



OFFICE OF WATER

WASHINGTON, D.C. 20460

November 22, 2024

MEMORANDUM

SUBJECT: Changes to the Proposed Rule: West Virginia Underground Injection Control (UIC) Program; Class VI Primacy (EPA-HQ-OW-2024-0357; FRL 12000-01-OW) Following Signature

FROM: Bruno Pigott, Principal Deputy Assistant Administrator

THRU: Dimple Chaudhary, Acting General Counsel
Office of General Counsel

DIMPLE CHAUDHARY

Digitally signed by DIMPLE CHAUDHARY
Date: 2024.11.22 10:07:13 -05'00'

Victoria Arroyo, Associate Administrator
Office of Policy

VICTORIA ARROYO

Digitally signed by VICTORIA ARROYO
Date: 2024.11.22 10:31:57 -05'00'

TO: Michael S. Regan
Administrator

On November 20, 2024, you signed the Proposed Rule entitled, West Virginia Underground Injection Control (UIC) Program; Class VI Primacy, EPA-HQ-OW-2024-0357; FRL 12000-01-OW. The U.S. Environmental Protection Agency then transmitted the rule to the Office of Federal Register for publication. We have made the following changes to the public comment period and information related to the public hearing. We made additional non-substantive edits requested by the Office of Federal Register. This memorandum is submitted per Office of General Counsel and Office of Policy guidance on changes to rule language after the rule has been signed by the Administrator but before it has been published in the Federal Register.1

- DATES: Comments must be received on or before December 30, 2024 [INSERT DATE 45 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]. Public hearing: The EPA will hold a public hearing on December 30, 2024/January 9, 2025. Please refer to the SUPPLEMENTARY INFORMATION section for additional information on the public hearing.

1 Memorandum from Jeffrey Prieto, General Counsel, and Victoria Arroyo, Associate Administrator for the Office of Policy, Changes to Rule Documents Prepared for the Administrator's Signature, December 12, 2022.

- **I. Public Participation**

*B. Participation in Public Hearing*

A public hearing is anticipated to be held on ~~December 30, 2024~~ January 9, 2025 at Terrace Room 210, Charleston Civic Center, 200 Civic Center Drive, Charleston, WV 25301. The EPA expects to announce the location, time of the hearing, as well as any updates made to any aspect of the hearing online at <https://www.epa.gov/aboutepa/epa-region-3-mid-atlantic#pn>. The hearing can also be attended virtually at <https://www.zoomgov.com/j/1600637199>. ~~Please note that the EPA expects to announce the time of the hearing as well as any updates made to any aspect of the hearing online at <https://www.epa.gov/aboutepa/epa-region-3-mid-atlantic#pn>.~~ While the EPA expects the hearing to go forward as set forth above, please monitor our website or contact Himanshu Vyas at (215) 814-2112 or [WVClassVI@epa.gov](mailto:WVClassVI@epa.gov) to determine if there are any updates or for additional information regarding the public hearing. The EPA does not intend to publish a document in the *Federal Register* announcing updates.

The EPA will begin pre-registering speakers for the hearing upon publication of this document in the *Federal Register*. To register to speak at the hearing, please contact Himanshu Vyas at (215) 814-2112 or [WVClassVI@epa.gov](mailto:WVClassVI@epa.gov) and indicate whether you will be attending in-person or virtually. The last day to pre-register to speak at the hearing will be ~~December 23, 2024~~ January 2, 2025. ~~Prior to the hearing~~ On January 8, 2025, the EPA will post a general agenda for the hearing that will list pre-registered speakers in approximate order at: <https://www.epa.gov/aboutepa/epa-region-3-mid-atlantic#pn>.

The EPA will make every effort to follow the schedule as closely as possible on the day of the hearing; however, please plan for the hearings to run either ahead of schedule or behind schedule. Additionally, requests to speak will be taken the day of the hearing at the hearing registration desk. The EPA will make every effort to accommodate all speakers who arrive and register, although preferences on speaking times may not be able to be fulfilled.

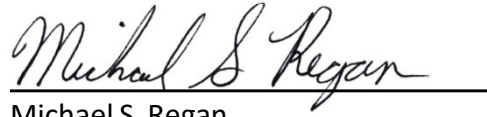
The EPA encourages commenters to provide the EPA with a copy of their oral testimony electronically by emailing it to [WVClassVI@epa.gov](mailto:WVClassVI@epa.gov). The EPA also recommends submitting the text of your oral comments as written comments to the rulemaking docket.

The EPA may ask clarifying questions during the oral presentations but will not respond to the presentations at that time. Written statements and supporting information submitted during the comment period will be considered with the same weight as oral comments and supporting information presented at the public hearing.

The EPA will not provide audiovisual equipment for presentations unless we receive special requests in advance. Commenters should notify Himanshu Vyas when they pre-register to speak that they will need specific equipment. If you require the services of an interpreter or special accommodations such as audio description, please pre-register for the hearing with Himanshu Vyas and describe your needs by ~~December 23, 2024~~ January 2, 2025. The EPA may not be able to arrange accommodations without advance notice.

I approve the corrections to the Proposed Rule entitled, *West Virginia Underground Injection Control (UIC) Program; Class VI Primacy*, as shown in redline and described above.

**Approved:**

A handwritten signature in black ink that reads "Michael S. Regan". The signature is written in a cursive style and is positioned above a solid horizontal line.

Michael S. Regan  
Administrator