



February 13, 2023

U.S. Environmental Protection Agency
EPA Docket Center
Docket ID No. EPA-HQ-OAR-2021-0317
Mail Code 28221T
1200 Pennsylvania Avenue NW
Washington, DC 20460

RE: Public Land Solutions and Outdoor Alliance Comments to Environmental Protection Agency Supplemental Proposal regarding Standards of Performance for New, Reconstructed, and Modified Sources and Emissions Guidelines for Existing Sources: Oil and Natural Gas Sector Climate Review (Docket ID No. EPA-HQ-OAR-2021-0317)

Public Land Solutions (PLS) and Outdoor Alliance provide these comments to the Environmental Protection Agency's (EPA) supplemental proposal to update, strengthen, and expand the standards EPA proposed on November 15, 2021 (November 2021 proposal), which are intended to significantly reduce emissions of greenhouse gases (GHGs) and other harmful air pollutants ("EPA Methane Rule"). This supplemental proposal would require standards for certain sources that were not addressed in the November 2021 proposal and proposes revisions that strengthen standards for sources of methane leaks, provide greater flexibility to use innovative advanced detection methods, and establish a "super emitter" response program. The EPA proposes to modify and refine certain elements of the proposed standards in response to information submitted in public comments on the November 2021 proposal and proposes details of the timelines and other implementation requirements that apply to states to limit methane pollution from existing designated facilities in the "Crude Oil and Natural Gas" source category under the Clean Air Act.

Public Land Solutions and Outdoor Alliance generally supports EPA's supplemental proposal to reduce methane air pollution from new and existing sources of oil and gas development as soon as possible. Methane pollution from the oil and gas operation accelerates the pace of climate change and harms the health of our public land communities—many that rely on healthy landscapes for outdoor recreation, recreation economies, and quality of life for their residents. We ask the EPA to create the strongest standards possible under the Clean Air Act to limit pollution from the oil and gas industry by strengthening this supplemental proposal and finalizing this rule as soon as possible. A final EPA Methane Rule should eliminate outdated technology (such as intentionally polluting controllers), require oil and gas operators to transition to zero-emitting solutions, impose strong leak detection and repair requirements that cover all polluting wells, and ensure that abandoned wells are subject to monitoring until operators provide a closure plan confirming zero emissions.

Public Land Solutions

Public Land Solutions is a non-profit organization dedicated to providing comprehensive recreation planning and stakeholder coordination to support effective and sustainable public land solutions. We have been involved at the local, regional and national level during many planning and permitting proposals related to oil and gas leasing. Our primary mission is the protection and enhancement of recreation assets and opportunities to develop durable and robust recreation economies. Public Land Solutions' advocacy efforts to protect and enhance recreation assets on public lands include organizing stakeholder workshops, providing detailed comments and proposed maps during comment periods, delivering presentations to local and state governments, and communicating with a wide range of interested stakeholders.

Outdoor Alliance

Outdoor Alliance is a coalition of ten member-based organizations representing the human powered outdoor recreation community. The coalition includes Access Fund, American Canoe Association, American Whitewater, International Mountain Bicycling Association, Winter Wildlands Alliance, The Mountaineers, the American Alpine Club, the Mazamas, Colorado Mountain Club, and Surfrider Foundation and represents the interests of the millions of Americans who climb, paddle, mountain bike, backcountry ski and snowshoe, and enjoy coastal recreation on our nation's public lands, waters, and snowscapes.

Methane Pollution Harms Outdoor Recreation and the Outdoor Economy

Healthy public lands bring quality of life, visitors, and business investment to nearby communities through outdoor recreation, but only if land managers ensure the responsible management of those lands. Outdoor recreation businesses rely on access to our public mountains, rivers and deserts, and the country has increasingly seen terrible climate change related disasters in recent years. Without strong, common-sense protections against methane and other harmful pollution from oil and gas developments, the \$862 billion¹ outdoor recreation industry will suffer. Climate change uniquely affects outdoor recreation,² fundamentally changing public land use patterns and stunting economic opportunities. Whether you are a hiker, fisherman, mountain biker, snowboarder, climber, or scuba diver, climate change is affecting the areas that Americans currently enjoy.³ The evidence⁴ of climate change is overwhelming: 16 of the hottest years on record took place between 2000 and 2017, and the 9 most devastating wildfires in American history took place after the year 2000. According to the United Nations'

¹ The Bureau of Economic Analysis calculates the economic output of outdoor recreation to be \$862 billion, surpassing industries such as mining, utilities, farming and ranching, and chemical products manufacturing. See <https://recreationroundtable.org/economic-impact/>.

² See *Climate Change is Changing the Face of Outdoor Recreation*, National Recreation and Park Association, found at <https://www.nrpa.org/parks-recreation-magazine/2017/october/climate-change-is-changing-the-face-of-outdoor-recreation/>.

³ See *Outdoor Business Climate Partnership Presents: Climate Advocacy in 2021*, Outdoor Industry Association, found at <https://outdoorindustry.org/article/outdoor-business-climate-partnership-presents-climate-advocacy-2021/>.

⁴ See *How Do We Know Climate Change is Real?*, National Aeronautics and Space Administration, found at <https://climate.nasa.gov/evidence/>.

climate science body, methane is responsible for 30%⁵ of the climate change we are experiencing today, and oil and gas is the largest industrial source of methane pollution, accounting for a third of emissions.

