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U.S. Environmental Protection Agency
EPA Docket Center
Mail Code: 28221T
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Attention Docket ID No. EPA-HQ-OAR-2017-0757

To Whom It May Concern:

On behalf of the National Association of Clean Air Agencies (NACAA), we are submitting the following comments on the U.S. Environmental Protection Agency's (EPA's) proposal, entitled *Oil and Natural Gas Sector: Emission Standards for New, Reconstructed, and Modified Sources Review*, which was published in the *Federal Register* on September 24, 2019 (84 Fed. Reg. 50,244). NACAA is the national, non-partisan, non-profit association of air pollution control agencies in 41 states, including 114 local air agencies, the District of Columbia and four territories. The air quality professionals in our member agencies have vast experience dedicated to improving air quality in the U.S. These comments are based on that experience. The views expressed do not represent the positions of every state and local air pollution control agency in the country.

EPA proposes changes to the New Source Performance Standards (NSPS) for the oil and natural gas sector to remove methane emission limits for the sector's production and processing segments, leaving only the provisions applicable to emissions of volatile organic compounds (VOCs). The agency also proposes to exempt the natural gas transmission and storage segments from regulation, eliminating storage tank VOC limits in place since 2012 as well as VOC and methane limits established in 2016 for compressors, controllers and equipment leaks. EPA estimates that between 2019 and 2025 these changes will increase methane emissions by as much as 370,000 short tons, VOC emissions by as much as 10,000 tons and hazardous air pollutants by as much as 300 tons.

NACAA opposes the removal of all control requirements for sources in the transmission and storage sector segments and the removal of methane from the performance standards.

Though all of the emissions increases predicted by EPA will create public health and environmental challenges, the additional VOC emissions created by this proposal will be among the most harmful to human health and across a range of programs and responsibilities held by state and local clean air agencies. VOCs are a precursor to ozone; the increased VOCs to result from this proposal will drive ozone concentrations upwards in many portions of the country, making it harder for states to meet and maintain their obligations under the health-based National Ambient Air Quality Standards (NAAQS) program. While some local impacts from higher VOC emissions might be reasonably anticipated in areas with high amounts of oil and natural gas sector activity, these emissions will also be transported across state lines, raising more complex challenges for downwind states. EPA leaves all of these impacts unaddressed in its proposal, pushing the burden of its solution onto the state and local air agencies that have no authority over these upwind sources.

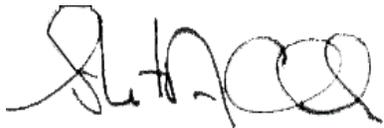
The proposal also threatens to undermine State Implementation Plans (SIPs) developed to achieve and maintain the NAAQS. Many ozone SIPs that have already been submitted to EPA or even approved by the agency rely on anticipated emission reductions that EPA now proposes to eliminate. Many air agencies further rely on air quality modeling tools provided by EPA, including source inventories, which also incorporate emissions reductions from the portions of the NSPS that EPA's proposal would eliminate. Revising the NSPS without a more robust analysis of its implications and without updating critical tools that air agencies use to assess and plan for NAAQS compliance will leave many air agencies in a challenging and vulnerable position.

The projected and potential increases in methane emissions to result from EPA's proposal pose additional harms. While not a criteria pollutant covered by the NAAQS, methane remains a potent climate pollutant with a global warming potential nearly 30 times that of CO₂. As EPA notes in the proposal, removing methane from the NSPS eliminates, at least temporarily, the agency's legal obligation to limit methane emissions from existing oil and natural gas sector sources. EPA goes on to minimize the risk of emissions from those unregulated sources by arguing that many of the sources will eventually be covered by the NSPS as they undergo modifications and are reclassified as new sources. The strength of this claim, however, is undercut by EPA's extensive list, in the preamble, of questions to stakeholders about the rate of modification practices within the sector, indicating that EPA has little information on how regularly these transitions occur. EPA cannot reasonably assert that delaying or avoiding emission controls for existing sources will have little emissions impacts until after the agency has analyzed the information it has only just asked for. EPA's basis for discounting future emissions from existing sources of methane is inadequate and, as such, NACAA opposes the proposed move away from an existing source standard.

Finally, NACAA is concerned about how the proposal could affect the accuracy of EPA's methane emissions inventory. Eliminating the leak detection requirements for the oil and natural gas sector's transmission and storage segments, as EPA proposes, will perpetuate uncertainty about the inventory's accounting methodology. Studies in recent years have consistently suggested that EPA's approach, which relies on a "bottom-up" emissions accounting, yields a lower amount of methane pollution than alternative "top-down" satellite-based approaches. Methane leak detection requirements are an important tool to help understand the extent and nature of EPA's undercounting problem. Removing the detection requirements deprives EPA as well as state and local air agencies of an important opportunity to address this challenge and build a more accurate inventory of U.S. methane emissions. NACAA recommends that EPA retain the leak detection requirements for natural gas transmission and storage sources.

Thank you for the opportunity to comment on the proposed changes to the oil and natural gas sector NSPS. If you have any questions about these comments, please do not hesitate to contact either of us or Miles Keogh, Executive Director of NACAA.

Sincerely,



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