



ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 147

[EPA-HQ-OW-2026-4588; FRL 13424-01-OW]

Alaska Underground Injection Control (UIC) Program; Class VI Primacy

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule; notice of public hearing.

SUMMARY: The U.S. Environmental Protection Agency (EPA or the Agency) has received a complete Underground Injection Control (UIC) application from the State of Alaska, requesting primary enforcement responsibility (primacy) for Class VI injection wells under Safe Drinking Water Act (SDWA) section 1422. The EPA's approval of the State's UIC program primacy application would allow the Alaska Oil and Gas Conservation Commission (AOGCC) to issue and enforce compliance with UIC Class VI permits for injection wells used for geologic carbon sequestration. In this action, the EPA proposes to approve Alaska's application to implement the UIC program for Class VI injection wells located within the State, except those located within Indian country and those located within areas of exclusive Federal jurisdiction.

DATES: Comments must be received on or before [INSERT DATE 45 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]. *Public hearing:* The EPA will hold one virtual public hearing during the comment period. Please refer to the **SUPPLEMENTARY INFORMATION** section for additional information on the public hearing.

ADDRESSES: You may send comments, identified by Docket ID No. EPA-HQ-OW-2026-4588 by any of the following methods:

- Federal eRulemaking Portal: <https://www.regulations.gov/> (our preferred method).
Follow the online instructions for submitting comments.
- Mail: U.S. Environmental Protection Agency, EPA Docket Center, Water Docket, Mail Code 28221T, 1200 Pennsylvania Avenue NW, Washington, DC 20460.

- Hand Delivery or Courier: EPA Docket Center, WJC West Building, Room 3334, 1301 Constitution Avenue, NW, Washington, DC 20004. The Docket Center’s hours of operations are 8:30 a.m. to 4:30 p.m., Monday through Friday (except Federal Holidays).

Instructions: All submissions received must include the Docket ID No. for this rulemaking.

Comments received may be posted without change to <https://www.regulations.gov/>, including personal information provided. For detailed instructions on sending comments and additional information on the rulemaking process, see the “Public Participation” heading of the

SUPPLEMENTARY INFORMATION section of this document.

FOR FURTHER INFORMATION CONTACT: Mary Hastings Puckett, Drinking Water Infrastructure Development Division, Office of Ground Water and Drinking Water (4606M), Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460; or Evan Osborne, UIC Program Specialist, U.S. Environmental Protection Agency, 1200 Sixth Avenue, Seattle, Washington 98101. Mary Hastings Puckett can be reached by emailing UICprimacy@epa.gov.

SUPPLEMENTARY INFORMATION:

Table of Contents

- I. Public Participation
 - A. Written Comments
 - B. Participation in Public Hearing
- II. Introduction
 - A. Federal UIC Program and Primary Enforcement Authority (Primacy)
 - B. Class VI Wells Under the UIC Program
 - C. Alaska UIC Program
- III. Legal Authorities
- IV. Alaska’s Application for UIC Class VI Primacy
 - A. Background
 - B. Public Participation Activities Conducted by Alaska
 - C. Summary of the EPA’s Comprehensive Evaluation
- V. The EPA’s Proposed Action
 - A. Incorporation by Reference
 - B. The EPA’s Oversight
- VI. Statutory and Executive Order Reviews

- A. Executive Order 12866: Regulatory Planning and Review and Executive Order 13563: Modernizing Regulatory Review
- B. Executive Order 14192: Unleashing Prosperity Through Deregulation
- C. Paperwork Reduction Act (PRA)
- D. Regulatory Flexibility Act (RFA)
- E. Unfunded Mandates Reform Act (UMRA)
- F. Executive Order 13132: Federalism
- G. Executive Order 13175: Consultation and Coordination with Indian Tribal Governments
- H. Executive Order 13045: Protection of Children from Environmental Health and Safety Risks
- I. Executive Order 13211: Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use
- J. National Technology Transfer and Advancement Act (NTTAA)

VII. References

I. Public Participation

A. Written Comments

Submit your comments, identified by Docket ID No. EPA-HQ-OW-2026-4588, at <https://www.regulations.gov> (our preferred method), or the other methods identified in the **ADDRESSES** section. Once submitted, comments cannot be edited or removed from the docket. The EPA may publish any comment received to its public docket. Do not submit any information you consider to be Confidential Business Information (CBI), Proprietary Business Information (PBI), or other information whose disclosure is restricted by statute to the EPA's docket at <https://www.regulations.gov>. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (i.e., on the web, cloud, or other file sharing system). Please visit <https://www.epa.gov/dockets/commenting-epa-dockets> for additional submission methods; the full EPA public comment policy; information about CBI, PBI, or multimedia submissions; and general guidance on making effective comments.

