

December 22, 2008

**Docket I.D. NO.: EPA-HQ-OW-2998-0390**

Via electronic filing and U.S. Mail  
Water Docket  
Docket Center (EPPA/DC)  
Environmental Protection Agency  
1301 Constitution Avenue, NW  
Washington, DC 20460

**Re: The National Association of Manufacturers' Comments on EPA's Proposed Rule: Federal Requirements Under the Underground Injection Control (UIC) Program for Carbon Dioxide (CO<sub>2</sub>) Geologic Sequestration (GS) Wells**

Dear Sir or Madam:

The National Association of Manufacturers (NAM) submits these comments in response to the Environmental Protection Agency's (EPA) Proposed Rule for federal requirements pursuant to the Underground Injection Control (UIC) program for carbon dioxide (CO<sub>2</sub>) geologic sequestration wells, as published in the July 25, 2008 issue of the Federal Register, *73 Fed. Reg. 43503*. The NAM is the nation's largest industrial trade association representing small and large manufacturers in every industrial sector and in all 50 states. The NAM is the nation's leading voice for the manufacturing economy, a sector that employs more than 13,500,000 Americans and generates \$1.6 trillion in Gross Domestic Product (GDP). Any EPA program laying out a framework for Carbon Capture and Sequestration (CCS) technology will impact energy markets and choices. Because manufacturers use more than 1/3 of all energy consumed in the U.S., policies that may shape our nation's fuel choices and energy markets have a disproportionate impact on the manufacturing sector.

The NAM's mission is to enhance the competitiveness of manufacturers and improve American living standards by shaping a legislative and regulatory environment conducive to U.S. economic growth. As a general matter, the NAM supports EPA regulations that are designed to provide real net benefits to environmental quality and the public health, including the health of manufacturing workers and their families. Conversely, the NAM opposes regulations that would impose overly burdensome compliance costs on the manufacturing sector, especially with no clear goal for achieving improved environmental quality.

The NAM supports development and deployment of advanced, energy efficient and zero-and-low-Greenhouse Gas (GHG) emission and sequestration technology as part of a long-term strategy to reduce GHG emissions in the U.S. economy. Many members of the NAM have a direct interest in removing impediments to the development of CCS technology in order to increase its commercial viability. Pursuant to issues raised specifically by the proposal, the NAM believes that CCS can be developed in a manner that does not undermine the safety of underground sources of drinking water.

The NAM believes that a CCS policy can be designed that promotes a variety of public goals, including energy security, economic prosperity and protection of public health and the environment. The NAM believes that policy makers, building on the knowledge and expertise of energy professionals who have long injected carbon into geologic formations to enhance oil recovery, should establish a new regime and regulatory scheme which will promote the development and commercial deployment of CCS technology. The NAM is concerned, however, that EPA regulators may be looking backward, by considering liability schemes pursuant to the Superfund and Resource Conservation and Recovery Act (RCRA), as models on which to establish a framework for the long-term capture and storage of carbon. The NAM does not believe that use of a statute such as Superfund, which has been the source of endless litigation, is an appropriate model on which to base something as modern as CCS.

The NAM also supports establishment of a single and transparent regulatory structure that applies to CCS rather than a patchwork of regulatory and liability statutes that were designed to regulate activities completely unrelated to CCS. To this end, the NAM would support a continued dialogue with EPA and other regulators in order to craft a new and modern structure specific to CCS, and established in such a manner that will expedite its deployment, while not hindering the refinement and improvement of the process.

The NAM appreciates the opportunity to comment on this proposal. Manufacturers look forward to working with federal officials to craft a comprehensive framework that will promote the commercial viability of CCS. For more information related to the NAM's position on CCS technology, please contact Bryan Brendle at (202) 637-3176.

Sincerely,

Keith McCoy  
Vice President, Energy and Resources Policy