

Congress of the United States
Washington D.C. 20515

August 25, 2020

The Honorable Andrew Wheeler
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Ave, NW
Washington, DC 20460

RE: Final Policy Amendments to the 2012 and 2016 New Source Performance Standards for the Oil and Natural Gas Industry

Dear Administrator Wheeler:

We write today to express our deep disappointment that your Agency has chosen to move ahead with the publishing of a final rule that would eliminate methane protections in the Environmental Protection Agency's (EPA) New Source Performance Standards. While the United States grapples with the impacts of a global pandemic caused by a severe acute respiratory disease, the EPA has chosen to move ahead with the weakening of critical environmental safeguards that help keep our air clean and safe to breathe.

As COVID-19 threatens the health and safety of every American, emissions of methane, volatile organic compounds (VOCs), particulate matter and hazardous air pollutants from oil and gas operations continue to harm public health. Communities near oil and gas infrastructure are in danger of breathing in hazardous air pollutants from oil and gas operations, and underserved and minority populations who are already disproportionately affected by COVID-19, will suffer the most from this decision. Moving forward with the final regulation will cause preventable damage to the public health of millions of Americans.

As you know, methane is one of the most potent greenhouse gases driving climate change — 84 times more powerful than carbon dioxide in the first two decades after its release. Nearly 30 percent of harmful methane emissions in the United States come from the oil and gas sector, a key reason for the EPA's previous actions to require oil and gas companies to curb this super-pollutant from the beginning of production. The EPA's changes to the 2012 and 2016 New Source Performance Standards (NSPS), according to their own analysis, increase air pollution from the oil and gas industry by undoing the commonsense regulations that were implemented in 2016 with wide industry and public support.


The most recent amendments the EPA has finalized will reverse the United States' progress on this issue — taking us from being a global leader to returning to the back of the pack. This final rule ignores both the public interest and benefits to industry. The EPA is moving forward with

standards that could allow emissions of over 340,000 metric tons of methane, over 9,000 tons of VOCs, and 270 metric tons of hazardous air pollutants in the first five years alone.

It is also concerning that the White House and the EPA appear to have been seeking to develop an even less stringent rule than what has been released¹, but were more concerned with releasing any rule than one that adhered to the best scientific evidence regarding regulating methane waste. This anti-science approach to rule making at the EPA is unacceptable and inappropriate meddling in the federal rule making process.

The United States must continue to lead in reducing emissions of harmful super pollutants such as methane. Keeping in place sensible methane standards protects our public health and our environment, two critical pillars of the EPA's mission. This final rule does neither, and we urge the immediate withdrawal of the rule before it takes effect.

Sincerely,



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¹ *EPA to Rescind Methane Regulations for Oil and Gas*, Wall Street Journal (August 10, 2020)
https://www.wsj.com/articles/epa-to-rescind-methane-regulations-for-oil-and-gas-11597051802?mod=hp_lead_pos2

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