B. Participation in Public Hearing

The EPA will hold one virtual public hearing during the public comment period no earlier than 30 days after the date of this publication. To register to speak at the virtual hearing, please use the online registration form available at <https://www.epa.gov/uic/primary-enforcement-authority-underground-injection-control-program> or contact us by email at UICprimacy@epa.gov. One week prior to the public hearing, the EPA will post a general agenda for the hearing that will list pre-registered speakers in approximate order at: <https://www.epa.gov/uic/primary-enforcement-authority-underground-injection-control-program>. Please refer to <https://www.epa.gov/uic/primary-enforcement-authority-underground-injection-control-program> for additional updates, including the date and time, related to this public hearing.

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 hearing to run either ahead of schedule or behind schedule. Each commenter will have three minutes to provide oral testimony. The EPA encourages commenters to provide the EPA with a copy of their oral testimony electronically by emailing it to UICprimacy@epa.gov. The EPA also recommends submitting the text of your oral comments as written comments to the rulemaking docket, identified in the ADDRESSES section of this proposed rule. The EPA will make every effort to accommodate all speakers who register, although preferences on speaking times may not be able to be fulfilled.

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.

Updates on the virtual hearing logistics will be posted online at <https://www.epa.gov/uic/primary-enforcement-authority-underground-injection-control-program>. Please contact UICprimacy@epa.gov with any questions about the virtual hearing. The EPA does not intend to publish a document in the *Federal Register* announcing updates related to the

public hearing. If you require the services of an interpreter or special accommodation such as audio description, please pre-register for the hearing at <https://www.epa.gov/uic/primary-enforcement-authority-underground-injection-control-program> and describe your needs at least one week prior to the public hearing date. The EPA may not be able to arrange accommodation without advance notice.

II. Introduction

A. Federal UIC Program and Primary Enforcement Authority (Primacy)

The SDWA protects public health by regulating the nation's public drinking water supply, including both surface and groundwater sources. The SDWA requires the EPA to develop minimum requirements for effective State and Tribal UIC programs to prevent underground injection of fluids (such as water, wastewater, brines from oil and gas production, and carbon dioxide) from endangering underground sources of drinking water (USDWs). In general, USDWs are aquifers or parts of aquifers that supply a public water system or contain enough groundwater to supply a public water system. See 40 CFR 144.3 (defining USDW).

The EPA's UIC program regulates various aspects of an injection well project throughout the lifetime of the project. These regulated aspects include technical elements such as site characterization, construction, operation, and testing and monitoring through site closure. The UIC program also includes well permitting, site inspections, and reporting to ensure well owners and operators comply with UIC permits and regulations.

The SDWA section 1421 directs the EPA to establish requirements that States, territories, and federally recognized Tribes (hereafter referred to as applicants) must meet to be granted primary enforcement responsibility or "primacy" for implementing a UIC program, including a Class VI program. 42 U.S.C. 300h. An applicant seeking primacy under SDWA section 1422 for a Class VI program must demonstrate to the EPA that the applicant's proposed Class VI program meets the Federal requirements for protecting USDWs promulgated by the EPA pursuant to SDWA section 1421. 42 U.S.C. 300h-300h-1. An applicant must demonstrate, among other

things, that it has jurisdiction over underground injection and that it possesses the administrative, civil, and criminal enforcement authorities required by the EPA's implementing regulations. See 40 CFR part 145, subpart B. After the EPA approves UIC primacy for a State, the State's UIC program may later be revised with EPA approval. See 40 CFR 145.32.

The EPA comprehensively evaluates each primacy application in accordance with SDWA section 1422 and the EPA's implementing regulations to determine whether the applicant (in this instance, the State of Alaska) has satisfactorily demonstrated that it has adopted and will implement a UIC program that meets applicable regulatory requirements in 40 CFR parts 144, 145, and 146.

