

Congress of the United States

Washington, DC 20515

August 5, 2024

Ms. Shalanda Young
Director, Office Of Management And Budget
The White House
1600 Pennsylvania Ave, NW
Washington, DC, 20500

Dear Ms. Young,

We appreciate efforts to curb emissions of methane—a potent climate pollutant responsible for one-third of the climate change we are experiencing today. While the oil and gas industry has made strides to lower its emissions, the sector is the largest industrial source of methane emissions in the United States, and coordination at the federal level can help to limit this pollution, which is released alongside health-harming air toxics.

We particularly support efforts to encourage the adoption of advanced methane detection technologies in new regulations, which can accelerate methane reductions effectively and at low cost for both operators and the federal government.

The Biden Administration has several oil and gas methane reduction rulemakings underway or newly final. The effectiveness of these rulemakings in reducing methane pollution can only benefit from consistent rules, standards, and practices that facilitate the swift adoption of innovative advanced technologies. The OMB has a unique role in ensuring that regulations are consistent, compatible and not duplicative across the federal government. We urge OMB to convene these departments and agencies, with the appropriate White House offices, to promote harmonization, where appropriate, of their respective regulations to provide for an efficient approval process across the federal government.

The Environmental Protection Agency's (EPA) New Source Performance Standards OOOOb/Emissions Guidelines OOOOc¹ (NSPS OOOOb/EG OOOOc) final rule includes a voluntary, alternative pathway for oil and gas operators to use advanced methane detection technologies and methodologies to comply with Leak Detection and Repair (LDAR) requirements, called the Alternative Test Method (ATM). The use of advanced technologies, which is already occurring broadly across the sector, is well supported by industry and other stakeholders.² The technologies have been used for voluntary corporate commitments for some years and in the private differentiated natural gas market. Coordinating new federal requirements will further facilitate these

¹ <https://www.federalregister.gov/documents/2024/03/08/2024-00366/standards-of-performance-for-new-reconstructed-and-modified-sources-and-emissions-guidelines-for>

² "API recognizes and appreciates EPA's initial and important efforts in creating a framework for alternative leak detection technologies, including continuous monitoring, in NSPS OOOOb and EG OOOOc. However, we urge EPA to make key adjustments in the final rules to enhance the use of these technologies and to not unintentionally disincentivize development and deployment of these technologies. Making alternative technologies more accessible in these rules can also have synergistic benefits with measurement-informed inventory goals in related rulemaking such as the Inflation Reduction Act's Methane Emissions Reduction Program and EPA's Greenhouse Gas Reporting Program." American Petroleum Institute Comment Letter re Proposed Standards of Performance for New, Reconstructed, and Modified Sources and Emissions Guidelines for Existing Sources: Oil and Natural Gas Sector Climate Review, Including Appendix K and Social Cost of Greenhouse Gases, February 13, 2023, page 15.
<https://www.api.org/~media/files/news/2023/02/13/api-comments-epa-supplemental-proposed-methane-rule>

operator investments by minimizing duplicative bureaucracy and administrative burden. The significant effort by EPA to develop this program can provide important insights and opportunities for continued deployment of advanced technologies in other regulatory programs.

EPA's voluntary ATM program allows advanced technology providers to apply and be approved by EPA. The EPA rule covers a large part of the oil and gas supply chain, including production, gathering, boosting, transmission, and storage. We recommend considering EPA's robust model for integrating advanced methods on an ongoing basis in this rule as a framework for continuous review and approval of advanced technologies and performance criteria for use across the federal government. There are several current rulemakings currently that could benefit from these innovative technologies and draw from the lessons of the ATM program.

We would urge the Administration to consider creating a joint clearinghouse to promote the consistent development and application of advanced monitoring and measurement methods across these rulemakings. The information already provided in EPA's NSPS OOOOb/EG OOOOc ATM could eliminate the need for an applicant to replicate information already provided to EPA. Where agencies have outcomes that are the same as EPA's, such as transmission compressor stations that are regulated under both the EPA OOOOb/EG OOOOc and the PHMSA rule, the ATM-approved technology could be used under both requirements. Agencies with requirements that vary from the EPA's ATM requirements could rely on ATM-approved technologies coupled with additional performance criteria tailored to the compliance purpose of other agencies' distinct program or statute.

We similarly support EPA's announcement that it intends to gather information on how advanced technologies can be used to measure methane emissions and urge the EPA to undertake this initiative to ensure the swift adoption of innovative advanced technologies.

Throughout the oil and gas sector, companies and stakeholders are using advanced technologies and methodologies, including continuous emissions (CM) monitoring systems, aerial surveys, and satellites, to directly measure facility emissions and to detect and repair methane leaks. These devices will improve site-level monitoring and measurement of methane emissions as they measure more frequently than current approaches and can be more accurate than estimated emissions currently used in the Subpart W final rule. Data from these efforts will provide valuable insights into methane reductions and ongoing problem areas requiring greater attention.

We applaud efforts to incorporate advanced methane monitoring technologies into regulatory programs and we strongly support efforts to continually review the rapidly evolving technology landscape and to incorporate, when appropriate, those technologies into regulatory programs for leak detection and measurement.

We request the favor of a reply by September 3, including the specific steps the Administration is taking or will take to address our request.

Sincerely,



Sean Casten
Member of Congress



John R. Curtis
Member of Congress