

**Congress of the United States**  
**Washington, DC 20515**

February 10, 2022

The Honorable Michael S. Regan  
Administrator  
Environmental Protection Agency (EPA)  
1200 Pennsylvania Avenue, NW, Room 3426 WJC North  
Washington, DC 20460

Dear Administrator Regan:

We commend EPA for proposing strong rules to reduce methane and other harmful air pollution from both new and existing oil and natural gas facilities across the country and offer our comments.

EPA's proposal strengthens and modernizes rules adopted in 2016 for new and modified oil and gas facilities and builds upon the bipartisan Congressional Review Act resolution (H.J.Res.34, S.J.Res.14), enacted by Congress and signed by the President, with support from the oil and gas industry and electric utilities, to restore federal methane protections and regulation of oil and gas operations. Further, the proposal is historic as it applies methane reduction requirements to the hundreds of thousands of existing wells constructed prior to 2016. Altogether this proposal will help the Biden administration meet its commitment to tackle the climate crisis, achieve a 50-52 percent reduction from 2005 levels in economy-wide net greenhouse gas pollution in 2030, and maintain U.S. leadership on the Global Methane Pledge to reduce the world's methane emissions 30% from 2020 levels by 2030.

One third of the warming from greenhouse gasses occurring today is due to human-caused emissions of methane. In the U.S., the oil and natural gas industry is the largest industrial source of methane emissions, emitting more methane than the total greenhouse gas emissions of 164 other countries combined. In addition to methane pollution, oil and natural gas operations also emit smog-forming volatile organic compounds and toxic air pollutants, such as benzene, that harm public health. The proposed rules would reduce 41 million tons of methane emissions from 2023 to 2035, avoid 12 million tons of smog-forming VOC pollution, and 480,000 tons of air toxics pollution through 2035. In 2030 alone, the rules are expected to reduce methane emissions from sources covered in the proposal by 74 percent compared to 2005.

The EPA's proposed rules are a good foundation and with a few key improvements can deliver a huge win for our air, climate, and the health of our communities. This historic proposal should be strengthened in two important ways.

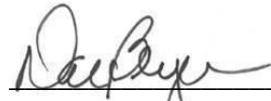
First, it is critical that the rules apply comprehensively, even to smaller, leak-prone wells. Such wells comprise a majority of the nation's fleet of oil and gas wells, produce a small fraction of the nation's petroleum, and are responsible for an outsize share of methane emissions from the industry.<sup>1</sup> In order to protect public health, particularly in frontline communities, EPA must ensure these wells receive frequent inspections to find and fix pollution leaks. Furthermore, the fact that the vast majority of these wells are owned by large operators and the availability of

technology for cost-effective leak monitoring and detection means any carve-outs or exemptions are simply unnecessary. Reducing methane emissions can create good, high-quality jobs. The methane mitigation service sector in the U.S. has nearly doubled in size since 2017 and would have further opportunity to grow.<sup>ii</sup>

Second, the new rules should put a stop to the wasteful and polluting practice of routine flaring of associated gas from oil wells. States such as Alaska, Colorado, and New Mexico have already taken this critical step. The agency has noted that flaring frequently occurs in routine, non-emergency situations or is used to bypass pollution control equipment, producing unacceptably high releases of sulfur dioxide and other pollutants including uncombusted methane.<sup>iii</sup> The World Bank's Zero Routine Flaring by 2030 Initiative has emphasized that flaring results in more than 400 million tons of CO<sub>2</sub>-equivalent emissions every year and wastes a valuable resource.<sup>iv</sup> Ending the practice of routine flaring and ensuring the capture of natural gas that is currently being flared will mean more revenue opportunities for states and producers, which often contribute tax revenue to education, healthcare, and other essential services. Critically, this capture requirement would also result in less pollution for the same nearby communities as well as the environment. A final EPA regulation should end routine flaring in non-emergency situations to protect public health.

