



April 23, 2018

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

Attention: Docket No. EPA-HQ-OAR-2015-0216

RE: Proposed Withdrawal of the Control Techniques Guidelines for the Oil and Natural Gas Industry. 83 FR 10478 (March 9, 2018)

To Whom It May Concern:

The Pennsylvania Department of Environmental Protection ("PADEP") appreciates the opportunity to comment on the United States Environmental Protection Agency ("EPA") Proposed Withdrawal of the Control Techniques Guidelines for the Oil and Natural Gas Industry ("Oil and Gas Guidelines" or "Guidelines") published on March 9, 2018 (83 FR 10478). PADEP does not support a comprehensive withdrawal of the Oil and Gas Guidelines without EPA providing a specific replacement proposal to control emissions.

Background

The Oil and Gas Guidelines provide information to State, local, and tribal air agencies to assist them in determining reasonably available control technology ("RACT") requirements for volatile organic compound ("VOC") emissions from oil and natural gas industry emission sources. The Oil and Gas Guidelines underwent extensive technical review, information collection, and public comment. Among other sources, the Guidelines relied on underlying data and conclusions from the "Oil and Natural Gas Sector: Emission Standards for New, Reconstructed, and Modified Sources" ("2016 Standards"), 81 FR 74798 (October 27, 2016) as well as the final rule titled "Oil and Natural Gas Sector: New Source Performance Standards and National Emission Standards for Hazardous Air Pollutants Reviews" ("2012 Standards"), 77 FR 49490 (August 16, 2012).

On June 5, 2017, EPA granted reconsideration of the 2016 Standards regarding the fugitive emission requirements at well sites and compressor station sites; well site pneumatic pump standards; and the requirements for professional engineer certification. 82 FR 25730. EPA also indicated that it was broadly reviewing all other requirements of the 2016 Standards. 83 FR at 10479.

EPA believes it is prudent to withdraw the CTG in its entirety based on the belief that it is more efficient for States not to be required to revise their State Implementation Plans ("SIPs") to comply with the 2012 Standards and then again after EPA reconsiders the 2016 Standards. *Id.* However, EPA acknowledges that, unless and until it decides to withdraw the Guidelines, States remain obligated to revise their SIPs in ozone nonattainment areas classified as moderate or above and in an Ozone Transport Region ("OTR"). *Id.*

Secretary

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Comments

Pennsylvania's oil and gas industry currently has over 130,000 conventional and unconventional wells in the Commonwealth that reported emissions of 795 tons of VOC and 59,000 tons of methane emissions in 2015. Unconventional wells and midstream processing and transmission sources that route unconventional and conventional gas emitted 6,410 tons of VOCs in 2015.

EPA has identified methane, the primary component of natural gas, as the second-most prevalent greenhouse gas emitted in the United States from human activities. According to federal estimates, the natural gas and oil industries account for a quarter of U.S. methane emissions. In addition to climate change impacts, methane and VOC emissions have harmful effects on air quality and human health. Thus, reducing methane leaks from the oil and gas sector is essential to reducing global greenhouse gas emissions and protecting public health.

EPA has estimated that if all affected states implemented the Guidelines, about 80,000 tons of VOC and 200,000 tons of methane emissions, as a co-benefit, would be eliminated. These reductions are significant, and EPA is proposing to trade these reductions for an undefined reconsideration of the thoroughly vetted and analyzed Guidelines. Such an approach will result in regulatory uncertainty for both states and industry and needlessly subject EPA to actions for failing to comply with the Clean Air Act ("CAA").

Rulemaking in Pennsylvania and many other states is an extensive process, and PADEP has been in the process of developing RACT requirements to address the October 2016 CTG. Without federal standards, it is difficult for states to independently establish emission standards on a level competitive playing field, despite EPA's contrary statement in the proposal.

The CAA has placed requirements on States, particularly those in the Northeast OTR, to address ozone pollution under both the 2008 and 2015 National Ambient Air Quality Standards ("NAAQS"). EPA's proposal to withdraw the Oil and Gas Guidelines does not comport with its duties to assist states in attaining the NAAQS.

Conclusion

PADEP does not support a comprehensive withdrawal of the Oil and Gas Guidelines. If EPA believes the Guidelines in their entirety are not appropriate, it should use existing scientific and technical data to modify or replace those Guidelines to carry out its duty under the CAA to assist states in reducing emissions from the oil and gas industry.

Sincerely,



Patrick McDonnell
Secretary