B. Class VI Wells Under the UIC Program

Class VI wells are used to inject carbon dioxide into deep rock formations for long-term underground storage, also known as geologic sequestration. The geologic sequestration of carbon dioxide in UIC Class VI wells is used as part of carbon capture and storage for carbon dioxide emissions from industrial sources. Class VI injection wells are regulated under a SDWA permitting framework that provides multiple safeguards that work together to protect USDWs.

Owners or operators that seek to inject carbon dioxide underground for the purpose of geologic sequestration must demonstrate to the permitting authority that their proposed injection well and injection activities will meet all regulatory requirements and obtain a Class VI permit for each well. The UIC Class VI program requires applicants to meet technical, financial, and managerial requirements to obtain a Class VI permit, including:

- Site characterization to ensure the geology in the project area will contain the carbon dioxide within the zone where it is authorized to be injected.
- Modeling to delineate the predicted area influenced by injection activities through the lifetime of the project.

- Evaluation of the delineated area to ensure all potential pathways for fluid movement outside the authorized injection zone have been identified and addressed through corrective action.
- Well construction requirements that ensure the Class VI injection well will not leak carbon dioxide.
- Testing and monitoring throughout the life of the project, including after carbon dioxide injection has ended. Requirements include, for example, testing to ensure physical integrity of the well, monitoring for seismic activity near the injection site, monitoring of injection pressure and flow, chemical analysis of the carbon dioxide stream that is being injected, and monitoring the extent of the injected carbon dioxide plume and the surrounding area (e.g., ground water) to ensure the carbon dioxide is contained as predicted.
- Operating requirements (e.g., injection pressure limitations) to ensure the injection activity will not endanger USDWs.
- Financial assurance mechanisms sufficient to cover the costs for all phases of the geologic sequestration project including the post-injection site care period and until site closure has been approved by the permitting authority.
- An emergency and remedial response plan to protect USDWs.
- Reporting of all testing and monitoring results to the permitting authority to ensure the well is operating in compliance with all permit requirements.

The permitting authority ensures that these protective requirements are included in each Class VI permit. A draft of each Class VI permit is made available to the public for comment before the permitting authority decides whether to issue a final permit.

C. Alaska UIC Program

The State of Alaska received primacy for Class II injection wells under SDWA section 1425 on May 6, 1986 (51 FR 16683 and 16684). On May 22, 2026, Alaska applied to the EPA under SDWA section 1422 for primacy for Class VI injection wells located within the State.

III. Legal Authorities

SDWA section 1421 requires the EPA to promulgate Federal requirements for effective State UIC programs to prevent underground injection activities that endanger USDWs. 42 U.S.C. 300h(b)(1). SDWA section 1422 requires that a State seeking primacy demonstrate to the EPA that it has adopted (after notice and public hearing) and will implement a UIC program that meets the requirements that the EPA promulgated under SDWA section 1421. 42 U.S.C. 300h-1(b)(1)(A)(i). The statutory authority for this proposed rule approving Alaska's UIC Class VI primacy program is SDWA sections 1422 and 1450, 42 U.S.C. 300h-1 and 300j-9.

As directed by the SDWA, the EPA has promulgated regulations setting forth the applicable procedures and substantive requirements for applicants seeking primacy for UIC programs under SDWA section 1422. The regulations in 40 CFR part 144 outline general program requirements that each State must meet to obtain primacy. The regulations in 40 CFR part 145 specify the procedures the EPA will follow in approving, reviewing, and withdrawing State UIC programs, and outlines the elements and provisions that a State must include in its application for primacy. The EPA regulation at 40 CFR part 145 also includes requirements for State UIC permitting procedures (by reference to certain provisions of 40 CFR parts 124 and 144), compliance evaluation programs, and enforcement authority, as well as requirements for sharing information between the EPA and the State. The regulations in 40 CFR part 146 contain the technical criteria and standards applicable to each well class, including Class VI wells.

IV. Alaska's Application for UIC Class VI Primacy

A. Background

On May 22, 2026, Alaska submitted a complete application for primary enforcement responsibility for Class VI wells under the authority of SDWA section 1422. Alaska's UIC

primacy application includes a description of the State's proposed UIC Class VI program, copies of all State legal authorities and forms, applicable statutes and regulations, statement of legal authority from Alaska's Attorney General, a summary of Alaska's public participation activities, and a Memorandum of Agreement (MOA) between Alaska and the EPA's Region 10 Administrator. The EPA reviewed the application for completeness and performed a technical and legal evaluation of the application materials to assess and confirm that Alaska's proposed UIC Class VI program meets Federal requirements.

