December 13, 2018

Dear Mr. Ramamurthy:

The unveiling of these draft rules is an exciting moment for Pennsylvania. Earthworks thanks the DEP and Governor Wolf for initiating this important process and for recognizing that the gas industry must be required to control its pollution.

The draft rule proposed today is an important starting point, and requires a few essential additions to be complete and consistent. To be complete, it must go further to directly address methane pollution from the state’s hundreds of thousands of existing oil and gas sources. To be consistent, DEP must ensure that leak detection and repair requirements extend to the operators of Pennsylvania’s 100,000 older, conventional wells.

Complete rules must regulate not only VOCs, but also methane
The draft rules DEP presented today are based on the federal Control Technique Guidelines (CTGs), which encourage voluntary measures by operators to control Volatile Organic Compounds (VOCs). Guidelines based on optional controls should therefore be used only as a floor, not a ceiling, with regard to what DEP can and should require operators to do to limit VOCs and address the specific climate impacts of methane.

Importantly, the composition of Pennsylvania’s gas resources varies widely across its shale plays, with varying proportions of methane and VOCs, so a rule based on VOC control alone won’t provide maximum reductions in methane. The same variability applies to different stages of gas development, including liquids separation, processing, compression, pigging, and metering.

Reigning in methane is essential, because methane is a greenhouse gas 86 times more powerful than carbon dioxide over the critical two decades that the scientific community says we have to curb global climate change. Mitigating methane emissions will also help protect the health of Pennsylvanians, because methane is a precursor for ground-level ozone, which leads to asthma attacks and other respiratory ailments. In fact, according to the latest National Climate Assessment, “The magnitude of the human health benefit of lowering ozone levels via methane mitigation is substantial and is similar in value to the climate change benefits.”

Inspection and LDAR rules must be consistent across the industry
All over Pennsylvania, Earthworks documents leaks and preventable emissions at well pads, compressor stations, and other facilities, using industry-standard optical gas imaging (OGI) cameras. We see pollution at both older conventional wells and newer, unconventional wells. We also see pollution from an ever-expanding network of processing plants, compressor stations, and other infrastructure.

Both conventional and unconventional wells release methane and VOCs, so the inspection and LDAR schedule used to address that pollution should be consistent. Low rates of well production should not exempt operators from these requirements. We have documented significant leaks even at conventional wells reporting no

1 http://www.depreportingservices.state.pa.us/ReportServer/Pages/ReportViewer.aspx?/Oil_Gas/Wells_Drilled_By_County

2 https://www.globalchange.gov/nca4
production yet classified as active. Moreover, unconventional gas industry, according to Environmental Defense Fund estimates, emits almost 270,000 tons per year of methane that goes unreported and unaccounted for. One study by Carnegie Mellon estimates that because of poor maintenance and sheer number, the conventional industry may release even more methane per unit of production than the unconventional industry.

Consistent, frequent inspections are essential
We commend the proposed draft’s requirement of quarterly site inspections. However, the step-down provision for inspections in the proposed draft should be removed because it effectively incentivizes operators to perform well only initially, not over time. We often see that—in addition to the significant amounts of pollution that facilities are permitted to pollute—problems at facilities may go unaddressed for months and sometimes years.

For example, we recently documented pollution at leaky conventional wells in the Allegheny National Forest; DEP’s own records indicated they had gone up to five years without an inspection. We’ve seen problem after problem at newer conventional wells in Washington County that went unnoticed for months even though EQT workers were routinely onsite. Over the past three years, we’ve repeatedly documented an improperly operating flare at the MarkWest Bluestone Processing Plant in Butler County.

There are hundreds of thousands of sources of oil and gas pollution in Pennsylvania, and more than 1.5 million residents live within a ½ mile health threat radius of these industrial operations. They deserve for pollution control rules to be complete, comprehensive, and consistent. It is crucial that state rules do not leave out key segments of the threat—ozone-forming and climate-disrupting methane, and the pollution from leaky conventional wells. These changes will help ensure that Pennsylvanians have the protections they deserve.

Sincerely,

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3 http://www.edf.org/pa-oil-gas/#/air-emissions


5 https://oilandgasthreatmap.com/threat-map/pennsylvania/