project LLC (TCCSP) for two (2) proposed injection wells located in Tulare County, California. Following our review of TCCSP's initial application, received on October 7, 2024, and updated application materials received on December 13, 2024, via the Geologic Sequestration Data Tool (GSDT), we have determined the application is administratively complete.

In our November 13, 2024 Notice of Deficiency/Incomplete Application (NOD) to TCCSP, we noted that in instances where an applicant maintains confidentiality claims over fundamental project information¹ beyond the administrative review phase of the permitting process, we may defer or pause our technical evaluation of the application until such confidentiality claims are released by the applicant. During EPA's call with TCCSP's representatives on November 15, 2024, regarding the NOD and again on February 26, 2025, TCCSP indicated they would reassess their confidentiality claims for fundamental project information when the administrative review of the application concludes. As such, we request that TCCSP consider its existing confidentiality claims, especially pertaining to fundamental project information, and respond to EPA with a description and index of any withdrawn confidentiality claims.

Once TCCSP clarifies its confidentiality claims, EPA will proceed with our technical review of the application. Please note that during the technical review phase, we may request additional information

¹ Fundamental project information includes but is not limited to the location of the proposed injection and monitoring wells, the area of review (AoR) of the proposed storage site, the characteristics of the proposed injection and confining zones, all identified wells within the AoR, the baseline geochemical data on all underground sources of drinking water in the AoR, and the proposed operating data, such as the maximum injection pressure and rate.

and clarification of previously submitted information. Enclosed with this letter is a tentative project decision schedule for our review of the application.

If you have any questions about this letter, please contact Calvin Ho at (415) 972-3262, or call me at (415) 972-3971.

Sincerely,

/s/ February 27, 2025

David Albright
Manager, Groundwater Protection Section

Enclosure: Class VI Tentative Project Decision Schedule – Tulare County Carbon Storage Project

cc (via email): Chris Jones, CalGEM Central District
Alex Olson, Central Valley Regional Water Quality Control Board
Jason Dunn, California State Water Resources Control Board

Enclosure
Class VI Tentative Project Decision Schedule
Tulare County Carbon Storage Project
February 27, 2025

Tulare County Carbon Storage Project LLC submitted a Safe Drinking Water Act, Underground Injection Control (UIC) Class VI permit application to EPA Region 9 (EPA) for the Tulare County Carbon Storage Project (TCCSP) initially on October 7, 2024, and updated application modules on December 13, 2024. EPA has determined that the updated application is complete and will proceed with processing the application. In doing so, EPA has developed a tentative project decision schedule for this application, provided below. The tentative project decision schedule is not legally binding. Factors that will impact schedules but may be difficult for EPA to anticipate include the quality and quantity of site-specific data submitted by the applicant, the amount of time the applicant takes to respond to requests for additional information from EPA, the amount and content of confidential business information claimed, and the number and complexity of public comments received on the draft permit.

EPA has an agency-wide goal of making Class VI permit decisions within 24 months of the effective date of the permit application. If applicants do not provide the information necessary for a permit decision and/or are not responsive to requests for additional information, this timeframe will be extended. TCCSP will be kept apprised of the status of EPA's review of your permit application and any changes to the anticipated schedule including the timeframe for draft permit decisions, responses to comments, and final permit decisions. EPA has also developed a Class VI Permit Tracker (<https://www.epa.gov/uic/current-class-vi-projects-under-review-epa>) which will include the tentative project decision schedule for the Tulare County Carbon Storage Project.

Class VI Tentative Project Decision Schedule for the Tulare County Carbon Storage Project

Permitting Milestone	Anticipated Date
Technical review completed	August 2026
Draft permit decision; start of public comment period	September 2026
Public hearing (if applicable)	October 2026
Public comment period closes	October 2026
Final permit decision, including responses to public comments received	February 2027

If EPA's final permit decision results in permit issuance, EPA anticipates that the final Class VI permit to construct will become effective 30 days after the final permit is issued. Per 40 CFR §124.15(b), a final permit decision "shall become effective 30 days after the service of notice of the decision unless: (1) A later effective date is specified in the decision; or (2) Review is requested on the permit under §124.19. (3) No comments requested a change in the draft permit, in which case the permit shall become effective immediately upon issuance."

Please note that injection of carbon dioxide is prohibited until EPA issues an authorization to inject for the Class VI well. (See 40 CFR §146.82(c).)