

June 29, 2022

Martha Guzman
Regional Administrator, Region 9
U.S. Environmental Protection Agency
75 Hawthorne Street
San Francisco, California 94105-3902

Re: EPA Region 9 Review and Consideration of Class VI Carbon Storage Permits

Dear Administrator Guzman:

The undersigned organizations are alarmed and concerned at the rush of Class VI permits for carbon storage projects in California, particularly in the San Joaquin Valley. Carbon capture, use, and storage (CCUS) is an unproven and dangerous technology that both distracts from real climate solutions and puts people in frontline communities at real risk of harm.

We are aware of 17 project inquiries and applications Region 9 has received for Class VI wells in California. Most would be located in the Central Valley, with the majority concentrated in the San Joaquin Valley. These include, among others, two biomass and carbon storage projects in Mendota and Delano, the Elk Hills oil field storage project near Tupman, San Joaquin Renewables near McFarland, and Stockton DTE. This area already suffers from the worst air pollution in the nation, and many residents are particularly vulnerable to pollution as well as intersectional issues such as lack of access to health care and lack of proper air filtration systems in their homes. These communities must not be dumping grounds for carbon waste. As your team is likely aware, carbon leaks can lead to hospitalizations and even fatalities.^[1] We therefore urge you to conduct thorough reviews of these projects, allowing for an inclusive process with public input throughout, and to recognize that these dangerous projects are incompatible with environmental and climate justice. Accordingly, all pending and upcoming Class VI permits for carbon capture, use, and storage projects should be denied.

Our state, our climate, and our communities do not need Class VI wells or climate dead ends like CCUS. All over the world these projects have repeatedly failed to meet their carbon capture targets and are not a fix to our climate crisis.^[2] One study even showed that the social cost of carbon capture projects—in other words, the resulting air pollution, potential health problems, economic costs and overall contributions to climate change—can be similar to or higher than the social cost of fossil fuel plants *without* carbon capture.^[3] Accordingly, groups beyond California have spoken out about this dangerous distraction. The White House Environmental Justice Advisory Council called CCUS a “type of project that will not benefit a community.”^[4] The 1,500 organizations of Climate Action Network International warned that CCUS “risks distracting from the need to take concerted action across multiple sectors in the near-term to dramatically reduce emissions.”^[5]

As you review these projects, we urge you to ensure greater transparency, provide meaningful and inclusive opportunities for public engagement, and include the most rigorous and justice-oriented assessment possible as well as strong protections for fenceline communities.

First, Region 9 should make all Class VI applications publicly available on an easy-to-search website. Groups should not have to submit multiple Freedom of Information Act (“FOIA”) requests to obtain draft applications. That process is extremely time intensive and prevents many impacted community members from accessing critical information about projects that threaten their health and well-being.

Second, Region 9 should provide the public with at least 90 days for comment on any draft permit, as well as at least two hearings translated into Spanish and any other language prevalent in the project area.

Third, Region 9 must expand its review of permit applications to incorporate analysis of issues covered by NEPA, such as environmental justice and cumulative impacts. These analyses should then factor into whether EPA approves or denies a permit.

Fourth, we urge Region 9 to reject applications that are missing critical information about the project’s source of carbon, method of carbon transportation, amount of carbon to be injected, project timeline, or other factors necessary to assessing the project’s impacts on the environment and communities. The carbon storage applications for the Elk Hills oil field (Project IDs R09-CA-0003 & -0007) are missing all of this information (see attached comment letter). EPA should not allow companies to seek multiple permits for what amounts to the same project. This piecemealing approach prevents EPA and the public from understanding the project’s full impacts.

CCUS has consistently proven to be exceptionally unsafe, ineffective, economically unsound, and unnecessary, despite decades of development and billions of dollars of investment. A thorough review of these projects and an inclusive process for public input will show these dangerous projects to be incompatible with environmental and climate justice. All 17 pending and upcoming Class VI permit applications for carbon capture, use, and storage projects should be denied.

Respectfully submitted,

1. 350 Bay Area
2. 350 Conejo / San Fernando Valley
3. 350 Contra Costa
4. 350 Humboldt
5. 350 Santa Barbara
6. Acterra: Action for a Healthy Planet
7. Active San Gabriel Valley
8. Alliance of Nurses for Healthy Environments
9. Asian Pacific Environmental Network

