

NATIONAL TRIBAL AIR ASSOCIATION FACT SHEET

EPA's Upcoming Oil & Natural Gas Methane Rule

OVERVIEW

President Biden's Executive Order 13990, *Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis*, directed the U.S. Environmental Protection Agency (EPA) to review and consider proposing new regulations to establish comprehensive standards of performance and emission guidelines for methane and volatile organic compound (VOC) emissions from new and existing operations in the oil and gas sector, including the exploration and production, transmission, processing, and storage segments, by September 2021.

- EPA is accepting written comments via the [Regulations.gov](https://www.regulations.gov) website Docket ID No. EPA-HQ-OAR-2021-0295.
- Comment Due Date: July 30, 2021

HISTORY

According to the Department of Energy data, there are over 3,465 oil and gas wells and over 16,000 miles of oil and natural gas pipelines located on Tribal lands. Oil and natural gas sources emit millions of tons of methane, VOCs, and hazardous air pollutants (HAPs) into the air that harm human health and the environment, and speed up climate change. Methane is 25 times more potent than CO₂ as a heat-trapping gas. Methane and VOCs are precursors to ground-level ozone which can cause a number of harmful health and environmental impacts, including aggravating asthma and other lung diseases, and causing premature death from respiratory and cardiovascular causes. What is more, HAPs, such as benzene, toluene, ethylbenzene, xylenes, and n-hexane, are linked to numerous human health hazards including cancer, reproductive, developmental, and neurological damage.

EPA has regulated the oil and gas sector under Clean Air Act § 111 since 1979. In 1985, EPA promulgated New Source Performance Standards for VOCs and sulfur dioxide emissions from natural gas processing plants. In 2012, EPA issued New Source Perfor-



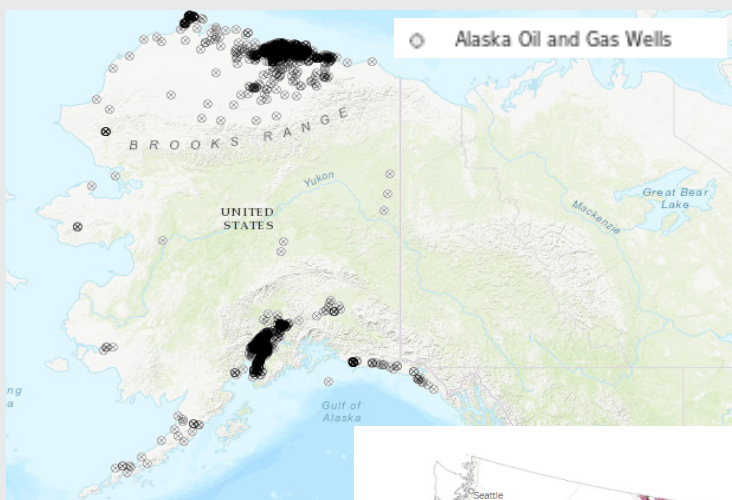
A Trinidad Drilling rig leased by Chesapeake Energy stands out from the bare landscape in 2021 in Converse County north of Douglas, Wyoming. Source: https://trib.com/business/energy/multiple-tribes-protest-drilling-of-5-000-oil-and-gas-wells-in-wyoming/article_e7b1af2c-6c69-5cb6-bd51-b9d-45fb0971d.html

mance Standards for oil and natural gas sources to regulate VOC emissions from gas wells, centrifugal compressors, reciprocating compressors, pneumatic controllers, storage vessels and leaking components at onshore natural gas processing plants. Four years later, in 2016, the EPA issued new standards to re-

duce releases of methane and VOC from oil and natural gas sources. At the same time, under the Clean Air Act, the EPA began efforts to regulate methane emissions from existing oil and natural gas sources.

