

December 4, 2015

Dear Administrator McCarthy:

As organizations who care about public health and the fate of our planet, we write regarding the Environmental Protection Agency (EPA) proposals to curb methane and other harmful air pollution from oil and gas development (EPA-HQ-OAR-2010-0505 and EPA-HQ-OAR-2013-0685). While no amount of regulation can ever make fracked gas a clean energy source, we support efforts to capture methane, repair leaks, and aggregate disparate sources of methane and other air pollution along the oil and gas supply chain. These important pollution controls will not only help stave off catastrophic climate change but will also protect communities from harm imposed by the oil and gas industry.

While we appreciate the recognition that curbing methane pollution is essential to solving climate change, the best way to reduce pollution from fossil fuel development – including methane pollution -- is to keep it in the ground. Methane, the principal component of natural gas, is 87 times more potent than carbon dioxide over a 20 year time period. In addition, smog-causing volatile organic compounds (VOCs) and hazardous air pollutants (HAPs) such as benzene and xylene, are released throughout the oil and gas development process from initial drilling, through transmission, to end use, even if that end use is overseas.

Until we are able to entirely end our reliance on fossil fuels, we support EPA's efforts to protect frontline communities from the hazards of new oil and gas development and help curb further climate change. Communities bear the brunt of the toxic air pollution from fracking-enabled oil and gas extraction, and deserve to be able to breathe cleaner air as we swiftly transition to a truly clean energy economy.

We urge the EPA to use the strongest regulatory tools and provisions of law available to protect the planet and the public. This includes improving the proposed rules to include:

- Several key pieces of equipment that were omitted from the proposal that emit methane and harmful VOCs:
 - Storage vessels, which were covered under the VOC standards but are not included in the methane proposal;
 - Liquids unloading operations;
 - Pneumatic controllers that operate on an intermittent or snap-acting basis; and
 - Compressors at well sites;
- Mandatory inspections at least quarterly or monthly (rather than a default semi-annual requirement), which should remain at a fixed frequency, rather than decreasing upon low leak rate-detection;
- Shortening the time source operators have to repair leaking equipment if it would be unsafe to make the repair within 15 days of discovery;

- Defining “sources” to include functionally interrelated equipment so regulators can aggregate individual emissions sources to prevent significant deterioration of our air quality;
- Including communities in the pollution-detection process. A citizen complaint system is needed to allow communities living near fracked gas infrastructure to alert the EPA if they detect odors or air pollution events nearby;
- Requiring oil and gas companies to use or bring to market captured gas, rather than flare it, unless truly extraordinary circumstances make flaring unavoidable.

In addition to these important changes to strengthen the proposals, we also urge the EPA to regulate existing sources of methane pollution under section 111(d) of the Clean Air Act. Voluntary standards are insufficient to cut harmful, climate-disrupting methane pollution from oil and gas operations and they will not adequately protect impacted communities. To safeguard communities living with the burden of existing oil and gas infrastructure and to meet President Obama’s Climate Action Plan goal of reducing oil and gas sector methane emissions 40-45% below 2012 levels by 2025, EPA *must* move quickly to create rules for existing oil and gas facilities both upstream, midstream and downstream.

The oil and gas industry is currently exempt from portions of many of our bedrock environmental laws, allowing them to pollute with impunity. Furthermore, the few laws that it is subjected too are inadequately enforced. The oil and gas industry must be held to the same standards as other major industries while we work as a nation to swiftly transition to a truly clean energy economy.

While we support EPA’s efforts to curb harmful air pollution from the oil and gas industry, these actions are merely a stopgap measure to protect public health and attempt to slow the warming of our planet. Reducing methane emissions from the oil and gas industry will not make drilling and fracking safe, or gas “clean.” Fossil fuel development is inherently dirty and risky and puts our communities and planet in peril. Even with no methane leakage from production and transmission of natural gas, converting from coal to gas in the electricity sector still puts us on a path toward a much warmer planet. We need an immediate shift from an “all of the above” energy strategy to one that throws the full weight of our resources behind clean, sustainable sources of energy. Wind and solar energy are cost competitive with fossil fuels, and bring along with them more jobs, cleaner air and a healthier climate.

The best way to reduce pollution from fossil fuel development is to keep it in the ground. Climate science is clear that in order to have a fair chance at avoiding the most catastrophic impacts of climate change, the vast majority of the world’s fossil fuel reserves must remain unburned. Continued reliance on fossil fuels, including natural gas, threatens the public health of communities living with fossil fuel development and drives global warming, which endangers the Earth’s future.

We support the EPA’s proposals as a means to begin to address the climate crisis exacerbated by the fracking boom and reduce harm to communities living with the

burden of the oil and gas industry. We urge the EPA to make the changes needed to ensure that these rules are sufficiently strong to protect public health and tackle climate change. Regulating existing sources of air pollution, coupled with an immediate shift to an economy that depends on clean, renewable energy -- not fossil fuels -- are steps that must follow in order to avoid the most devastating effects of catastrophic climate change.

Sincerely,

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