Thank you for your leadership, which comes at a pivotal point in the history of our planet. We appreciate your time and attention to our requests and applaud EPA for its efforts to turn the tide in the fight against global climate change.

Sincerely,

  
Donald S. Beyer Jr.

  
Alan Lowenthal

  
Diana DeGette

  
Scott Peters

  
Teresa Leger Fernández



Peter A. DeFazio



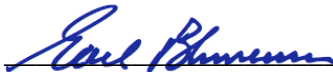
Adam Smith



Nanette Diaz Barragán



Gwen Moore



Earl Blumenauer



Sean Casten



Peter Welch



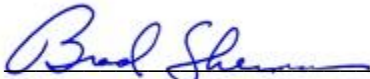
Tony Cardenas



Eleanor Holmes Norton



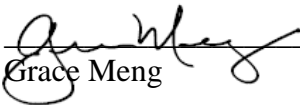
Ted Deutch



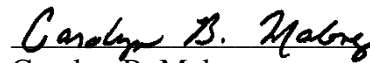
Brad Sherman



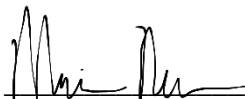
Mary Gay Scanlon



Grace Meng



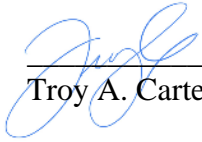
Carolyn B. Maloney



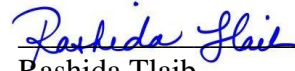
Marie Newman



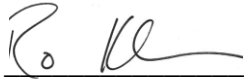
John B. Larson



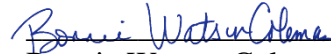
Troy A. Carter, Sr.



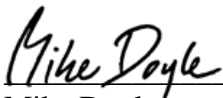
Rashida Tlaib



Ro Khanna



Bonnie Watson Coleman



Mike Doyle



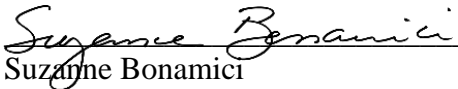
Mark Takano



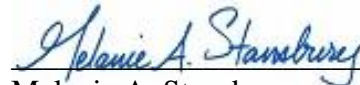
Jesús G. "Chuy" García



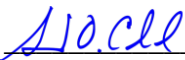
Karen Bass



Suzanne Bonamici



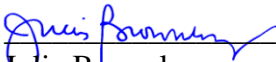
Melanie A. Stansbury



Salud Carbajal



Mark Pocan



Julia Brownley

/s/

Jerrold Nadler



Bobby L. Rush



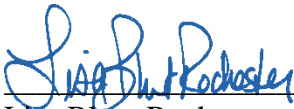
Lucy McBath



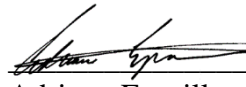
Tom Malinowski




John Garamendi



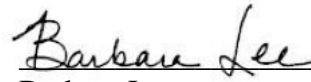
Lisa Blunt Rochester



Adriano Espaillat



Dwight Evans



Barbara Lee



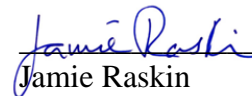
Mark DeSaulnier



Mike Levin



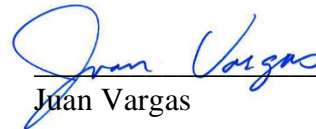
Dina Titus



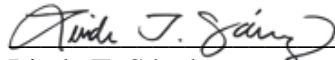
Jamie Raskin



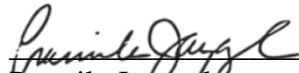
Jared Huffman




Juan Vargas


  
Linda T. Sánchez

  
Betty McCollum

  
Pramila Jayapal


  
Mike Quigley

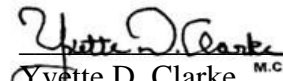
  
James P. McGovern

  
Joe Neguse

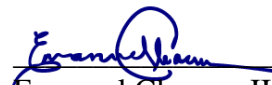
  
Eric Swalwell

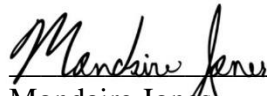
  
Donald M. Payne, Jr.

