

Congress of the United States

Washington, DC 20515

February 17, 2023

Michael S. Regan, Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington, DC 20004

Dear Administrator Regan,

We write to express our strong support for the Environmental Protection Agency's (EPA) supplemental proposal (issued 12/6/2022) that updates, strengthens, and expands its standards proposed on November 15, 2021, which are intended to reduce methane emissions and pollution from oil and natural gas operations. We respectfully request further improvements to the supplemental proposal that encourage the use of available data from innovative monitoring technologies (e.g., satellite imaging) and tighten restrictions on routine flaring by clarifying and defining when flaring can occur during emergencies and maintenance.

The supplemental proposal constitutes a major step forward in combating the climate crisis by reducing methane emissions from the oil and gas sector. The supplemental proposal, released by EPA during President Biden's address to the United Nations Climate Change Conference of Parties (COP 27), takes meaningful steps to strengthen methane pollution standards. It builds from the strong foundations of existing regulations at both the state and federal level as well as recent congressional action, including the bipartisan 2021 Congressional Review Act resolution that reinstated methane protections and the Methane Emissions Reduction Program that was designed to complement and reinforce EPA regulations.

As you know, methane is a highly potent greenhouse gas that is responsible for around 30% of the global warming we are experiencing today ([IEA, 2022](#)). The proposed rule will capitalize on cost-effective and widely-available technologies and best practices to reduce these emissions across the oil and gas supply chain. Combating methane pollution also provides critical protection for millions across the country who live near oil and gas operations and suffer the air quality impacts of dangerous co-pollutants released alongside methane. Cutting methane pollution from the oil and gas industry is one of the most immediate and cost-effective ways to slow the rate of global warming while improving air quality and protecting public health.

EPA's supplemental proposal strengthens last year's proposed rule in a number of key ways while maintaining important requirements to transition to zero-emitting technologies. First, the proposal would extend monitoring requirements to high-polluting smaller oil and gas wells, which produce a large and disproportionate share of the nation's methane pollution but only yield a very small amount of usable oil and gas. Second, the proposal seeks to curtail the practice of "orphaning" depleted oil and gas wells by extending inspection requirements and ensuring proper closure. Third, the supplemental

proposal seeks to reduce “super-emitting” events by utilizing rigorous third-party monitoring data to quickly identify large emissions for mitigation.

Finally, the proposal capitalizes on widely-available monitoring technologies while creating a pathway for the use of new, innovative technologies to monitor methane pollution. Deploying and utilizing these technologies, like aerial flyovers and satellite imaging, allows for scanning of broad geographical areas quickly to detect large emissions. Using these technologies, their vast amounts of data, and complimentary enforcement mechanisms will ensure comprehensive mitigation while gathering valuable measurement data that can inform future actions.

As we celebrate the significant strides the agency has made in the recent proposal, we also ask the EPA to adopt further improvements in its final rule. While the supplemental proposal takes some important steps to reduce pollution from routine flaring of gas at oil wells, stricter safeguards against this harmful practice are critical to reduce pollution and protect health. A number of studies have demonstrated that flaring of associated gas results in methane emissions that are five times higher than previously thought, largely due to flare malfunctions and inefficiencies. Fortunately, alternatives to flaring are readily available and leading states like New Mexico, Colorado, and Alaska have put in place policies to avoid pollution from flaring of associated gas. EPA must build on the leadership of these states and prohibit routine flaring except for safety emergencies and maintenance reasons. Additional clarification and definitions regarding each of these exceptions should also be provided.

In addition to protecting our communities from climate and associated oil and gas pollution, strong EPA rules can help create American jobs. Over 200 companies nationwide are creating the solutions to help the oil and gas industry cut methane pollution, and strong rules will foster additional well-paid, homegrown jobs in a sector that’s rapidly expanding.

We thank you for your careful consideration of our input and urge the agency to finalize a strong, comprehensive rule as quickly as possible to protect public health and combat the climate crisis.


