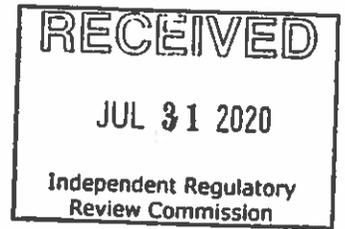


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Comments by Kevin M. Stewart
on behalf of the American Lung Association in Pennsylvania
regarding

Proposed Rulemaking under 25 PA Code Chapters 121 and 129:
Control of VOC Emissions from Oil and Natural Gas Sources (#7-544)
to the Environmental Quality Board
of the Pennsylvania Department of Environmental Protection

[50 PaB 2633]
[Saturday, May 23, 2020]

Submitted July 27, 2020

The American Lung Association in Pennsylvania (ALAPA) thanks the Department of Environmental Protection (DEP or the Department) and the Environmental Quality Board (EQB) of the Commonwealth of Pennsylvania for proposing amendments to Title 25, Chapters 121 and 129, to reduce emissions of methane and volatile organic compounds (VOCs) from oil and gas infrastructure. We also appreciate the opportunity to submit comments regarding this proposed rulemaking.

With each passing year, the adverse impacts of climate change upon Pennsylvanians and their environment, the consequences of VOC emissions for the formation of ground-level ozone pollution, as well the adverse impacts of emissions of toxic air pollutants upon those living in close proximity to oil and gas operations, are becoming increasingly better documented. I will not further recount here that of which the Department is already well aware.

As a member of the Air Quality Technical Advisory Committee serving the Commonwealth, I voted in my role representing ALAPA to concur with advancing the rulemaking to the EQB when it came before that committee on April 11, 2019. However, although this rule demonstrates real progress in Pennsylvania's efforts to reduce emissions of VOCs to protect public health and to reduce greenhouse gases (chiefly methane) to curb climate change and hence limit its adverse effects, that vote of concurrence is not unqualified. There are several areas in which the rule can be improved, and therefore ALAPA urges DEP to strengthen its proposed rule to achieve even greater reductions in methane and VOCs.

As a matter of general principle, the American Lung Association supports strict regulations, systems, equipment and policies that protect public health and safety, air, water, and other environmental resources, and in this context, from such adverse impacts of the oil and natural gas industry, including climate impacts of its associated greenhouse gas emissions, primarily methane.

More specifically, the American Lung Association supports state-of-the-art pollution controls, including leakage detection, emissions monitoring, and effective emissions restrictions, throughout the entire system of exploration, extraction (including hydraulic fracturing), production, transmission, transport, refining, storage and use of oil and natural gas. Such an inspection and control regimen would be expected to have the salutary effect of improving the health and safety of neighboring communities and of workers in the oil and natural gas industry.

To the extent this (or any other) rulemaking in the Commonwealth falls short of the strict regulations and the state-of-the-art pollution controls the American Lung Association supports as its ideal, ALAPA then finds such rulemaking deficient. In response in this case, ALAPA advocates that the proposed rule should be improved to achieve greater reductions in emissions of methane and VOCs.

Even if the Department should choose not to require state-of-the-art pollution controls in every situation, the *minimum* chief principles to follow here should at least be that commonsense emission detection procedures and prompt repairs be required evenhandedly for all sources, large and small, conventional and unconventional, with more serious controls commensurate to the extent of the problems identified, and with the immediate objective being to reduce sector-wide emissions by at least an order of magnitude.

In that regard, ALAPA finds that by exempting nearly all conventional wells from any leak inspection requirements, the proposed rule fails to meet even this minimum standard of appropriate pollution control and leaves unaddressed much opportunity for achieving significant aggregate reductions. Furthermore, since experience shows that it is difficult to predict, with sufficient reliability, when and where large leaks are going to occur, the logical conclusion here is that requiring frequent, routine, and comprehensive inspections for all oil and gas equipment should be the preferred approach, without built-in reductions in inspection frequency—unless it can be demonstrated certain well-defined conditions obtain that do not result in such sites being at risk of future large uncontrolled leaks. Finally, in order again to ensure that the rule is truly comprehensive and does not leave reasonable control requirements on the table, appropriate inspection and repair requirements should be included in the rule to address all recognized emission sources treated in DEP's 2018 general permits for new oil and gas sources (GP-5 and GP-5A).

The American Lung Association in Pennsylvania encourages the Department to adopt these improvements to the rulemaking to ensure it is as protective of health and the environment as possible.

Sincerely,

[signed]

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