

June 18, 2025, SIP Revisions are not relaxations of any existing requirements and are expected to preserve or improve the ambient air quality in the Sullivan County Area as it existed when the area was designated as nonattainment on October 4, 2013. Thus, the EPA proposes to find that Tennessee's February 9, 2023, and June 18, 2025, SIP Revisions meet the anti-backsliding provisions of CAA sections 110(l).

VI. Incorporation By Reference

In this document, the EPA is proposing to include in a final EPA rule regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, and as discussed in Sections II and III of this preamble, the EPA is proposing to incorporate by reference the following permit conditions for Eastman: Conditions G2, G3, G4, S2–1 (including Appendix 2), S2–2, S3–1(B) along with S3–1 Compliance Method A (including Appendix 3), S3–2, S3–3, S4–1, and S4–2 from SIP operating permit No. 082237 (Amendment #1) (State effective May 13, 2026); the entirety of SIP operating permit No. 083740, including appendix 1 (State effective January 14, 2026);¹²⁹ Condition 6 from Permit Number 966859F (State effective June 5, 2013); and the following permit condition for Primester: Condition E5–1 from Permit Number 574994 (State effective January 1, 2020). These permit conditions contain SO₂ emission limits, control measures, and compliance parameters for SO₂-emitting sources at Eastman and Primester.¹³⁰ The EPA has made, and will continue to make, these documents generally available through www.regulations.gov and at the EPA Region 4 Office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information).

VII. Statutory and Executive Order Reviews

Under the CAA, the Administrator is required to approve a SIP submission that complies with the provisions of the Act and applicable Federal regulations.¹³¹ Thus, in reviewing SIP submissions, the EPA's role is to

approve State choices, provided that they meet the criteria of the CAA. Accordingly, these proposed actions merely propose to approve State law as meeting Federal requirements and do not impose additional requirements beyond those imposed by State law. Furthermore, redesignation of an area to attainment and the accompanying approval of a maintenance plan under section 107(d)(3)(E) are actions that affect the status of a geographical area and do not impose any additional regulatory requirements on sources beyond those imposed by State law. A redesignation to attainment does not in and of itself create any new requirements, but rather results in the applicability of requirements contained in the CAA for areas that have been redesignated to attainment. For these reasons, these proposed actions:

- Are not significant regulatory actions subject to review by the Office of Management and Budget under Executive Order 12866 (58 FR 51735, October 4, 1993);
- Are not Executive Order 14192 (90 FR 9065, February 6, 2025) regulatory actions because these actions are not significant under Executive Order 12866;
- Do not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- Are certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
- Do not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4);
- Do not have federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- Are not subject to Executive Order 13045 (62 FR 19885, April 23, 1997) because these actions approve a State program;
- Are not significant regulatory actions subject to Executive Order 13211 (66 FR 28355, May 22, 2001); and
- Are not subject to requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the CAA.

In addition, the SIP is not approved to apply on any Indian reservation land or in any other area where the EPA or an Indian Tribe has demonstrated that a Tribe has jurisdiction. In those areas of Indian country, the rule does not have Tribal implications and will not impose

substantial direct costs on Tribal governments or preempt Tribal law as specified by Executive Order 13175.¹³²

List of Subjects

40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Incorporation by reference, Intergovernmental relations, Reporting and recordkeeping requirements, Sulfur oxides.

40 CFR Part 81

Environmental protection, Air pollution control, National parks, Wilderness areas.

Authority: 42 U.S.C. 7401 *et seq.*

Dated: October 22, 2026.

Kevin McOmber,

Regional Administrator, Region 4.

[FR Doc. 2026–22063 Filed 10–28–26; 8:45 am]

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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 December 14, 2026. *Public hearing:* The EPA will hold one virtual public hearing during the comment

¹²⁹ SIP operating permit No. 083740 includes Conditions G2, G3, G4, S5–1, S5–2, S6–1, and S6–2 and Appendix 1, which are requested to be incorporated into the SIP.

¹³⁰ As noted previously, Tennessee relies on additional emission limits included in the 2023 second nonattainment SIP that meet CAA section 172(c)(1) and 172(c)(6) requirements but which were previously approved into Tennessee's SIP. See Table 1a of this NPRM and 90 FR 57367 (Dec. 11, 2025).

¹³¹ See 42 U.S.C. 7410(k); 40 CFR 52.02(a).

¹³² See 65 FR 67249, November 9, 2000.

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:

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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., groundwater) 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). 20 AAC 25.442; 20 AAC 25.444; 20 AAC 25.990 (79)–(83); 20 AAC 25.1000–1900, Article 9, “Carbon Storage”.	Carbon Storage and Injection. Alaska Administrative Code.	Last amended October 29, 2024. Last amended April 18, 2026.	[DATE OF PUBLICATION OF THE FINAL RULE IN FEDERAL REGISTER]. [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.

