



Waste Injection Wells - EPA Primacy Public Hearing
Comments of Logan Burke, AAE's Executive Director

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Louisianans are here to protect our future.

The application before the EPA envisions transferring the enormous responsibility of permitting deep injection waste wells for carbon, and represents a threat to our future and safety.

We know what happens when primacy is granted. Permitting and development takes off. While the EPA has only permitted TWO class VI injection wells nationwide, one of the two states that currently has this permitting responsibility, North Dakota, has already permitted FIVE.

Louisiana agencies and leaders have been clear that it fully intends to quickly issue permits to the projects racing to be developed in our state. It is clear that industry trusts that our Department of Natural Resources will move these permits along more hastily, than the EPA, as there are nearly a dozen injection projects that have been announced and are participating in other federal permitting procedures that have not filed anything with the EPA for deep CO2 injection.

This means they are waiting.

Industry is waiting for the famously under-resourced and permissive DNR to have the authority to hand out permits. Industry trusts that DNR will move the process along on a timeline to their liking.

Communities have no reason to trust that DNR will have the resources needed to rigorously protect our drinking water, land, and air.

Louisianans have every reason to believe that the agency proposing to take on that responsibility here is fundamentally unsupported by our state's elected leaders.

This year's Louisiana legislative session was illustrative of the long-standing and notorious unwillingness to enable regulatory agencies in our state to have staff and resources to do their jobs. The phrase "growth of government" was used as a threat dozens of times in our Capitol these last few months to hold our budget hostage and limit funding for regulation.

Phrases like "friendly to business" versus "taxing business" were used over and over to minimise support to the agencies already entrusted to issue various kinds of permits intended to protect health and safety.

Transferring primacy from a federal agency to a Louisiana one automatically means less oversight, less rigor, and fewer resources to ensure permits are enforced. This isn't even a function of good or bad intention at the agency. It is a function of math and budgets.

If the EPA intends to transfer this awesome responsibility to the state of Louisiana, rules with TEETH are necessary. I mean rules that ensure that the EPA WILL claw back primacy if the state does not provide the necessary resources to conduct its business.

This draft primacy rule does not include these teeth. Please do not approve this rule.

I'm leaving you with a new report, out last week from the Institute for Energy Economics and Financial Analysis, that underscores just how little even well resourced international EXPERTS really know about what happens when you inject supercritical CO₂ into deep injection wells.