

Comments of Environmental Defense Fund at EPA's Public Listening Sessions on Upcoming Oil and Natural Gas Methane Rulemaking

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Good afternoon, my name is Edwin LaMair and I am a Legal Fellow on the U.S. Clean Air Team at Environmental Defense Fund. We want to thank EPA for convening these sessions and considering our views on the importance of reducing harmful methane emissions from the oil and gas sector. EDF urges EPA to propose and adopt protective standards for sources across the sector reflecting the best available science and technology to achieve deep cuts in climate-destablizing and health-harming pollution.

Methane is a potent climate pollutant with over eighty times the global warming power of carbon dioxide in the near term. At least 25% of the warming we are experiencing today is caused by human-made methane emissions.¹ Reducing methane is critical for avoiding the worst effects of climate change and limiting global temperature rise to 1.5 degrees.² Deploying all technically feasible measures now would cut methane pollution in half by 2030, slowing climate change and avoiding up to a quarter degree of warming by midcentury.³ And many of the strategies for reducing methane are readily available and incur little to no net cost.

The oil and natural gas sector is the largest industrial emitter of methane,⁴ representing nearly half of domestic emissions.⁵ But it is also the sector with the greatest reduction potential.⁶ Many solutions for stopping methane leaks that occur during oil and gas production are cost-effective and can be deployed immediately, at times even resulting in net financial gain to the operator who can sell the captured gas. Plugging leaks conserves domestic energy resources and cuts dangerous pollution.

¹ Intergovernmental Panel on Climate Change, *Fifth Assessment Report, Climate Change 2013: The Physical Science Basis, Chapter 8SM – Anthropogenic and Natural Radiative Forcing – Supplementary Material*, <https://www.ipcc.ch/report/ar5/wg1/chapter-8sm-anthropogenic-and-natural-radiative-forcing-supplementary-material/>

² EDF, *Recapturing U.S. Leadership on Climate* (March 2021),

<https://www.edf.org/sites/default/files/documents/Recapturing%20U.S.%20Leadership%20on%20Climate.pdf>.

³ Ocko, et al., *Acting rapidly to deploy readily available methane mitigation measures by sector can immediately slow global warming*, 16 *Env. Research Letters* 054042 (2021), <https://doi.org/10.1088/1748-9326/abf9c8> [hereinafter Ocko 2021].

⁴ EPA, *Overview of Greenhouse Gases: Methane Emissions*

<https://www.epa.gov/ghgemissions/overview-greenhouse-gases#methane>

⁵ Ilissa Ocko, *A U.S. economy-wide methane target: essential, achievable, affordable*, Energy Exchange (Mar. 22, 2021), <https://blogs.edf.org/energyexchange/2021/03/22/a-u-s-economy-wide-methane-target-essential-achievable-affordable/>

⁶ Ocko 2021; UNEP, *Global Methane Assessment: Benefits and Costs of Mitigating Methane Emissions, Summary for Decision Makers* 8 (2021), https://wedocs.unep.org/bitstream/handle/20.500.11822/35917/GMA_ES.pdf

Stopping methane leaks is necessary to protect communities on the frontlines of oil and gas development. The pollution from this industry leads not only to climate impacts, but seriously burdens the health of nearby residents.⁷ Smog-forming volatile organic compounds and toxic air pollutants like benzene are emitted alongside methane. Inhalation of these dangerous pollutants can lead to irreversible lung damage, asthma attacks, and cancer. An analysis from EPA scientists predicts that air pollution from the oil and gas sector will lead to 1,970 premature deaths in 2025 alone, underscoring the need for urgent action.⁸

EPA's next generation standards should achieve deep reductions in methane and local air pollution and we respectfully urge the agency to ensure these critical safeguards incorporate the following key principles:

Equity and justice for impacted communities.

Standards for oil and gas sources must be designed to benefit communities overburdened with industrial development and polluted air. Currently, around 9.1 million people in the United States live within a half-mile of an existing oil or gas well.⁹ Some of these groups—like children and elderly people—are particularly sensitive to the health risks posed by ozone and other local air pollution from oil and gas development. Reducing emissions in these communities is critically important and EPA should ensure these communities are engaged and thoroughly heard as the agency crafts new clean air standards.

Enhancing transparency and accountability.

Data on compliance and emissions reductions should be publicly available and easily accessible in real time to promote transparency and accountability. Increased transparency is important for ensuring compliance as well as promoting equity and justice.

Accelerating innovation.

Strong standards should provide pathways for innovation to speed the development and proliferation of emerging technologies that are making it easier, faster, and cheaper to detect and reduce emissions. Federal regulations should speed the advancement of these technologies by incentivizing the creation of increasingly effective and efficient methods to dramatically cut methane.

Accelerating advanced technologies can also be an important driver of job creation. A methane mitigation industry has developed to help the oil and gas sector find and fix leaks to cut emissions and prevent the loss of valuable natural gas.¹⁰ A recent report from Datu Research

⁷ Fann, et al., *Assessing human health PM2.5 and ozone impacts from US oil and natural gas sector emissions in 2025*, 52 *Envtl. Sci. & Tech.* 8095 (2018), <https://pubs.acs.org/doi/pdf/10.1021/acs.est.8b02050> [hereinafter Fann, et al.]; Clean Air Task Force, *Gasping for Breath: An analysis of the health effects from ozone pollution from the oil and gas industry* (2016).

⁸ Fann, et al. at 8099.

⁹ This includes: 580,000 kids under the age of five; 1.4 million people over the age of 65; 1.4 million people living below the poverty line; and nearly 2.7 million people of color. EDF, *Federal Methane Map*, <https://www.edf.org/federalmethanemap/>.

¹⁰ See Datu Research, *Find, Measure, Fix: Jobs in the U.S. Methane Emissions Mitigation Industry* (2021).

found that the number of methane services firms has increased by 90% in just the past four years.¹¹ Strong standards that require oil and gas operators to detect, fix, and prevent leaks will further the development of this industry and lead to the creation of well-paying jobs.

Recognizing state leadership.

Many states with major oil and gas industries have successfully implemented and expanded upon methane regulations in recent years.¹² EPA can and should draw on the experience of these states in developing effective safeguards. Federal rules should allow states to lead and innovate on developing and implementing even more protective standards.

We respectfully urge EPA to consider these principles and to propose and adopt protective methane standards that will be durable and significantly reduce harmful pollution from the oil and gas sector. Thank you again for convening these important listening sessions and considering our views, and later, my colleague Rosalie Winn plans to offer our recommendations on some of the key standards that can help to achieve deep methane reductions.

¹¹ *Id.*

¹² See New Mexico Environmental Improvement Board, Proposed N.M. Code R. § 20.2.50.122 (May 6, 2021), <https://www.env.nm.gov/air-quality/wp-content/uploads/sites/2/2018/08/Proposed-Part-20.2.50-May-6-2021-Version.pdf>; 5 Colo. Code Regs. § 1001-9, Pt. D (2021), https://drive.google.com/file/d/1sCtcjhhaexdE0_K-fvrFudgO0vMuYis_/view.