

April 21, 2016

Director Neil Kornze
U.S. Department of the Interior
Bureau of Land Management
Mail Stop 2134 LM
1849 C St. NW., Washington, DC 20240

Attention: 1004-AE14

Dear Director Kornze,

We appreciate the U.S. Department of Interior (DOI) Bureau of Land Management (BLM) decision to propose long-overdue standards to reduce methane pollution and waste of natural gas produced on Federal and Tribal lands. BLM's proposed rule is an important step in the right direction. By taking action to reduce venting (intentional releases of gas into the atmosphere), flaring (burning off gas), and leaks from both current and future projects, BLM is setting an important precedent for strong action on all sources of oil and gas pollution and helping create a level playing field for energy development. However, there are still places for substantial improvement to ensure that the final rule minimizes waste, ensures a fair return to taxpayers, and protects public health and the environment to the greatest extent possible. Many of the undersigned groups will be filing separate and more detailed comments on this proposal before the close of the comment period. In this letter, we also wanted to take the opportunity to identify a few areas of general policy agreement that we all share.

First, BLM should strengthen and finalize these rules without delay. Delays are unnecessary and will only lead to more waste of taxpayer and tribal revenue. The public can afford no more delay. For instance, for every quarter this rule is delayed, another \$82.5 million of Federal and Tribal natural gas will be wasted from venting, flaring and leaks according to a recent report from the business consulting firm ICF International. For this reason we strongly support swift strengthening and finalization of these needed waste and pollution reduction measures.

Reducing methane waste ensures that resources extracted from the approximately 700 million acres of Federal and Tribal lands are not simply burned off or discharged directly to the atmosphere but, rather, recovered for use by homes, schools, and businesses. Minimizing methane waste will reduce significantly emissions of smog-forming pollutants and air toxics, protecting communities on and near Tribal and Federal lands from harmful health effects associated with these pollutants. With a strong rule, BLM has a real opportunity to reduce dramatically the waste of public and tribal resources, enhance royalty collections for taxpayers and tribes, protect public health, and make an important contribution to the Administration's Climate Action Plan and its goal of significantly reducing methane emissions.

Comprehensive and rigorous standards including the improvements discussed below will deliver important fiscal, public health and environmental benefits. Several states have already adopted regulations that reflect one or more of the measures identified below, providing a strong foundation for rigorous BLM measures.

BLM's proposal is a strong start, but key improvements should be included in the final proposal to better address methane waste and pollution on Federal and Tribal lands. We request BLM improve this proposal by:

1. Improving leak detection and repair requirements:
 - a. Increase the frequency of required leak inspections to quarterly for all wells.
 - b. Set a protective definition of what constitutes a leak, such as 500 ppm for those operators using a quantitative leak detection method.
 - c. Set conservative parameters around the proposed alternative compliance programs so that they incentivize technological advances, but do not create loopholes for weaker inspection programs. These improvements would more closely align the proposal with what leading states like Colorado and Wyoming require and would capture more leaks and waste.

2. Better standards for production equipment:
 - a. Strengthen the control measures and monitoring requirements applicable to pneumatic controllers by requiring the use of zero-bleed pneumatics where feasible and extending standards to intermittent-bleed pneumatic controllers (which account for 85 percent of production emissions nationwide according to industry reporting), as the state of Wyoming has done.
 - b. Require rigorous monitoring of emissions from pneumatic controllers to ensure these devices are operating properly.

3. Improving flaring regulation:
 - a. Ensure that flaring is minimized with standards that require continuous improvement from operators, becoming more stringent over time, rather than simply phasing in over a few years and then indefinitely allowing a significant level of flaring. With time to plan, operators should be required to capture more and more of the gas they produce.
 - b. Make waste minimization plans mandatory and binding.
 - c. Tighten exemption provisions by limiting the scope of current exemptions, their length, and the ability to renew exemptions indefinitely.
 - d. Require operators to report all capture and forgone revenue information in applications. Ultimately, BLM must set a time limit beyond which flaring, even at lower levels, is prohibited.

4. Proper enforcement:

- a. Ensure enforcement of the venting, flaring, and leak regulations. Enforcement of waste minimization plans is also crucial to ensuring that the plans are carried through during development and production of oil and gas on Federal and Tribal lands.

5. Ensuring transparency and accountability:

- a. Improve the rule to provide for increased transparency and accountability. To do this, BLM should provide for public involvement in:
 - i. proposed alternative flaring limits,
 - ii. requests for a two-year renewable exemption from the flaring limit,
 - iii. state/tribal requests for a variance, and
 - iv. thorough agency reviews of applications for permits to drill and operator-submitted waste minimization plans.

At the BLM's recent public hearings in Farmington, NM, Oklahoma City, Lakewood, CO and Dickinson, ND, the support for strong rules was both overwhelming and diverse. Individually at each hearing and collectively across all four, voices supporting strong BLM methane waste and pollution rules far outweighed the opposition. In the final tally, supportive statements outnumbered negative ones by more than 3:1. This fits with recent polling that found that a bipartisan majority (fully 80 percent) of Westerners support commonsense rules to cut oil and gas waste on BLM managed lands.

We greatly appreciate your leadership in reducing the waste of Federal and Tribal natural gas resources, protecting public health, and addressing harmful climate pollution. We urge you to establish protective safeguards addressing wasted gas and the associated pollution from new, modified and existing oil and gas facilities on Federal and Tribal lands, including the above-described improvements. These protections are urgently needed to reduce the waste of Federal and Tribal mineral resources and for the health of our communities and families.

Sincerely,

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