



July 15, 2022

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**Independent Regulatory Review Commission**

333 Market Street, 14th Floor  
Harrisburg, PA 17101

Reference: Re: Regulation #7-544

Dear Commissions,

The Evangelical Environmental Network requests the Independent Regulatory Review Commission's approval of Regulation #7-544 (Control of VOC Emissions from Unconventional Oil and Natural Gas Sources), scheduled for consideration at the Commission on July 21, 2022.

During the original rulemaking, over 28,600 pro-life Pennsylvania Pro-life Christians sent comments supporting PA Department of Environmental Protection's proposed standard for the Control of VOC Emissions from Oil and Natural Gas Sources [50 Pa.B. 2633]. While we were not completely satisfied with the final rule, nor do we believe the rule needs to be bifurcated to address unconventional and conventional sources – particularly since the measures required are common across the industry, cost-effective, and equally required by Federal law – this is a necessary and overdue regulation.

As pro-life evangelical Christians, we proclaim that all life is sacred from the moment of conception to natural death. Sadly, 25% of babies who live less than 1 mile from Pennsylvania's natural gas facilities are born premature, and face increased brain, spinal cord, and congenital birth defects. These children, both unborn and born, have an 86 times greater exposure to known cancer-causing chemicals such as benzene and toluene.<sup>i</sup> Also, over 200,000 Pennsylvanian children attend school within 1/2 mile from these facilities or other oil and gas facilities.<sup>ii</sup> Fugitive methane and other leaking chemicals will cause over 30,000 added asthma attacks in our kids if we don't reduce these leaks.

Recent studies prove that the methane industry leaks at least 16 times the amount of methane gas and over 21 times the amount of volatile organic compounds (VOCs) than reported to the state. This harmful VOC emissions cause smog, worsen respiratory diseases and increase the risk of heart disease and heart attacks.

Methane causes 25% of the human-produced warming we are experiencing today, resulting in more extreme weather events such as flooding, hotter temperatures, and a leading cause in the explosion of Lyme Disease across our state.

Other than removing applicability to the conventional industry, there have been no substantive changes to this rule since first approved by the Environmental Quality Board (EQB) in March 2022. The rule, as resubmitted, was reviewed and approved again by the EQB on June 14, 2022.

This rulemaking has been in development for a significant amount of time, with ample time for public and stakeholder input. Recent claims that the Department of Environmental Protection (DEP) has overstepped its authority regarding the final rulemaking, and that these standards are more rigid than other states, are false.

DEP has the statutory authority to enact regulations that go beyond the Control Technique Guidelines (CTGs) established by the U.S. Environmental Protection Agency (EPA). CTGs are designed to serve as the lowest standard for deciding what control measures should be considered during the rulemaking process. As such, while states cannot create a rule that is less stringent than the EPA baseline, there is no prohibition on enacting rules that go beyond the federal requirements. The CTG-led process is designed to allow states to tailor their rules to address state-specific needs.

Numerous other states have adopted far more adequate protections for our children's health. As examples, Colorado (2017) adopted their covered source regulations, which included the control threshold for storage tanks, that went beyond the federal CTG baseline. California (2018) enacted stronger regulations that included a requirement for quarterly leak detection and repair (LDAR) inspections. New York enacted more stringent controls over the use of gas-powered pneumatic controllers and requires an even more comprehensive LDAR program. Wyoming and New Mexico do not have to meet CTG standards, even though they are major oil and gas producers, and their regulations still go beyond current CTG requirements.

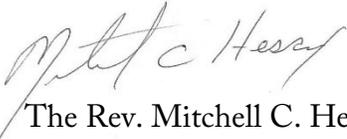
Further, recent EPA action confirms the reasonableness of DEP's regulation. Since the CTGs were originally issued in 2016, EPA has proposed more robust rules to regulate emissions from covered sources. These new standards are required to sufficiently prove that cost and other factors are considered when implementing the "best system of emissions reduction."<sup>iii</sup> EPA has further determined that, accounting for compliance costs, current work practices can produce even higher emissions reductions than the original CTG requirements. These EPA actions and those taken by other major oil and gas producing states disproves that the DEP rule will overburden small businesses.

These regulations will seriously reduce health risks to our children, both born and unborn, reduce a leading source of greenhouse gas additions. Without doubt this standard is in the public interest and eminently achievable. They are past due and should be finalized. In fact, the Commonwealth faces considerable

programmatic sanctions (by the Federal Government) if it does not complete this rulemaking (and one for the conventional industry) before the end of this calendar year.

The basis and need for this rulemaking are clear. We respectfully request your approval of Regulation #7-544. Thank you for your consideration and willingness to defend our children's health and their future.

Sincerely,

A handwritten signature in cursive script, appearing to read "Mitchell C. Hescoc".

The Rev. Mitchell C. Hescoc  
President/C.E.O.

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<sup>i</sup> [https://www.healthfirstpa.org/uploads/1/2/6/1/126191702/healthfirstpa\\_citations.pdf](https://www.healthfirstpa.org/uploads/1/2/6/1/126191702/healthfirstpa_citations.pdf)

<sup>ii</sup> <https://oilandgasthreatmap.com/threat-map/>

<sup>iii</sup> 42 U.S.C. 7411(b)