[FR Doc. 2026–22085 Filed 10–28–26; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

45 CFR Part 96

RIN 0970–AD49

Reducing Bureaucracy and Burden for Block Grants

AGENCY: Office of Community Services (OCS), Administration for Children and Families (ACF), Department of Health and Human Services (HHS).

ACTION: Notice of proposed rulemaking.

SUMMARY: ACF proposes to amend its block grant regulations to modernize requirements, reduce administrative burden on States and Tribal grantees, and improve the clarity and efficiency of program administration. The current regulations include outdated provisions and procedural requirements that no longer reflect statutory authority or agency practice. The proposed revisions are intended to streamline grantee

obligations, eliminate unnecessary requirements, and align the regulations with current law and policy.

DATES: In order to be considered, written comments on this proposed rule must be received on or before November 30, 2026.

ADDRESSES: You may submit written comments, identified by docket number ACF–2026–0628 and/or RIN number 0970–AD49, by one of the following methods:

- *Federal eRulemaking Portal:* Go to <https://www.regulations.gov>. Follow the instructions for submitting comments.

- *Email:* Deregulation@acf.hhs.gov. Include the docket number ACF–2026–0628 and/or RIN number 0970–AD49 in the subject line of the message.

Instructions: All submissions received must include the agency name and docket number or RIN number for this rulemaking. All comments received are a part of the public record and will be posted for public viewing on www.regulations.gov, without change. Please be advised that the substance of the comments and the identity of individuals or entities submitting the comments will be subject to public disclosure.

FOR FURTHER INFORMATION CONTACT:

Adam N. Jones, Deputy Chief of Staff, Immediate Office of the Assistant Secretary, Administration for Children and Families, Department of Health and Human Services, Washington, DC 202–417–0115 or Deregulation@acf.hhs.gov. The docket on <https://www.regulations.gov> will include a plain language summary of the proposed rulemaking.

SUPPLEMENTARY INFORMATION:

I. Statutory Authority

This proposed regulation is being issued under the authority granted to the Secretary of Health and Human Services by Title XX of the Social Security Act, as amended (42 U.S.C. 1397 *et seq.*), the Community Services Block Grant Act (42 U.S.C. 9901 *et seq.*), and the Low Income Home Energy Assistance Act of 1981 (42 U.S.C. 8621 *et seq.*), and the Department’s general administrative authority under 5 U.S.C. 301.

II. Background

45 CFR part 96, “Block Grants” is a comprehensive regulatory framework established under the Omnibus Budget Reconciliation Act of 1981 (Pub. L. 97–35) that governs the administration of multiple federal block grant programs administered by HHS. Originally published on July 6, 1982, this regulation applies to seven major block

grant programs: Community Services Block Grant (CSBG), Preventive Health and Health Services, Community Mental Health Services (MHBG), Substance Use Prevention, Treatment, and Recovery Services (SUBG), Maternal and Child Health Services, Social Services Block Grant (SSBG), and Low-Income Home Energy Assistance Program (LIHEAP).

Part 96 establishes uniform procedures for grant applications, awards, payments, financial management, audit requirements, and enforcement mechanisms across these programs. It includes specific provisions for financial management requirements (Subpart C), direct funding of Indian tribes and tribal organizations (Subpart D), and enforcement procedures including complaint resolution and hearing processes (Subparts E and F). The regulation also contains program-specific requirements for each block grant, such as the SSBG annual reporting requirements using uniform service definitions (Subpart G) and LIHEAP weatherization waivers (Subpart H).

Since its initial promulgation, Part 96 has continuously been amended to reflect statutory changes to the underlying block grant programs. Significant amendments include revisions reflecting the LIHEAP amendments enacted in 1984, 1990 and 1994; revisions reflecting the SSBG reporting changes enacted in 1988; and periodic updates to the program-specific subparts to reflect reauthorizations and conforming amendments to the underlying statutes.

III. Executive Summary

This notice of proposed rulemaking (NPRM) proposes to remove multiple regulations that are either unnecessary or wholly obsolete. The regulations contained in this NPRM to be removed and reserved can be categorized into three groups: those that have obsolete language, those that are duplicative of another Federal regulations or statute, and those that are better suited as a different type of sub-regulatory format.

Several provisions across Part 96 contain transitional language tethered to fiscal years that have long passed. ACF proposes to remove these transitional clauses. The fiscal-year triggers they reference are decades in the past, and the provisions they once activated are now either fully effective by their own terms or entirely inoperative. Retaining this language clutters the Code of Federal Regulations with text that no longer governs any current conduct, creates confusion for grantees attempting to identify their present obligations, and burdens agency staff