Sincerely,



Martin Heinrich
United States Senator



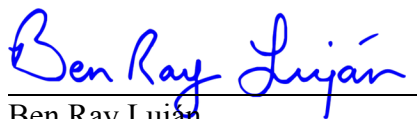
Diana DeGette
Member of Congress



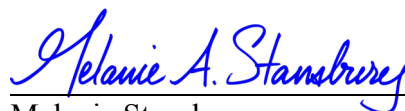
Michael F. Bennet
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Donald S. Beyer Jr.
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Ben Ray Lujan
United States Senator



Melanie Stansbury
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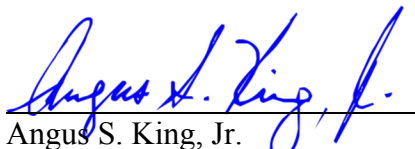
Teresa Leger Fernández
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John Hickenlooper
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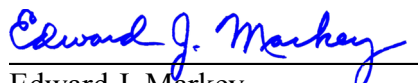
Gabe Vasquez
Member of Congress



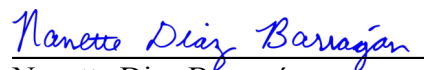
Angus S. King, Jr.
United States Senator



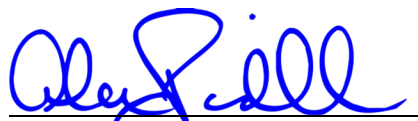
Bonnie Watson Coleman
Member of Congress



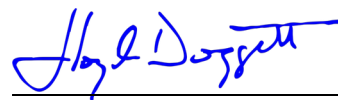
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Nanette Diaz Barragán
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Lloyd Doggett
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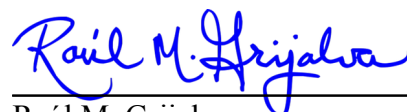
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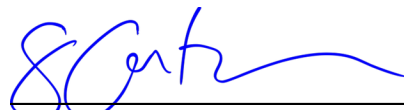
Chris Van Hollen
United States Senator



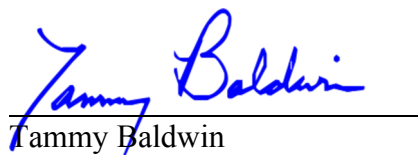
Barbara Lee
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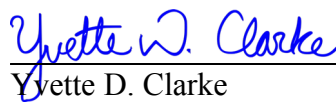
Elizabeth Warren
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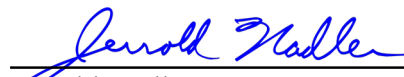
Sheldon Whitehouse
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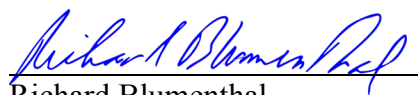
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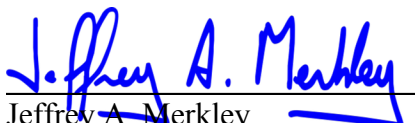
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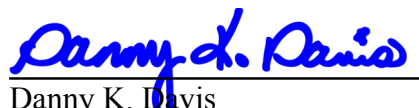

Jeffrey A. Merkley
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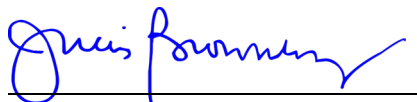

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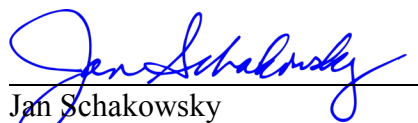
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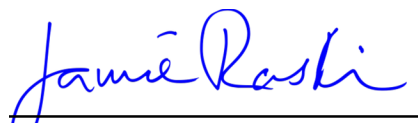
Lisa Blunt Rochester
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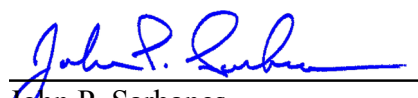
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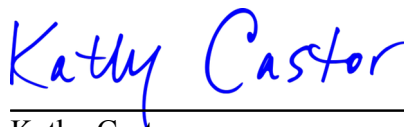
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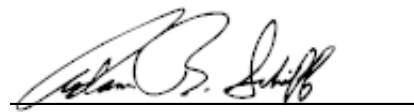
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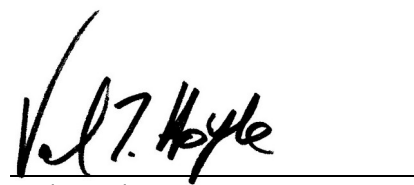
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