

Congress of the United States

Washington, DC 20510

August 3, 2021

The Honorable Michael Regan
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Dear Administrator Regan,

We write in support of your work to create new, stronger protections against methane pollution from oil and gas activities. For four years, the Trump Administration walked away from its role to protect Americans and our climate from dangerous methane emissions. Earlier this summer, we passed Senate Joint Resolution 14 to reclaim federal leadership and take on this issue with the urgency it deserves. Now, as you work to draft new rules, we encourage you to build on – and not erode – the work certain states have done in the interim.

As you know, methane is an extremely potent greenhouse gas—causing 84 times the global warming of an equal quantity of carbon dioxide over two decades after emission—and the oil and gas industry is the largest emitter of methane in the United States. S.J. Res. 14 reinstated critical methane emissions rules created during the Obama Administration. After 4 years of going backwards, we are encouraged by the Environmental Protection Agency's quick start to the process of improving on those rules under its Clean Air Act authority and obligation. The climate crisis requires that we act as quickly and effectively as possible, and Congress clearly gave EPA the directive to create new, stronger methane protections. We have the technology we need to drastically cut methane emissions at little to no net cost for many sources, even before considering the benefits to our health and climate. Many leading companies in the oil and gas industry support clear, strong, enforceable federal methane standards due to these decreasing costs and the tangible profit benefits that come from capturing rather than releasing methane into the air. Cleaning up methane and associated volatile organic compound (VOC) emissions from oil and gas operations will also greatly improve air quality and reduce premature deaths, crop losses, hospital visits, and lost work hours.

We need clear federal rules for curbing methane and VOC emissions that build on work already begun by certain states, like New Mexico, while also giving flexibility to states who choose to set even stronger methane pollution protections. New Mexico is a major oil and gas producing state, yet has worked to develop strong new state rules. Over the past two years our state's Energy, Minerals and Natural Resources Department (EMNRD) and the New Mexico Environment Department (NMED) convened conservation and public health advocates and local oil and gas producers to establish state-level methane emissions rules. EMNRD's new rules govern not just oil and gas production sites, but also pipelines and storage sites that often leak methane and VOCs into the atmosphere. And NMED, working in concert with the EMNRD regulations, has proposed a rule to clean up VOC pollutants and other harmful ozone precursors.

The New Mexico rules include several important features that should inform, and not be undercut by, new federal rules:

- Frequent leak detection and repair, including monthly inspection at some sites, which reduces emissions while also creating local jobs;
- Enforceable rules for new and existing sources that apply to all wells, large or small, with very few exceptions;
- A particular focus on super-emitter sources, which cause a disproportionate percentage of emissions;
- Prohibiting routine flaring and instead mandating the capture, storage, transport, or use of that methane on site; and
- Incentivizing the use and development of new methane and VOC emission measurement and monitoring technologies.

We applaud the swift action from President Biden, Congress, and the EPA to reinstate and strengthen responsible methane rules for the oil and gas industry. With the climate crisis accelerating, we can't afford to let oil and gas producers off the hook for harmful methane pollution. We urge you to propose strong new methane rules for oil and gas operations that draw upon the leadership of states like New Mexico, and look forward to working with you to promote healthier communities and a better climate.

Sincerely,



Martin Heinrich

UNITED STATES SENATOR



Ben Ray Luján

UNITED STATES SENATOR



Teresa Leger Fernandez

UNITED STATES REPRESENTATIVE



Melanie Stansbury

UNITED STATES REPRESENTATIVE

Cc: Domestic Climate Advisor Gina McCarthy
Office of Management and Budget Acting Director Shalanda Young