



January 31, 2022

Michael S. Regan
Administrator
U.S. Environmental Protection Agency
EPA Docket Center
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Attn: Docket No. EPA-HQ-OAR-2021-0317

Re: Comments for the Proposed “Standards of Performance for New, Reconstructed, and Modified Sources and Emissions Guidelines for Existing Sources: Oil and Natural Gas Sector Climate Review” 86 FR 63110 (November 15, 2021).

Dear Administrator Regan:

The Pennsylvania Department of Environmental Protection (DEP) appreciates the opportunity to submit comments on the proposed rule concerning the “Standards of Performance for New, Reconstructed, and Modified Sources and Emissions Guidelines for Existing Sources: Oil and Natural Gas Sector Climate Review,” which was published by the U.S. Environmental Protection Agency (EPA) on November 15, 2021. (86 FR 63110).

DEP supports EPA’s efforts to significantly reduce greenhouse gas (GHG) emissions, particularly methane, and other harmful air pollutants from the Crude Oil and Natural Gas source category. When finalized, the proposed rule will support state efforts to meaningfully address the harmful impacts of climate change and further protect human health and welfare and the environment. In particular, the proposed rule will assist Pennsylvania in achieving its goal of reducing net GHG emissions from 2005 levels by 26% by 2025 and 80% by 2050.¹ Pennsylvania’s climate change goal is aligned with the reduction targets under the Paris Agreement aimed at keeping global temperature rise below the 2-degree Celsius threshold.

As noted by EPA, the Oil and Natural Gas Industry is the United States' largest industrial emitter of methane. Methane is a potent GHG with a global warming potential more than 28 times that of carbon dioxide over a 100-year period. As methane is the main component of natural gas, it is crucial to address emissions from this source category. Reducing human-caused methane emissions, such as controlling natural gas leaks and releases as proposed by EPA, would contribute substantially to global efforts to limit temperature rise, aiding efforts to remain well below the 2-degree Celsius threshold.

¹ Executive Order 2019-01, Commonwealth Leadership in Addressing Climate Change and Promoting Energy Conservation and Sustainable Governance, codified at 4 Pa. Code §§ 5.1001—5.1009.

Additionally, DEP supports EPA's efforts to consider the environmental justice implications of the proposed rule. One of the most notable findings from DEP's 2021 Pennsylvania Climate Impacts Assessment is that climate change will not affect all Pennsylvanians equally. Some may be more at risk because of their location, income, housing, health, or other factors. Those communities that are most vulnerable to the climate and health impacts of pollution should continue to be involved throughout EPA's rulemaking process.

Based on DEP's regulatory experiences, DEP submits the following technical recommendations for EPA's consideration.

Leak Detection and Repair (LDAR): DEP supports EPA's proposed LDAR requirements for new and existing well sites. In Pennsylvania's experience implementing quarterly LDAR provisions has proven to be a cost-effective method to reduce methane emissions for new or modified natural gas production at unconventional wellsite, compression, processing, and transmission facilities. Accordingly, we encourage EPA to include quarterly LDAR inspection requirements for all new or modified natural gas production, compression, processing, and transmission facilities in the proposed rule. If an exemption is included in the rule, we encourage EPA to consider limiting the exception to facilities which do not include equipment that is highly prone to failure.

Pneumatic Pumps: Pennsylvania currently requires emission reductions of 95% or greater for all natural gas driven pneumatic pumps at natural gas well sites, natural gas compressors, and natural gas processing and transmission plants when the methane emission rate is 200 tons per year (TPY) or greater, the VOC emission rate is 2.7 TPY or greater, any specific hazardous air pollutant (HAP) has an emission rate of 0.5 TPY or greater, or when the total of all HAP emissions is 1.0 TPY or greater. Given this, DEP recommends the EPA consider removing the exemption based on availability of existing controls or processes at the site and require 95% control of natural gas from all natural gas-driven pneumatic pumps, regardless of location.

Storage Vessel: DEP appreciates and supports EPA's proposal to strengthen requirements for storage tanks by adding tank batteries to the definition of facilities that must reduce VOC and methane emissions. In Pennsylvania, a single 2.7 TPY threshold for VOC emissions based on potential emissions as opposed to the proposed bifurcated thresholds for VOC emissions (potential to emit limit of 6.0 TPY or actual emissions of 4.0 TPY) has been in place since 2013 and has proven to be successful. Accordingly, we recommend the EPA consider using this emissions threshold in the proposed rule.

Reciprocating Compressor: DEP recommends EPA clarify that the proposed requirement for reciprocating compressors is the shorter of 36 calendar months or 26,000 hours of operation.

Pigging Operation: Since 2018, DEP has required pigging operations to employ a variety of best management practices to minimize emissions, in addition to a 95% emission reduction requirement for higher emitters. Based on the state's experience, DEP recommends that EPA define pigging operations as a source category and include appropriate emission limits.

DEP also recommends that EPA review the Consent Decree between EPA and DEP with Mark West Liberty Midstream & Resources, LLC and Ohio Gathering Company, LLC. This consent decree requires installation of enclosed flares at select compressor stations and implementation of certain best management practices when conducting pigging operations, among other controls, that may be appropriate to incorporate in the proposed rule.

Additional Considerations: Furthermore, DEP suggests that EPA consider:

1. Regulating natural gas emissions from well liquids unloading operations.
2. Regulating natural gas emissions from glycol dehydration units and adding methanol to HAP thresholds for 40 CFR Part 63, Subparts HH and HHH.
3. Regulating natural gas emissions from blowdown activities.
4. Regulating VOC emissions from tanker truck loading operations.

Conclusion

Pennsylvania has been a leader since 2013 in establishing protective and cost-effective conditions for oil and natural gas sources. As such, DEP supports EPA's efforts to significantly reduce methane emissions from the Crude Oil and Natural Gas source category.

Thank you for the opportunity to comment on the proposed NSPS. Should you have any questions or comments, please contact Mark Hammond, Director of the Bureau of Air Quality, Pennsylvania Department of Environmental Protection, at mahammond@pa.gov or 717.787.9702.

Sincerely,



Patrick McDonnell
Secretary