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Biden-Harris Administration Releases Draft Guidance for States to Access up to \$1.5 Billion from President Biden's Investing in America Agenda to Address Legacy Pollution

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WASHINGTON— The Department of the Interior today released [draft guidance](#) on how states can apply for up to \$40 million each in Regulatory Improvement Grant funding available under President Biden's Bipartisan Infrastructure Law to create jobs and clean up polluting and unsafe orphaned oil and gas wells across the country. Today's announcement also kicks off a public comment period to solicit feedback on the draft guidance.

Through the Bipartisan Infrastructure Law, the Department is delivering the largest investment in [tackling legacy pollution](#) in American history, including \$4.7 billion to plug orphaned wells. [Plugging is underway](#) nationwide, and to date, the Department has awarded nearly \$1.1 billion in grants to 25 states to begin work plugging and cleaning up orphaned wells. Since the enactment of the Bipartisan Infrastructure Law, states have already plugged more than 8,800 orphaned wells.

"The Department of the Interior is moving quickly to implement this once-in-a-generation investment in tackling legacy pollution, provided through President Biden's Investing in America agenda," said **Secretary Deb Haaland**. "Addressing orphaned wells cuts methane emissions, advances environmental justice for communities that have too long been left behind, and creates jobs. As we prepare to issue another round of grants to help states accomplish this vital work, we are eager to hear from diverse voices on this draft guidance."

[Orphaned oil and gas wells](#) are polluting backyards, recreation areas, and community spaces across the country. Many of these wells pose serious health and safety threats to air and water quality by

contaminating surface and groundwater, releasing toxic air pollutants, polluting drinking water sources, and leaking methane – a “super pollutant” that is a significant cause of climate change and many times more potent than carbon dioxide at trapping heat in the atmosphere. Plugging orphaned wells supports broader Biden-Harris administration efforts under the [U.S. Methane Emissions Reduction Action Plan](#).

Under the Bipartisan Infrastructure Law, three types of grants are available to states to fund orphaned wells clean-up: initial, formula and performance grants. Approximately \$1.5 billion is available in performance grants, which fall into two categories: Matching Grants and Regulatory Improvement Grants. In May, the Department [released](#) final Matching Grant guidance, and states can now apply for these funds.

States are eligible for two types of Regulatory Improvement Grants under today’s announcement:

- **Plugging Standards Grants:** Intended to incentivize states to implement standards and procedures designed to ensure that wells located in the state are plugged in an effective manner.
- **Program Improvement Grants:** Intended to incentivize states to implement other improvements to state programs designed to reduce future orphaned well burdens.

Under the [draft guidance](#), states are eligible to receive a Plugging Standards regulatory improvement grant of up to \$20 million, and a Program Improvement regulatory improvement grant of up to \$20 million, for a total of \$40 million per state. By incentivizing states to improve their standards, procedures and orphaned well programs, these grants will help better protect the environment and help prevent the creation of new orphaned wells.

The Department’s orphaned wells program advances the Biden-Harris administration’s ambitious environmental justice goals through the [Justice40 Initiative](#), which sets a goal to deliver 40 percent of the overall benefits of certain federal investments to disadvantaged communities that have been marginalized by underinvestment and overburdened by pollution. As of June 30, 2024, 44% of the over 8,800 wells plugged with Bipartisan Infrastructure Law funds by states are in disadvantaged communities.

Comments on the draft grant guidance can be submitted, via email, to orphanedwells@ios.doi.gov, by 11:59 PM PT on November 12, 2024. Comments will be instrumental in refining the program’s direction.

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