In 2019 Congress held a hearing on the effects of climate change on outdoor recreation, where the Outdoor Alliance testified to the many harms inflicted on the quality of the outdoor recreation experience, health impacts and safety concerns for recreationists, and damage to the outdoor recreation economy.⁶ Climate change harms the outdoor recreation industry by causing less snowpack, water insecurity such as low river flows, basic access lost to public lands during fire season (year-round now in some places), and many other detrimental impacts. The outdoor industry⁷ brings millions of jobs to communities across the country in many ways. Recreation visitors bring needed dollars to cities and towns that have recreation assets like rivers, trails, and other outdoor spaces where fishing, hunting, boating, hiking, skiing, biking, climbing, and a long list of other outdoor activities take place. Outdoor recreation companies and businesses across a range of industries, both large and small, are choosing to locate in these communities because their employees want to live in places with access to the great outdoors. Across the country, communities that have previously depended primarily upon resource extraction have begun to diversify their economies into the recreation sector. By promulgating this proposed Methane Rule—along with implementing best practices and using newly developed technologies—we can protect and improve air quality in oil and gas communities across the country that want to expand regional outdoor recreation economies.

The oil and gas industry is one of the largest sources of methane pollution in the US, and studies show that reducing oil and gas methane is the easiest and most effective action we can take to address climate change. Indeed, according to the [International Energy Agency](#), we can eliminate half of global oil and gas methane emissions at no net cost. Across the country we are seeing that healthy public lands lead to healthy economies. Many companies in the oil and gas industry support a strong EPA Methane Rule;⁸ and both large and independent oil and gas operators [have committed to end routine flaring](#). To name a few: ExxonMobil committed to end routine flaring across its assets in the Permian Basin by 2022, BP committed to end routine flaring by 2025 in its U.S. onshore operations, and many more have signed on to the World Bank's goal of ending routine flaring worldwide by 2030.⁹ We understand the need for energy production, but it is time to acknowledge the cost of methane pollution to local communities. Allowing oil and gas

⁵ See *Methane Rule to Eclipse Past Regulations, Including Obama's*, E&E News Climate Wire, found at <https://www.eenews.net/articles/methane-rule-to-eclipse-past-regulations-including-obamas/>.

⁶ See testimony re *Subcommittee Hearing Examining the Impacts of Climate Change on Public Land Recreation, Outdoor Alliance*, found at <https://static1.squarespace.com/static/54aabb14e4b01142027654ee/t/5cddc6fd82a3880001e500c5/1558038270135/OA+Climate+Rec+Impacts+%281%29.pdf>.

⁷ See *Outdoor Recreation Satellite Account, U.S. and States, 2021*, Bureau of Economic Analysis, found at <https://outdoorindustry.org/advocacy/>.

⁸ See <https://www.reuters.com/business/environment/us-unveils-crackdown-methane-starting-with-oil-gas-rules-2021-11-02/>, https://www.bp.com/en_us/united-states/home/news/press-releases/bp-statement-on-proposed-methane-rules.html

⁹ See <https://www.worldbank.org/en/programs/zero-routine-flaring-by-2030/about#:~:text=Launched%20in%202015%2C%20the%20ZRF,by%2Dproduct%20of%20oil%20production>.

operators to use old technology will damage air quality and prohibit communities from diversifying their economies.

EPA Should Strengthen its Proposed Methane Regulation to Protect Outdoor Recreation and the Outdoor Economy

EPA's Methane Rule proposal includes important steps toward addressing methane pollution such as eliminating the use of outdated, intentionally polluting pneumatic controllers,¹⁰ requiring a transition to zero-emitting solutions and strong leak detection and repair (LDAR) requirements that cover all polluting wells, and ensuring that abandoned wells are monitored until closure and are leak-proof as demonstrated by a closure plan submitted by the responsible operator.

Nonetheless, we ask that the EPA include the following additional improvements to the EPA Methane Rule to mitigate against ongoing climate change and protect outdoor recreation and the potential for recreation economies in public land communities across the country:

- **Eliminate routine flaring and** ensure that oil and gas operators capture all correlated gas from their operations and strictly limit flaring of methane gas unless necessary for maintenance and safety.
- **Apply applicable emission restrictions to storage tanks**, which was not included in the November 2021 proposal or the supplemental rule.
- **Expand the Super Emitter Response Program proposal** to provide for well-defined guidance and funding to enable broad local community and third-party monitoring for emission compliance.

* * *

Public Land Solutions and Outdoor Alliance applaud the EPA's supplementary proposal and ask the agency to set even stronger standards by eliminating routine flaring by oil and gas operators, applying emission restrictions to storage facilities, and strengthening opportunities for public monitoring through the Super Emitter Response Program. We ask EPA to finalize this methane rulemaking as quickly as possible as climate change is an emergency, and many public land communities cannot afford further delay. By acting quickly, EPA can eliminate millions metric tons of climate pollution each year and protect outdoor experiences and economic potential for our irreplaceable public land communities. Please feel free to contact us with any questions or comments at jason@publiclandsolutions.org and louis@outdooralliance.org.

Sincerely,

¹⁰ See *These Little Devices On Oil Fields Make A Lot Of Emissions. New Regulations Could Change That*, found at <https://www.cpr.org/2021/03/09/these-little-devices-on-oil-fields-make-a-lot-of-emissions-new-regulations-could-change-that/>.



OUTDOOR ALLIANCE

The logo for the Outdoor Alliance features a stylized circle composed of two overlapping semi-circles, one light blue and one light green, positioned between the words "OUTDOOR" and "ALLIANCE".

A handwritten signature in black ink, appearing to read "Jason Keith".

Jason Keith
Managing Director
Public Land Solutions

A handwritten signature in black ink, appearing to read "Louis Geltman".

Louis Geltman
Policy Director
Outdoor Alliance