  
Raul M. Grijalva

  
Yvette D. Clarke <sup>M.C.</sup>

  
André Carson

  
Emanuel Cleaver, II

  
Mondaire Jones

  
Jake Auchincloss

*Thomas R. Suozzi*

Thomas R. Suozzi

*Debbie Dingell*

Debbie Dingell

/s/

John P. Sarbanes

*John Yarmuth*

John Yarmuth

*Jackie Speier*

Jackie Speier

*Lloyd Doggett*

Lloyd Doggett

*Ted W. Lieu*

Ted W. Lieu

*Katie Porter*

Katie Porter

*Sara Jacobs*

Sara Jacobs

*David Trone*

David Trone

*Hank Johnson*

Hank Johnson

*Gerald E. Connolly*

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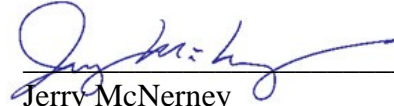
*Steve Cohen*

Steve Cohen

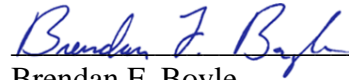
*Ed Case*

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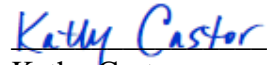
  
A. Donald McEachin


  
Jerry McNerney

  
Bill Foster

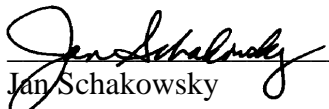
  
Brendan F. Boyle


  
Grace F. Napolitano

  
Kathy Castor

  
Kathy Manning


/s/  
Robert C. "Bobby" Scott

  
Jan Schakowsky

  
Deborah K. Ross

  
Marc Veasey

/s/  
Maxine Waters

  
Abigail D. Spanberger

  
Madeleine Dean



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- <sup>i</sup> Deighton, Jacob A., et al. “Measurements show that marginal wells are a disproportionate source of methane relative to production.” *Journal of the Air & Waste Management Association*, vol. 70, no. 10, Oct. 2020, pp. 1030-1042, <https://pubmed.ncbi.nlm.nih.gov/32776822/>; Omara, Mark, et al. “Methane Emissions from Conventional and Unconventional Natural Gas Production Sites in the Marcellus Shale Basin.” *Environmental Science & Technology*, vol. 50, no. 4, Feb. 2016, pp. 2099-2017, <https://pubs.acs.org/doi/10.1021/acs.est.5b05503>
- <sup>ii</sup> Lowe, Marcy, et al.. “Find, Measure, Mix: Jobs in the U.S. Methane Emissions Mitigation Industry.” *Environmental Defense Fund Report, Prepared by Datu Research*, June 2021. <https://www.edf.org/sites/default/files/content/FindMeasureFixReport2021.pdf>
- <sup>iii</sup> United States, Environmental Protection Agency. “Frequent, Routine Flaring May Cause Excessive, Uncontrolled Sulfur Dioxide Releases.” *Enforcement Alert*, vol. 3, no. 9, Oct. 2000, pp. 1-4, [www.epa.gov/sites/default/files/documents/flaring.pdf](http://www.epa.gov/sites/default/files/documents/flaring.pdf). Accessed 10 Dec. 2021; Zhang, Yuzhong, et al. “Quantifying methane emissions from the largest oil-producing basin in the United States from space.” *Science Advances*, vol. 6, no. 17, April 2020, <https://www.science.org/doi/10.1126/sciadv.aaz5120>
- <sup>iv</sup> *Zero Routine Flaring by 2030 (ZRF) Initiative: Frequently Asked Questions and Answers*. The World Bank, [www.worldbank.org/en/programs/zero-routine-flaring-by-2030/qna](http://www.worldbank.org/en/programs/zero-routine-flaring-by-2030/qna). Accessed 10 Dec. 2021.