B. Public Participation Activities Conducted by Alaska

In August 2024, AOGCC published notice on its intent to apply for Class VI primacy. In the AOGCC notice, AOGCC also shared that it was considering revising its regulations as a result of House Bill 50 (signed by the Governor on July 31, 2024). House Bill 50 directed AOGCC to regulate carbon storage facilities, including associated wells, within the state. In that notice, AOGCC asked subsurface landowners, industry, and any other interested or affected stakeholders for their ideas and suggestions related to providing an efficient, consistent, cost-effective, and reasonable regulatory framework that incorporates both House Bill 50 and EPA Class VI requirements, before AOGCC began drafting any specific proposed regulations. AOGCC hosted a public hearing on November 7, 2024, in Anchorage, Alaska with the option to participate remotely. No comments were received during the hearing, but six written comments were received. AOGCC responded to each comment and publicly posted its responses. On behalf of AOGCC, the University of Alaska Fairbanks hosted Carbon Storage Townhalls on November 19, 2024, in Fairbanks; on January 3, 2025, in Kenai; on January 22, 2025, in Anchorage; and on March 3, 2025, in Utqiagvik. These town hall events explained carbon capture, use, and storage, and how Alaska's geology and regulatory framework might allow for carbon storage projects.

On November 25, 2025, AOGCC posted a "Notice of Proposed Changes on Carbon Storage and Underground Injection Control Class VI Wells in the Regulations of the Alaska Oil and Gas Conservation Commission." This notice proposed to adopt changes in Title 20 Chapter

25 of the Alaska Administrative Code, dealing with carbon storage as it relates to Class VI wells and establishing a new Class VI UIC program for Alaska. Additionally, this notice gave the opportunity for written comments to be received by January 13, 2026, as well as the opportunity for a public hearing in Anchorage with the option to participate remotely. On January 13, 2026, AOGCC held a public hearing on the proposed Class VI regulations. AOGCC received one comment during the hearing and six written comments. AOGCC responded to each comment and publicly posted its responses. The State regulatory changes were approved and signed by the Office of the Lieutenant Governor on March 19, 2026, and became effective on April 18, 2026.

Prior to applying for EPA approval of a State UIC program, the State must issue public notice of its intent to do so. In April 2026, AOGCC published notices of its intent to adopt and seek approval of a UIC Class VI program and of a related public hearing. AOGCC published the notice in six Alaska newspapers, through its website, and via email distribution to stakeholders. The notice provided the schedule for the hearing and identified the issues on which AOGCC sought public input. On May 14, 2026, AOGCC hosted an in-person hearing with the option to participate remotely. AOGCC received no comments during the hearing and received two written comments. One comment asserted that AOGCC's final regulations and previous response to comments did not resolve issues raised by the commenter during the comment period for the proposed State regulatory changes. These concerns include that funding is inadequate and uncertain to cover the technical expertise and implementation necessary for a Class VI permitting program; that Alaska's fee-shifting statute and rules discourage citizen oversight lawsuits and undermine key elements of the SDWA; that carbon capture and storage is dangerous, energy-intensive, and ineffective; that Alaska's history of oil and gas safety and environmental oversight and enforcement make adding a new permitting program highly risky; and that AOGCC has the responsibility not to pursue Class VI primacy until it can adequately demonstrate an ability to effectively administer the Class VI UIC program. The other comment supported Alaska's pursuit for Class VI primacy. AOGCC publicly responded to both comments.

Documentation of Alaska's public participation activities, including comments received and responses by the AOGCC, can be found in the EPA's Docket ID No. EPA-HQ-OW-2026-4588.

C. Summary of the EPA's Comprehensive Evaluation

The EPA evaluates primacy applications in accordance with SDWA section 1422 to determine whether an applicant has satisfactorily demonstrated that it has adopted after reasonable notice and public hearings, and will implement, a UIC program that meets the requirements of 40 CFR parts 144, 145, and 146. 42 U.S.C. 300h-1(b)(1)(A)(i). The EPA conducted a comprehensive technical and legal evaluation of Alaska's primacy application to determine whether the State's proposed UIC Class VI program—including State statutes and regulations, program description, State Attorney General's statement, and MOA—meets the requirements of SDWA section 1422 and EPA regulations. Upon review, the EPA determined that Alaska's primacy application demonstrates that the State has adopted and will implement a UIC Class VI program that meets EPA requirements.