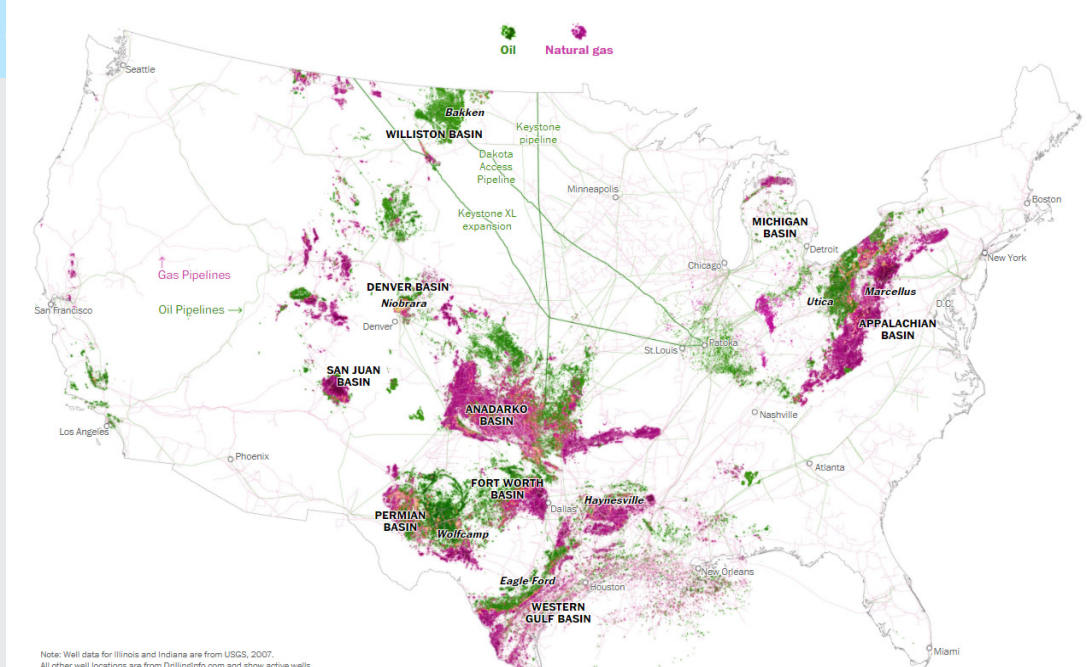
However, instead of moving forward with regulation of emissions from existing sources, in 2020, the EPA finalized two rules that weakened the 2012 and 2016 New Source Performance Standards. The EPA finalized a technical rule that, among other things, reduced the frequency of required fugitive emissions monitoring at certain sources, excluded low production facilities from the monitoring requirements, lengthened the time allowed to repair a leak, and expanded

the technical infeasibility exemptions from emissions controls. The EPA also finalized a policy rule that removed the transmission and storage segment of the oil and natural gas sector from the category of sources regulated and eliminated the New Source Performance Standards for methane emissions; based on the structure of the Clean Air Act, this decision leaves a gap in regulation of emissions from existing sources. The Senate recently passed a Congressional Review Act resolution that, if passed by the House and signed by President Biden, would repeal the 2020 policy rule. Although there is significant oil and natural gas development within and near Indian Country, many of these sources' air emissions remain unregulated.



Left: This dataset depicts oil and gas wells in the state of Alaska, according to information retrieved from the Alaska Department of Natural Resources - Division of Oil and Gas in 2008. Source: <https://databasin.org/datasets/8afce595a77d4f6fb-28c8f47261801c5/>

Bottom: Article - *The United States of Oil and Gas*. Oil and Gas wells in the United States. Source: <https://www.washingtonpost.com/graphics/national/united-states-of-oil/>



WHERE CAN I LEARN MORE AND COMMENT ON THE DRAFT?

- EPA Announces [Public Listening Sessions, Trainings on Upcoming Oil and Natural Gas Methane Rule](#)
- Prior NTAA comments on the [September 24, 2019 proposed Policy Amendments](#), the [October 15, 2018 proposed Technical Amendments](#), the [August 18, 2015 proposed New Source Performance Standards](#), the [September 28, 2015 Proposed Federal Implementation Plan for Minor Oil and Natural Gas Production Sources in Indian Country](#), and [NTAA letter regarding methane regulation needed in the oil and natural gas industry](#).