

**Testimony of Sarah Ann Smith, MEng, Clean Air Task Force
On October 17, 2019 for EPA Hearing on Proposed Policy
Amendments to 2012 and 2016 New Source Performance
Standards for the Oil and Natural Gas Industry**



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Thank you for the opportunity to speak with you today. My name is Sarah Smith and I lead CATF's team focused on minimizing emissions of potent climate super pollutants including methane and black carbon. Today I will speak in opposition to EPA's proposed rule. If finalized, the rule would carve out an entire segment of the oil and gas industry from federal regulation and remove direct regulation of methane from this sector. CATF will also submit comprehensive, detailed legal and technical comments explaining our opposition to EPA's proposal – specifically, we will explain why EPA's proposal is both very harmful and illegal.

EPA's proposal – in combination with its October 2018 proposal to severely weaken leak detection and repair requirements – would have devastating impacts on air quality and our urgent effort to limit greenhouse gas emissions. According to CATF estimates, which unlike EPA's proposal are based on the best available data and scientific conclusions, the two proposed rules along with their impact on existing source regulation will result in roughly 4.5 million metric tons of methane being emitted annually in 2025 as compared to what would be achieved by the 2016 standards and future existing source regulation.

EPA's choice to allow this tremendous amount of greenhouse gas emissions is even more egregious when we consider that stationary sources within the oil and gas sector are the leading industrial emitters of methane. Methane, on a pounds-for-pound basis, affects the climate 36 times more than carbon dioxide over a 100-year period after it is emitted. The impacts are even larger in the short term: 87 times more powerful over the first 20 years according to the Intergovernmental Panel on Climate Change. In essence, EPA's proposed deregulation of methane would add the annual equivalent greenhouse gas emissions of 100 coal-fired power plants, or 85 million cars, at a time when reductions in climate changing pollutants are urgently needed.

Unfortunately for the millions of people who live near or around oil and gas development, the impact of these proposals will also significantly damage air quality. By our estimates, if these proposals are finalized, the oil and gas industry will spew out an additional 1.1 million metric tons annually of smog-forming and asthma-inducing volatile organic

compounds (VOCs) and an additional 40,000 tons annually of toxic hazardous air pollutants every year by 2025.



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Not only is EPA's proposal dangerous, as a matter of law it is illegal. EPA's proposal would reverse its longstanding interpretation of the scope of the oil and gas source category. Since it was first listed as a source category, the oil and gas sector has long been understood to include the transmission and storage segment—including during two rounds of rulemakings within the last decade. Yet, in a blatant effort to appease the industry at the expense of protecting the public EPA claims that past interpretations were "improper." But EPA fails to sufficiently explain how it can ignore the evidence it previously relied upon to come to the determination that transmission and storage is properly part of the listed source category. EPA's new interpretation of the source category is therefore illegal.

Indeed, EPA's alternative proposal to remove all methane requirements from OOOOa exposes EPA's reason for this proposal: it simply does not want to regulate methane, despite the mountains of evidence that compel regulation of the pollutant. EPA's rationale for its alternative proposal contradicts itself and blatantly ignores facts. The proposal claims that the methane regulations "provide no additional health protections," yet it also recognizes that removing methane regulations also removes the requirement to address pollution from existing sources. Future existing source regulations would provide significant health protections for the public, and removing them would have a devastating, long term impacts. EPA's proposal does not provide an adequate explanation for the claimed "redundancy" in VOC and methane regulations, and ignores the facts and the best available data that support OOOOa. EPA's proposal, including its proposed alternative, is therefore unlawful and should be withdrawn.

We cannot afford to have our lead environmental agency bury its head in the sand and rip up important standards for our nation's leading emitter of methane. EPA must not finalize the proposal and should maintain its commonsense and eminently feasible methane regulations for the entire sector, from production through transmission and storage.