

**U.S. Environmental Protection Agency  
Notice of Opportunity for Public Comment and Public Hearing**

**EPA PROPOSES APPROVAL OF REVISIONS TO TEXAS  
UNDERGROUND INJECTION CONTROL (UIC) PROGRAM**

Region 6 of the United States Environmental Protection Agency (EPA) is announcing its proposal that the EPA Administrator approve two applications to revise Texas' federally approved underground injection control (UIC) program. Notice is hereby given in accordance with Section 1422 of the Safe Drinking Water Act as amended, and Title 40 of the Code of Federal Regulations (40 CFR) §145.32, UIC program revision procedures.

The Texas Natural Resource Conservation Commission (TNRCC) and the Railroad Commission of Texas (RRC) currently share administration of the State's federally approved UIC program. Both Agencies submitted separate applications to EPA to revise their respective portions of the State's UIC program for Class I, III, IV, and V injection wells. The State's program, described at 40 CFR §147.2200, reflects the State's original UIC program as administered at the time of EPA's original approval in 1982. Since that time, many changes occurred under State authorization. Most notably, authority to administer the Class III brine mining injection well program was transferred from the Texas Water Commission (predecessor to TNRCC) to the RRC in 1985. The current revisions, proposed for federal approval, will update §147.2200 to reflect the current statutory and regulatory elements of the UIC programs as administered by TNRCC and the RRC.

TNRCC's revision application encompasses Class I, III, and V injection wells and constitutes the majority of the proposed revisions to the State's UIC program involved in this notice. TNRCC's application identifies changes to applicable State statutes, rules, policies, and forms used to implement the TNRCC's UIC program that have occurred since EPA's initial approval of the program. EPA approval of TNRCC's revision application would allow for subsequent recognition of these changes in 40 CFR §147.2200.

The RRC's application, specific only to Class III brine mining injection wells, describes the current State statutes, rules, policies, and forms used by the RRC to administer that portion of the State's UIC program. EPA approval of the RRC's revision application would allow for subsequent recognition of these changes in 40 CFR §147.2200.

EPA determined that both revision applications are no less stringent than the corresponding federal regulations. Therefore, EPA proposes separate and simultaneous approval of the TNRCC and RRC applications.

All interested parties are invited to submit written comments on these proposed revisions and/or may request a public hearing from EPA, Region 6. For one or both of the applications, separate comments or request(s) for a public hearing must be submitted by December 10, 2001, to the EPA Region 6 office address shown below. All comments will be considered, and EPA

will issue a response to comments. If significant interest for a public hearing is expressed within the 30 day comment period, notice of a separate public hearing will be published and held for either or both applications. After completion of the public participation process, the revision applications will be forwarded to EPA's Administrator for final determination. The final determinations will be published in the Federal Register.

A request for public hearing should include the following: (1) the name, address, and telephone number of the individual, organization, or other entity requesting a hearing; (2) a brief statement concerning the significant interest in the Regional Administrator's proposed determination, and information the requesting person intends to submit at such a hearing; and (3) the signature of the individual making the request; or, if the request is made on behalf of an organization or other entity, the signature of a responsible official of the organization or other entity. All comments and/or requests for hearing must be submitted directly to EPA, Region 6.

Paper copies of the revision applications, related correspondence, and documents are available for examination and duplication (for a nominal fee) between the hours of 8:00 a.m. and 4:30 p.m. Monday through Friday at the EPA offices in Dallas.

- United States Environmental Protection Agency, Region 6, Ground Water/UIC Section (6WQ-SG), 1445 Ross Avenue, Suite 1200, Dallas, Texas 75202

For further information contact Ray Leissner, EPA Region 6, Ground Water/UIC Section at the Dallas address given above, telephone (214) 665-7183, fax (214) 665-2191 or by email: [leissner.ray@epa.gov](mailto:leissner.ray@epa.gov).