

**BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.**

In re:)	
)	
ExxonMobil Low Carbon Solutions Onshore)	
Storage, LLC)	
Jefferson County, TX)	
)	UIC Appeal No. 25-03
Underground Injection Control Permit Nos.:)	
R6-TX-245-C6-0001,)	
R6-TX-245-C6-0002, and)	
R6-TX-245-C6-0003)	
)	

NOTICE OF PERMIT WITHDRAWAL

On October 21, 2025, the U.S. Environmental Protection Agency (EPA) issued three final Underground Injection Control (UIC) Class VI permits to ExxonMobil Low Carbon Solutions Onshore Storage LLC (ExxonMobil) for a project in Jefferson County, Texas. In response, on January 15, 2026, the Cheek Texas Community Association (Community Association), represented by Earthjustice, filed a request with the Environmental Appeals Board (the Board) to “transfer the entire permits record, including application materials, pending permits and all subsequent docket filings to the State of Texas to incorporate into its permitting process[.]” and, alternatively, petitioned the Board to remand the permits to EPA Region 6 for further review.

Prior to the Community Association filing its motion and petition for review, EPA approved the State of Texas’s application for primary enforcement responsibility (primacy) for Class VI injection wells under the Safe Drinking Water Act section 1422. 90 FR 51021 (Nov. 14, 2025). This primacy authorization became effective on December 15, 2025. EPA's approval of the State's UIC program revision application vests the Texas Railroad Commission with exclusive authority to issue UIC Class VI permits. “Upon approval of a State program, the

Administrator shall suspend the issuance of Federal permits for those activities subject to the approved State program.” 40 CFR 145.1(e). EPA’s withdrawal of these permits is consistent with 40 C.F.R. 124.19(j).

EPA hereby withdraws the permits and provides notice to the Board, the Community Association, and ExxonMobil.

Respectfully submitted,

/s/ Jay Przyborski
Jay Przyborski
Assistant Regional Counsel
U.S. EPA, Region 6
1201 Elm St.
Dallas, TX 75270
214-665-6605
Przyborski.jay@epa.gov

/s/ Renea Ryland
Renea Ryland
Assistant Regional Counsel
E.P.A. Region 6
1201 Elm St.
Dallas, TX 75270
214-665-2130
Ryland.renea@epa.gov

CERTIFICATE OF SERVICE

I hereby certify that on January 29, 2026, I filed the foregoing with the Board through its online docketing system and served the following individuals in the manner indicated:

By email, as authorized by the Board's standing order dated September 21, 2020:

For: The Cheek Texas Community Association.

Jennifer A. Powis
Earthjustice
845 Texas Ave., Suite 200
Houston, TX 77002
jpowis@earthjustice.org

For: ExxonMobil Low Carbon Solutions Onshore Storage LLC:

Kerry L. McGrath
HUNTON ANDREWS KURTH LLP
2200 Pennsylvania Avenue, NW
Washington, DC 20037
(202) 955-1519
kmcgrath@Hunton.com

Shannon S. Broome
HUNTON ANDREWS KURTH LLP
50 California Street, Suite 1700
San Francisco, CA 94111
(415) 975-3718
sbroome@Hunton.com

Abigail N. Contreras
HUNTON ANDREWS KURTH LLP
50 California Street, Suite 1700 San
Francisco, CA 94111
(415) 975-3724
acontreras@Hunton.com

Dated: January 29, 2026

Respectfully submitted,
/s/ Jay Przyborski
Jay Przyborski