The EPA evaluated Alaska's UIC Class VI program description for consistency with 40 CFR 145.23, which specifies the information that must be included as part of the program description. The EPA's evaluation of the UIC Class VI program description included reviewing the scope, coverage, processes, and organizational structure of the proposed Class VI program. The EPA evaluated Alaska's permitting, administrative, and judicial review procedures relevant to Class VI permits, as well as the State's permit application, reporting, and manifest forms for Class VI permits. The EPA also reviewed the State's UIC compliance evaluation program and enforcement authorities and the State's demonstration that its UIC Class VI program will have adequate in-house staff or access to contractor support for technical areas including site characterization, modeling, well construction and testing, financial responsibility, and regulatory and risk analysis.

The EPA evaluated Alaska's Attorney General's statement related to Class VI for consistency with 40 CFR 145.24. In an Attorney General's statement, the State's top legal officer

affirms that applicable State law (e.g., statutes, regulations, and judicial decisions) provides adequate authority to administer the UIC Class VI program as described in the program description and consistent with the EPA's regulatory requirements for UIC programs.

The EPA determined that the Class VI MOA meets the Federal requirements at 40 CFR 145.25 for primacy MOAs. The MOA is the central agreement that establishes the provisions and arrangements between the State and the EPA concerning the administration, implementation, and enforcement of the State UIC Class VI program. The EPA's evaluation of the Class VI MOA included ensuring that the MOA contained the appropriate provisions pertaining to coordination, permitting, compliance monitoring, enforcement, and EPA oversight. For example, the Class VI MOA specifies that the AOGCC and the EPA agree to maintain a high level of cooperation and coordination to ensure successful and effective administration of the UIC Class VI Program.

Alaska has demonstrated that it meets all UIC permitting requirements found in 40 CFR 145.11 for Class VI permits. Alaska's UIC Class VI permitting provisions and technical criteria and standards meet the Federal requirements in 40 CFR parts 124 and 144 through 146. The State has incorporated necessary procedures, pursuant to 40 CFR 145.12, to support a robust UIC Class VI compliance evaluation program. Additionally, Alaska has the necessary civil, administrative, and criminal enforcement authorities pursuant to 40 CFR 145.13. Alaska's UIC Class VI regulations regarding permitting, inspection, operation, monitoring, reporting, and recordkeeping meet Federal requirements found in 40 CFR parts 145 and 146.

As a result of this comprehensive review, the EPA is proposing to approve Alaska's UIC Class VI program primacy application because the EPA has determined that the application meets all applicable requirements for Class VI primacy approval under SDWA section 1422 and because the State has demonstrated that it will implement a UIC program in a manner consistent with the SDWA and all applicable UIC regulations.

V. The EPA's Proposed Action

A. Incorporation by Reference

The EPA is proposing to approve the State of Alaska's UIC program primacy application for Class VI injection wells in the State, except for those located within Indian country and those wells located within areas of exclusive Federal jurisdiction. If finalized, this action would amend 40 CFR part 147, subpart C, and incorporate by reference Alaska's EPA-approved statutes and implementing regulations that contain standards, requirements, and procedures applicable to UIC Class VI well owners or operators within the State. Any provisions incorporated by reference, as well as all permit conditions issued pursuant to such provisions, are enforceable by the EPA pursuant to SDWA section 1423. 40 CFR 147.1(e). The EPA would continue to administer the UIC program in Alaska for Class I, III, IV, and V wells and for all well classes within Indian country and within areas of exclusive federal jurisdiction.

The EPA compiled the applicable Alaska statutes and regulations proposed to be incorporated by reference into 40 CFR 147.100 in a document titled "Alaska SDWA §1422 Underground Injection Control Program Class VI Statutes and Regulations," dated August 26, 2026. This compilation is publicly available at <https://www.regulations.gov> in the EPA's Docket No. EPA-HQ-OW-2026-4855 for this proposed rulemaking. The EPA also proposes to codify a table in 40 CFR 147.100 listing the EPA-approved Alaska Statutes and Regulations for Class VI wells that the EPA would incorporate by reference.