June 2022

EPA Region 9 Review and Consideration of Class VI Permits

10. Azul
11. Bay Area - System Change not Climate Change
12. Biodiversity First!
13. Biofuelwatch
14. CA Youth Vs Big Oil
15. California Environmental Justice Alliance
16. California Environmental Justice Coalition (CEJC)
17. California Interfaith Power & Light
18. California Nurses for Environmental Health and Justice
19. Center for Biological Diversity
20. Center for Environmental Health
21. Center on Race, Poverty & the Environment
22. Central California Asthma Collaborative
23. Central California Environmental Justice Network
24. Central Valley Air Quality Coalition
25. Central Valley Partnership
26. Clean Water Action
27. Climate Hawks Vote
28. Climate Health Now
29. Climate Reality San Diego Youth Environmental Action Pod
30. Climate Witness Project CA
31. Comite Civico Del Valle
32. Comite Pro Uno
33. Communities for a Better Environment
34. Courage California
35. Direct Action Everywhere
36. Elders Climate Action
37. Elders Climate Action, NorCal and SoCal Chapters
38. Environment California
39. Extinction Rebellion SF Bay
40. Families for Clean Air
41. Food & Water Watch
42. Food Empowerment Project
43. Fossil Free California
44. Fresnans against Fracking
45. Good Neighbor Steering Committee of Benicia
46. Greenaction for Health and Environmental Justice
47. Greenpeace USA
48. Idle No More SF Bay
49. Interfaith Climate Action Network of Contra Costa County

June 2022

EPA Region 9 Review and Consideration of Class VI Permits

50. Leadership Counsel for Justice and Accountability
51. Let's Green CA!
52. Long Beach 350
53. Mi Familia Vota
54. Mothers Out Front California
55. Oil and Gas Action Network
56. Oil Change International
57. People Organizing to Demand Environmental & Economic Rights (PODER)
58. Physicians for Social Responsibility- Los Angeles
59. Planning and Conservation League
60. Presentation Sisters, San Francisco, CA
61. Redeemer Community Partnership
62. Richmond Progressive Alliance
63. San Francisco Bay Physicians for Social Responsibility
64. San Francisco Baykeeper
65. SanDiego350
66. Santa Barbara Standing Rock Coalition
67. Santa Cruz Climate Action Network
68. Santa Cruz for Bernie
69. Skyline Church UCC
70. SLO Climate Coalition
71. SoCal 350 Climate Action
72. Stop OAK Expansion
73. Sunflower Alliance
74. Sunrise Bay Area
75. The Climate Center
76. Tishman Environment and Design Center
77. Tri-Valley CAREs, Livermore
78. Valley Improvement Projects
79. West Berkeley Alliance for Clean Air and Safe Jobs
80. Youth Vs Apocalypse
81. Youth4Climate

CC: Tomás Torres EPA Region 9 Water Division Director
David Albright, EPA Region 9 Groundwater Protection Section Manager
Calvin Ho, EPA Region 9 Groundwater Protection Section
Mark Ghann-Amoah, CalGEM Inland District
Janice Zinky, CA State Water Resources Control Board
Clay Rodgers, Central Valley Regional Water Quality Control Board

Sources Cited:

- [1] Dan Zegart, *The Gassing of Satartia*, Huffington Post (Aug. 26, 2021), https://www.huffpost.com/entry/gassing-satartia-mississippi-co2-pipeline_n_60ddea9fe4b0ddef8b0ddc8f; Sarah Fowler, 'Foaming at the mouth': First responders describe scene after pipeline rupture, gas leak, Clarion Ledger, Feb. 27, 2020, <https://www.clarionledger.com/story/news/local/2020/02/27/yazoo-county-pipe-rupture-co-2-gas-leak-first-responders-rescues/4871726002/>.
- [2] Michael Mazengarb, *Chevron admits failure of \$3 billion CCS facility in Western Australia*, IEFFA (July 19, 2021), <https://ieefa.org/chevron-admits-failure-of-3-billion-ccs-facility-in-western-australia/>; David Schlissel, *Reality of carbon capture not even close to proponents' wishful thinking*, IEFFA (Aug. 8, 2019), <https://ieefa.org/reality-of-carbon-capture-not-even-close-to-proponents-wishful-thinking/>.
- [3] Taylor Kubota, *Stanford Study casts Doubt on Carbon Capture*, Stanford News (Oct. 25, 2019), <https://news.stanford.edu/2019/10/25/study-casts-doubt-carbon-capture/>, citing Mark Z. Jacobson, *The health and climate impacts of carbon capture and direct air capture*, 12 Energy Env't. Sci. 3567 (2019), <https://pubs.rsc.org/en/content/articlelanding/2019/ee/c9ee02709b/unauth#!divAbstract>.
- [4] WHEJAC, *Justice40 Climate and Economic Justice Screening Tool & Executive Order 12898 Revisions: Interim Final Recommendations* at 55, 58 (May 13, 2021), https://www.epa.gov/sites/default/files/2021-05/documents/whejac_interim_final_recommendations_0.pdf (emphasis original).
- [5] *CAN Position: Carbon Capture, Storage, and Utilization*, Climate Action Network Int'l at 9 (2021), <https://climatenetwork.org/resource/can-position-carbon-capture-storage-and-utilisation/>.