

ENCLOSURE

Request for additional Information – July x, 2023

Sutter Decarbonization Project

Permit Numbers: R9UIC-CA6-FY3-5.1 R9UIC-CA6-FY3-5.2 and R9UIC-CA6-FY3-5.3

General Information

1. 40 CFR §144.31(e)(1) requires that the application includes a listing of the activities conducted by the applicant which require RCRA, UIC, NPDES, or PSD permits. The application did not include information about RCRA, NPDES, or PSD permits.
 - ***Please confirm these programs are not applicable to this project or update the application to include information about them.***
2. 40 CFR 144.31(e)(2) requires the location of the facility for which the application is submitted. While coordinates were submitted for the individual wells the addresses for both the Sutter Energy Center and Storage Facility were not provided.
 - ***Please provide the addresses for both facilities.***
3. 40 CFR 144.31(e)(3) requires SIC codes to be provided for the Facility.
 - ***Please provide up to four SIC codes which best reflect the facility.***
4. 40 CFR 146.82(a)(20) requires that the application includes a list of contacts for States, Tribes, and Territories within the Area of Review (AoR). The application asserts that there are no Tribes or Territories in the AoR but did not include contact information for the State.
 - ***Please provide contact information for the State that the AoR is located in.***

Geologic Narrative/Site Characterization Information

1. The quality of the figures submitted is poor, which makes them illegible.
 - ***Please provide a high-resolution version of the documents that contain figures so the application can be reviewed and analyzed.***



4. The narrative description should include available geochemical data on fluid- and solid-phase geochemistry of all subsurface formations (including USDWs) in the AoR; this may describe results or planned sampling/testing, the parameters analyzed, and any geochemical modeling that was performed, along with data sources, data quality or gaps, and sampling/testing methods.
 - ***Please include a description of the planned sampling and testing methods to determine the characteristics of the USDW.***

[REDACTED]

Planned Well Operations

1. The application material does not include a proposed average injection pressure or average injection rate.
 - *Please include estimated average injection pressure and rate for each proposed injection well.*

[REDACTED]

Area of Review and Corrective Action Plan

[REDACTED]

Testing and Monitoring

[REDACTED]

Well Plugging Plan

1. The SDP Plugging and Abandonment document only provides one plugging diagram.
 - ***Please provide a well plugging diagram for each proposed injection well.***
2. The SDP Plugging and Abandonment document does not include any plugging information for the monitoring wells proposed for the project.
 - ***Please provide plugging plans and diagrams for the monitoring wells.***

Post-Injection Site Care (PISC) and Site Closure Plan



Emergency and Remedial Response Plan

1. The ProjInfo_05-21-2023 document and SDP Project Narrative document provided a summary of the Emergency and Remedial Response Plan (ERRP), but no ERRP document was submitted.
 - ***Please provide a ERRP that includes a narrative description of local resources and infrastructure, potential emergency events and response actions, personnel, and equipment to address USDW endangerment.***

Additional Requests

In addition to the items identified above, which are required to address the permit application requirements, we are requesting other information necessary for processing the UIC permit application. This information is not necessary for the application's administrative completeness, so the timeline for submittal of this additional information can be extended, if needed, however delay in providing the additional information could result in delays processing the permit.

Endangered Species Act

The Endangered Species Act (ESA) requires EPA to ensure, in consultation with the U.S. Fish and Wildlife Service (FWS), that any action authorized by EPA is not likely to jeopardize the continued existence of any endangered or threatened species or adversely affect its critical habitat. In accordance with 50 CFR Section 402.12, EPA must make a determination, based on the best available information, whether there are any potential effects from the proposed project/permit to endangered or threatened species that may be found in the action area. To assist with that determination, we request Calpine California CCUS Holdings prepare a draft Biological Evaluation (BE) and submit it to EPA. The draft BE needs to:

- Describe all activities that are likely to occur as a result of the federal action (i.e. issuing the permit), including construction and operation of the facility. Refer to 50 CFR Section 402.17(a).
- Define the action area. The action area shall include all areas that will be affected directly or indirectly by the federal action, and not merely the immediate area involved in the action.
- Identify the listed species and critical habitats that may occur in the action area. For the species under the U.S. Fish and Wildlife Service (FWS) jurisdiction, you can obtain a current report from the Information for Planning and Consultation database (IPaC), <https://ecos.fws.gov/ipac/>. If the action area includes areas where species are under National Marine Fisheries Service (NOAA Fisheries) jurisdiction, you will also need a species list from NOAA Fisheries.
- Describe each species and critical habitat that may occur in the defined action area. See the FWS Environmental Conservation Online system for resources related to this item: <https://ecos.fws.gov/ecp/>.
- Describe the potential effects to each species and critical habitat that are likely to occur as a result of the federal action and projects. It may be useful to seek technical assistance from the FWS and/or the NOAA Fisheries to understand the potential effects to each species and critical habitat. In addition, you may need to hire a consultant or biologist to assist with analysis of potential effects to each species and critical habitat.
- Recommend effects determinations for each of the species and critical habitats that may be in the action area. EPA must determine whether the action may affect each species and critical habitat, and for those species and critical habitats that may be affected, whether adverse effects are likely. EPA will consider recommendations supported by the analysis in your document when making our determinations.

National Historic Preservation Act

The National Historic Preservation Act (NHPA) §106 requires a federal agency to take certain steps before it commits to any "undertaking" including the issuance of a permit or license, that has the potential to adversely affect property that is listed, or eligible for listing, in the National Register for Historic Places. The NHPA requires EPA, before issuing a permit, to adopt measures when feasible to mitigate potential adverse effects of the permitted activity and properties listed or eligible for listing in the National Register of Historic Places. The Act's requirements are to be implemented in cooperation with State Historic Preservation Officers and upon notice to, and when appropriate, in consultation with the Advisory Council on Historic Preservation.

To facilitate EPA's consideration of NHPA compliance for the Calpine California CCUS Holdings proposed project, we request that you identify the Historic Places designated in the National Register for Historic Places (<https://www.nps.gov/subjects/nationalregister/database-research.htm>) in close proximity to the project site. Based on the results of your review of the National Register of Historic Places listings in Sutter County, you may need to hire an archaeologist to provide additional analysis or otherwise show how your project will not adversely affect the identified historic places located near the project site. Please provide a list of

the Historic Places near the site. Please include any comments or reports made by an archaeologist, if applicable.