B. The EPA's Oversight

Upon approval, the EPA will oversee Alaska's administration of its Class VI UIC program. The EPA will require quarterly reports on instances of permittee non-compliance and annual UIC performance reports pursuant to 40 CFR 144.8. The MOA between the EPA Region 10 and AOGCC specifies that the EPA will oversee the State's administration of the UIC Class VI program on a continuing basis to ensure that such administration is consistent with the program MOA, the SDWA and implementing regulations, UIC grant agreements, and other applicable requirements.

VI. Statutory and Executive Order Reviews

Additional information about these statutes and Executive orders can be found at:

<https://www.epa.gov/laws-regulations/laws-and-executive-orders>.

A. Executive Order 12866: Regulatory Planning and Review and Executive Order 13563: Improving Regulation and Regulatory Review

This action is exempt from review under Executive Order 12866 because the Office of Management and Budget (OMB) has exempted, as a category, the approval of State UIC programs.

B. Executive Order 14192: Unleashing Prosperity Through Deregulation

Executive Order 14192 does not apply because actions that approve State UIC programs are exempted from review under Executive Order 12866.

C. Paperwork Reduction Act (PRA)

This action will not impose an information collection burden under the PRA. OMB has previously approved the information collection activities contained in the existing regulations and has assigned OMB control number 2040-0042.

D. Regulatory Flexibility Act (RFA)

I certify that this action will not have a significant economic impact on a substantial number of small entities under the RFA. This action will not impose any requirements on small entities. This action transfers regulatory authority from the EPA to a State program with substantially the same requirements.

E. Unfunded Mandates Reform Act (UMRA)

This action does not contain an unfunded mandate as described in UMRA, 2 U.S.C. 1531-1538, and does not significantly or uniquely affect small governments. The action imposes no enforceable duty on any State, local, or Tribal governments or the private sector. The EPA's proposed approval of Alaska's Class VI program will not constitute a Federal mandate because

there is no requirement that a state establish UIC regulatory programs and because the program is a State, rather than a Federal program.

F. Executive Order 13132: Federalism

This action does not have Federalism implications. It will not have substantial direct effects on the states, on the relationship between the National Government and the states, or on the distribution of power and responsibilities among the various levels of government.

G. Executive Order 13175: Consultation and Coordination with Indian Tribal Governments

This action does not have Tribal implications as specified in Executive Order 13175. This action contains no Federal mandates for Tribal governments and does not impose any enforceable duties on Tribal governments. Thus, Executive Order 13175 does not apply to this proposed action.

H. Executive Order 13045: Protection of Children from Environmental Health and Safety Risks

The EPA interprets Executive Order 13045 as applying only to those regulatory actions that concern environmental health or safety risks that the EPA has reason to believe may disproportionately affect children, per the definition of “covered regulatory action” in section 2-202 of the Executive Order. This action is not subject to Executive Order 13045 because it would approve a State program.

I. Executive Order 13211: Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use

This action is not subject to Executive Order 13211, because it is not a significant regulatory action under Executive Order 12866.

J. National Technology Transfer and Advancement Act (NTTAA)

This rulemaking does not involve technical standards.

VII. References

Attorney General’s Statement “Attorney General's Statement to Accompany Alaska's Underground Injection Control Program Class VI Primacy Application,” signed by the Acting Attorney General of Alaska on May 19, 2026.

Class VI Underground Injection Control Program Description “Alaska Class VI Underground Injection Control 1422 Program Description,” Alaska Oil and Gas Conservation Commission, May 22, 2026.

Letter from the Governor of Alaska to the Regional Administrator, EPA Region 10, signed on May 21, 2026.

The Memorandum of Agreement Between the Alaska Oil and Gas Conservation Commission and The United States Environmental Protection Agency Region 10 for the UIC Class VI Program.

State of Alaska Oil and Gas Conservation Commission, “40 CFR 145.22(a)(5) Applicable Alaska Statutes and Regulations,” May 22, 2026.

State of Alaska Oil and Gas Conservation Commission, “40 CFR 145.22(a)(6) Public Participation Activities,” May 22, 2026.

U.S. Environmental Protection Agency. Proposed “Alaska SDWA §1422 Underground Injection Control Program Class VI Statutes and Regulations.” August 26, 2026. Office of Water.

List of Subjects in 40 CFR Part 147

Environmental protection, Incorporation by reference, Indian lands, Intergovernmental relations, Reporting and recordkeeping requirements, Water supply.

Lee Zeldin,

Administrator.

