

AMENDMENT TO H.R. 1
OFFERED BY MR. CRENSHAW OF TEXAS

Add at the end of division A the following:

1 **SEC. 10017. STATE PRIMARY ENFORCEMENT RESPONSIB-**
2 **BILITY.**

3 (a) AMENDMENTS.—Section 1422(b) of the Safe
4 Drinking Water Act (42 U.S.C. 300h–1(b)) is amended—

5 (1) in paragraph (2)—

6 (A) by striking “Within ninety days” and
7 inserting “(A) Within ninety days”;

8 (B) by striking “and after reasonable op-
9 portunity for presentation of views”; and

10 (C) by adding at the end the following:

11 “(B) If, after 270 calendar days of a State’s applica-
12 tion being submitted under paragraph (1)(A) or notice
13 being submitted under paragraph (1)(B), the Adminis-
14 trator has not, pursuant to subparagraph (A), by rule ap-
15 proved, disapproved, or approved in part and disapproved
16 in part the State’s underground injection control pro-
17 gram—

18 “(i) the Administrator shall transmit, in writ-
19 ing, to the State a detailed explanation as to the sta-
20 tus of the application or notice; and

1 “(ii) the State’s underground injection control
2 program shall be deemed approved under this sec-
3 tion if—

4 “(I) the Administrator has not after an-
5 other 30 days, pursuant to subparagraph (A),
6 by rule approved, disapproved, or approved in
7 part and disapproved in part the State’s under-
8 ground injection control program; and

9 “(II) the State has established and imple-
10 mented an effective program (including ade-
11 quate recordkeeping and reporting) to prevent
12 underground injection which endangers drink-
13 ing water sources.”;

14 (2) by amending paragraph (4) to read as fol-
15 lows:

16 “(4) Before promulgating any rule under paragraph
17 (2) or (3) of this subsection, the Administrator shall—

18 “(A) provide a reasonable opportunity for pres-
19 entation of views with respect to such rule, including
20 a public hearing and a public comment period; and

21 “(B) publish in the Federal Register notice of
22 the reasonable opportunity for presentation of views
23 provided under subparagraph (A).”;

24 (3) by adding at the end the following:

1 “(5) PREAPPLICATION ACTIVITIES.—The Adminis-
2 trator shall work as expeditiously as possible with States
3 to complete any necessary activities relevant to the sub-
4 mission of an application under paragraph (1)(A) or no-
5 tice under paragraph (1)(B), taking into consideration the
6 need for a complete and detailed submission.

7 “(6) APPLICATION COORDINATION FOR CLASS VI
8 WELLS.—With respect to the underground injection con-
9 trol program for Class VI wells (as defined in section
10 40306(a) of the Infrastructure Investment and Jobs Act
11 (42 U.S.C. 300h-9(a))), the Administrator shall designate
12 one individual at the Agency from each regional office to
13 be responsible for coordinating—

14 “(A) the completion of any necessary activities
15 prior to the submission of an application under
16 paragraph (1)(A) or notice under paragraph (1)(B),
17 in accordance with paragraph (5);

18 “(B) the review of an application submitted
19 under paragraph (1)(A) or notice submitted under
20 paragraph (1)(B);

21 “(C) any reasonable opportunity for presen-
22 tation of views provided under paragraph (4)(A) and
23 any notice published under paragraph (4)(B); and

24 “(D) pursuant to the recommendations included
25 in the report required under paragraph (7), the hir-

1 ing of additional staff to carry out subparagraphs
2 (A) through (C).

3 “(7) EVALUATION OF RESOURCES.—

4 “(A) IN GENERAL.—Not later than 90 days
5 after the date of enactment of this paragraph, the
6 individual designated under paragraph (6) shall
7 transmit to the appropriate Congressional commit-
8 tees a report, including recommendations, regarding
9 the—

10 “(i) availability of staff and resources to
11 promptly carry out the requirements of para-
12 graph (6); and

13 “(ii) additional funding amounts needed to
14 do so.

15 “(B) APPROPRIATE CONGRESSIONAL COMMIT-
16 TEES DEFINED.—In this paragraph, the term ‘ap-
17 propriate Congressional Committees’ means—

18 “(i) in the Senate—

19 “(I) the Committee on Environment
20 and Public Works; and

21 “(II) the Committee on Appropria-
22 tions; and

23 “(ii) in the House of Representatives—

24 “(I) the Committee on Energy and
25 Commerce; and

1 “(II) the Committee on Appropria-
2 tions.”.

3 (b) FUNDING.—In each of fiscal years 2023 through
4 2026, amounts made available by title VI of division J
5 of the Infrastructure Investment and Jobs Act under
6 paragraph (7) of the heading “Environmental Protection
7 Agency—State and Tribal Assistance Grants” (Public
8 Law 117–58; 135 Stat. 1402) may also be made available,
9 subject to appropriations, to carry out paragraphs (5), (6),
10 and (7) of section 1422(b) of the Safe Drinking Water
11 Act, as added by this section.

12 (c) RULE OF CONSTRUCTION.—The amendments
13 made by this section shall—

14 (1) apply to all applications submitted to the
15 Environmental Protection Agency after the date of
16 enactment of this Act to establish an underground
17 injection control program under section 1422(b) of
18 the Safe Drinking Water Act (42 U.S.C. 300h–1);
19 and

20 (2) with respect to such applications submitted
21 prior to the date of enactment of this Act, the 270
22 and 300 day deadlines under section 1422(b)(2)(B)
23 of the Safe Drinking Water Act, as added by this

1 section, shall begin on the date of enactment of this
2 Act.

