



## **Testimony of Rosalie Winn, Environmental Defense Fund**

Oil and Natural Gas Sector: Emission Standards for New, Reconstructed, and Modified Sources Review  
October 17, 2019, Dallas, TX

Good morning. My name is Rosalie Winn and I am an attorney with the Environmental Defense Fund. Thank you for the opportunity to testify.

EDF strongly opposes EPA's proposal to remove methane regulation and shrink the regulated source category in the New Source Performance Standards for the oil and gas sector. The proposal abdicates EPA's duty to address the urgent threat of climate change and endangers the health of Americans living near oil and gas facilities.

The current proposal appears to be an attempt to prevent *any* federal oversight of pollution from more than 850,000 existing oil and gas facilities across the country, while removing additional safeguards for new sources in major swaths of the oil and gas supply chain. This proposal is fundamentally inconsistent with the extensive factual evidence documenting the threat posed by methane and other pollution from the oil and gas sector, and ignores EPA's obligation to protect the public against health and climate harms. EPA should abandon this flawed proposal and instead move forward expeditiously with developing protective standards for existing oil and gas sources.

### **Air pollution from the oil and gas sector is a threat to public health and the environment.**

- Emissions from oil and natural gas facilities contains a mixture of harmful pollutants, including methane, a potent greenhouse gas. Methane is responsible for at least a third of the human-caused climate change we are currently experiencing.<sup>1</sup> EPA's own data indicates that the oil and gas sector is responsible for nearly 30% of the nation's total methane emissions.<sup>2</sup>
- In addition to methane, emissions from oil and gas facilities also include health-harming pollutants such as volatile organic compounds (VOCs), which contributes to severe pollution problems such as ozone. Oil and gas facilities also emit hazardous air pollutants, including cancer-causing benzene. These pollutants adversely impact the health of Americans around the country, especially communities living and working near oil and gas development.
- Moreover, recent evidence suggests that EPA inventories drastically underestimate harmful emissions from the oil and gas sector. Research published last year in the journal *Science* demonstrates that the oil and gas industry emits more than 13 million metric tons of methane each year—60 percent higher than EPA's estimates.<sup>3</sup>

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<sup>1</sup> Climate Change 2013: The Physical Science Basis, Contribution of Working Group I to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change (Thomas Stocker et al., eds. 2013), *available at* [https://www.ipcc.ch/pdf/assessment-report/ar5/wg1/WG1AR5\\_ALL\\_FINAL.pdf](https://www.ipcc.ch/pdf/assessment-report/ar5/wg1/WG1AR5_ALL_FINAL.pdf).

<sup>2</sup> 2013 GHGI, at ES-6, Table ES-2.

<sup>3</sup> <http://science.sciencemag.org/content/361/6398/186>.

**EPA’s Proposal to dramatically weaken these safeguards disregards this extensive factual record and would result in additional, harmful pollution.**

- EPA largely ignores the body of evidence documenting the climate and health harms associated with pollution from the oil and gas sector in this proposal, as well as the fact that standards have been fully in effect and successfully securing emissions reductions—including at sources in the transmission and storage segment—for over three years.
- Instead, this proposal advances deeply flawed legal theories that are inconsistent with the text and purpose of the Clean Air Act in an attempt to justify the removal of methane standards across the oil and gas supply chain, and *all* regulation (methane and VOCs) for sources in the transmission and storage segment. EPA’s expressed rationale for the removal of methane regulation—that it is entirely duplicative of VOC regulation—is belied by the proposal itself, which argues that eliminating methane regulations from new oil and gas facilities removes the agency’s legal obligation to address pollution from existing sources. Remarkably, EPA claims—without any meaningful supporting analysis—there will be no significant harm from pollution from existing sources.
- EPA’s proposal ignores its true impact—substantial additional pollution, both from new transmission and storage sources, and from existing sources that will continue to pollute unchecked. As EPA’s own analysis shows, removing regulation for the transmission and storage segment will create 370,000 short tons of methane, 10,000 short tons of VOCs, and 300 short tons of hazardous air pollutants from 2019-2025.<sup>4</sup> EPA’s continued failure to regulate existing sources will have an even greater impact, according to EDF analysis, allowing millions of tons of methane pollution each year that could otherwise be reduced.

**EPA should abandon this Proposal and instead address its duty to safeguard the public by moving forward with existing source guidelines.**

- EPA should withdraw this attempt to avoid its legal duty to protect the public against the critical threat of climate change and pollution from the oil and gas sector, and instead heed the calls of diverse stakeholders, including major oil and gas producers and downstream utilities, urging EPA to continue to directly regulate methane at new sources, and expand federal regulation to existing oil and gas sources.

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In summary, the proposal represents an abdication of EPA’s duty to regulate harmful pollution by ignoring the extensive evidence documenting the threat posed by climate and other air pollution from the oil and gas sector. For these reasons, EDF urges EPA to withdraw this ill-advised proposal, and instead move forward expeditiously with adopting protective standards for existing sources in the oil and natural gas sector.

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<sup>4</sup> 84 Fed. Reg. 50,278.