For the reasons set forth in the preamble, the EPA proposes to amend 40 CFR part 147 as follows:

**PART 147—STATE, TRIBAL, AND EPA-ADMINISTERED UNDERGROUND
INJECTION CONTROL PROGRAMS**

1. The authority citation for part 147 continues to read as follows:

Authority: 42 U.S.C. 300f *et seq.*; and 42 U.S.C. 6901 *et seq.*.

§§ 147.100 through 147.104 [Redesignated as §§ 147.101 through 147.105]

2. Redesignate §§ 147.100 through 147.104 as §§ 147.101 through 147.105.

3. Add new § 147.100 to read as follows:

§ 147.100 State-administered program—Class VI Wells.

The UIC program for Class VI wells in the State of Alaska, except for those wells located within Indian country and those wells located within areas of exclusive Federal jurisdiction, is the program administered by the Alaska Oil and Gas Conservation Commission approved by EPA pursuant to section 1422 of the Safe Drinking Water Act (SDWA). The effective date of this program is **[EFFECTIVE DATE OF THE FINAL RULE]**. The UIC program for Class VI wells in the State of Alaska, except those located within Indian country and those wells located within areas of exclusive Federal jurisdiction, consists of the following elements, as submitted to EPA in the State's program application.

(a) *Incorporation by reference.* The requirements set forth in the State's statutes and regulations approved by EPA for inclusion in “Alaska SDWA §1422 Underground Injection Control Program Class VI Statutes and Regulations” dated August 26, 2026, and listed in table 1 to this paragraph (a), are incorporated by reference and made a part of the applicable UIC program under SDWA for the State of Alaska. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51.

(1) This material is available for inspection at the U.S. Environmental Protection Agency (EPA) and at the National Archives and Records Administration (NARA).

(i) Contact the EPA at the:

(A) *EPA Water Docket*. U.S. Environmental Protection Agency, Water Docket, EPA Docket Center (EPA/DC), EPA WJC West, Room 3334, 1301 Constitution Ave. NW, Washington, DC 20004; phone: (202) 566-2426; or

(B) *EPA Region 10 office*. U.S. Environmental Protection Agency, Region 10, [Region 10 contact information]. or [State of Alaska contact information].

(ii) For information on the availability of this material for inspection at NARA, visit www.archives.gov/federal-register/cfr/ibr-locations or email fr.inspection@nara.gov.

(2) To obtain the material, contact:

(i) The EPA (see paragraph (a)(1)(i) of this section); or

(ii) The State of Alaska [State of Alaska contact information].

Table 1 to Paragraph (a)—Alaska SDWA §1422 Underground Injection Control

Program Class VI Statutes and Regulations

State citation	Title/subject	State effective date	EPA approval date
AS 41.06.105-41.06.210 except AS 41.06.140 and AS 41.06.150(b)	Carbon Storage and Injection	Last amended October 29, 2024	[DATE OF PUBLICATION OF THE FINAL RULE IN FEDERAL REGISTER]
20 AAC 25.442; 20 AAC 25.444; 20 AAC 25.990 (79)-(83); 20 AAC 25.1000-1900, Article 9, “Carbon Storage”	Alaska Administrative Code	Last amended April 18, 2026	[DATE OF PUBLICATION OF THE FINAL RULE IN FEDERAL REGISTER]

(b) *Other Laws*. The following statutes and regulations, as effective on March 31, 2002, although not incorporated by reference except for any provisions identified in paragraph (a) of this section, are also part of the approved State-administered UIC program.

(1) Alaska Statutes 31.05.005-31.05.170. Alaska Oil and Gas Conservation Act, as amended on October 29, 2024.

(2) [Reserved]

(c) *Memorandum of Agreement*. The Memorandum of Agreement Between Alaska Oil and Gas Conservation Commission and The United States Environmental Protection Agency Region 10 for the UIC Class VI Program.

(d) *Governor's Letter*. Letter from the Governor of Alaska to the Regional Administrator, EPA Region 10, signed on May 21, 2026.

(e) *Statement of Legal Authority*. "Attorney General's Statement to Accompany Alaska's Underground Injection Control Program Class VI Primacy Application", signed by the Acting Attorney General of Alaska on May 19, 2026.

(f) *Program Description*. The Program Description, "Alaska Class VI Underground Injection Control Program (1422) Description" and any other materials submitted as part of the application or as supplements thereto.