

Class VI Tentative Project Decision Schedule
Sutter Decarbonization Project
March 13, 2024

Sutter CCUS, LLC submitted a Safe Drinking Water Act, Underground Injection Control (UIC) Class VI permit application to EPA Region 9 for the Sutter Decarbonization Project on June 2, 2023. Region 9 has determined that this application is complete and will proceed with processing the application. In doing so, Region 9 has developed a tentative project decision schedule for this application, provided below. The tentative project decision schedule is not legally binding. Factors that will impact schedules but may be difficult for EPA to anticipate include the quality and quantity of site-specific data submitted by the applicant, when site-specific data is submitted by the applicant from the planned stratigraphic test well, the amount of time the applicant takes to respond to requests for additional information from EPA, the amount and content of confidential business information claimed, and the number and complexity of public comments received on the draft permit.

EPA has an agency-wide goal of making Class VI permit decisions within 24 months after determining that the permit application is administratively complete. If applicants do not provide the information necessary for a permit decision and/or are not responsive to requests for additional information, this timeframe will be extended. Sutter CCUS, LLC will be kept apprised of the status of EPA's review of your permit application and any changes to the anticipated schedule including the timeframe for draft permit decisions, responses to comments, and final permit decisions. EPA has also developed a Class VI Permit Tracker (<https://www.epa.gov/uic/current-class-vi-projects-under-review-epa>) which will include the tentative project decision schedule for the Sutter Decarbonization Project.

Class VI Tentative Project Decision Schedule for the Sutter Decarbonization Project

Permitting Milestone	Anticipated Date
Technical review completed	August 2025
Draft permit decision; start of public comment period	September 2025
Public hearing (if applicable)	October 2025
Public comment period closes	November 2025
Final permit decision, including responses to public comments received	March 2026

If EPA's final permit decision results in permit issuance, EPA anticipates that the final Class VI permit to construct will become effective 30 days after the final permit is issued. Per 40 CFR 124.15(b), a final permit decision "shall become effective 30 days after the service of notice of the decision unless: (1) A later effective date is specified in the decision; or (2) Review is requested on the permit under § 124.19. (3) No comments requested a change in the draft permit, in which case the permit shall become effective immediately upon issuance."

Please note that injection of carbon dioxide is prohibited until EPA issues an authorization to inject for the Class VI well. (See 40 CFR § 146.82(c))