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December 22, 2021

The Honorable Michael S. Regan
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW, Mail Stop 1301A
Washington, DC 20460

Dear Administrator Regan,

We write to express our appreciation for the Environmental Protection Agency's (EPA) historic action to combat methane emissions in the agency's recent announcement to strengthen regulations on new and modified sources, and to expand safeguards to existing sources of methane from oil and gas production.¹ We celebrate the much-needed progress EPA is making on methane emissions through this proposal, including necessary protections to zero-out emissions from intentionally polluting equipment like pneumatic controllers.

We also want to raise up the need for the rule to be expanded in two key ways:

- Smaller leak prone wells should be covered with regular inspections under the rule; and
- The wasteful practice of flaring should be addressed more vigorously before the rule is finalized by eliminating routine flaring as leading states have done.

These improvements must be addressed in a final rule to ensure EPA is protecting frontline communities (often communities of color and low-income communities) from pollution, safeguarding public health, holding oil and gas companies accountable, and acting on climate.

As you know, methane is a major contributor to the global climate crisis, as a short-lived climate pollutant that has approximately 80 times the warming potential of carbon dioxide over the first 20 years after its release. Just as importantly, establishing a strong rule for methane will also reduce health-harming co-pollutants, including Volatile Organic Compounds (VOCs) that contribute to ozone, as well as toxic and hazardous chemicals like benzene. The reduction of these co-pollutants will be key to reducing localized air pollution, and the associated negative health impacts that often disproportionately impact communities of color who live near oil and gas development and production sites. For example, 1.81 million Latinos live within a half mile radius of an oil and gas well².

¹ <https://www.epa.gov/controlling-air-pollution-oil-and-natural-gas-industry/epa-proposes-new-source-performance>

² https://www.catf.us/wp-content/uploads/2016/09/CATF_Pub_LatinoCommunitiesAtRisk.pdf

Smaller, leak prone wells number in the hundreds of thousands across the country and generate just a trickle of usable product, but are large and disproportionate emitters of methane. Nationwide, more than 7 million people live nearby one of these wells, including nearly half a million children and nearly 2 million people of color³. These communities bear the brunt of the environmental, economic, and public health impacts resulting from leaks. While EPA has recognized in the proposal that a “low production” exemption is not appropriate, under the current proposal operators that calculate lower potential emissions (less than 3 tons per year of methane) could still escape regular leak monitoring. This is problematic because these smaller, leak prone wells can release more methane or natural gas into the air than they produce. Also, large leaks can occur at smaller well sites.⁴ EPA must address this issue by enacting comprehensive requirements for frequent leak inspections, without exceptions for smaller wells.

Flaring is another wasteful and avoidable practice that is rampant in the oil and gas production sector. When companies rush to extract oil, some forgo investments necessary to capture and sell gas and instead burn it as a waste product, emitting a host of climate and health-harming pollutants, which can exacerbate public health disparities in environmental justice communities. In fact, one study⁵ found that pregnant women exposed to excessive amounts of flaring pollution can lead to premature births and reduced birth weight. Further, studies have shown that Latino, Black, and indigenous communities are disproportionately exposed to flaring and its associated health risks,⁶ including the development and exacerbation of asthma, cardiopulmonary problems, and cardiovascular mortality. Wasting this gas is an urgent problem, one made even more apparent as we enter a winter with higher natural gas prices and potential shortages. Leading operators have virtually eliminated flaring across all their operations and some states have already moved to eliminate flaring, except in emergency situations. EPA should follow the lead taken in the states and move to end routine flaring.

There is no time to waste in curbing methane pollution and tackling the climate crisis. Our children’s health, the safety of those living in oil and gas communities, and the future of the planet all hang in the balance. We must tackle this growing crisis head on, before it is too late. We look forward to your response and to continuing to work together to address this important issue.

Sincerely,



Nanette Diaz Barragan
Member of Congress
Chair, CHC Climate Task Force



Raul Ruiz, M.D.
Member of Congress

³ Data from Environmental Defense Fund’s “Proximity to Environmental Stressors GIS Assessment Tool”

⁴ <https://www.tandfonline.com/doi/full/10.1080/10962247.2020.1808115>

⁵ <https://ehp.niehs.nih.gov/doi/full/10.1289/EHP6394>

⁶ <https://news.usc.edu/183286/americans-oil-gas-flaring-health-risks-usc-research/>



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