



January 31, 2022

The Honorable Michael S. Regan  
Administrator, Environmental Protection Agency  
Mail Code 1101A  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

RE: Docket ID No. EPA-HQ-OAR-2021-0317

Dear Administrator Regan,

Thank you for the opportunity to comment on EPA's proposal to reduce climate and health harming pollution from the oil and natural gas industry. The rules, covering both new and, for the first time, existing wells have the potential to drastically reduce methane pollution. We write in strong support of this initiative and urge you to develop a strong final rule, including a ban on routine flaring.

Methane releases, whether due to venting, flaring, or leaking, are environmentally damaging, harmful to human health, and economically irresponsible. These harmful effects directly impact the state of Texas. We are home to the Permian Basin, the largest oil and gas basin in the United States, and one of the largest in the world. That resource is part of the reason Texas has the distinction of being not only the highest oil producing state, but also responsible for the most methane emissions.<sup>1</sup> Texas accounts for 47% of vented and flared natural gas.<sup>2</sup>

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<sup>1</sup> Texas Tribune, "As world leaders seek to rein in methane, Texas' oil and gas industry pressured to cut emissions", Nov 2, 2021, <https://www.texastribune.org/2021/11/02/epa-methane-emissions-oil-gas/>

<sup>2</sup> Texas Climate News, "Other states ban oil-well flaring as Texas lets it continue", Accessed Jan 5, 2022, <https://texasclimatenews.org/2021/07/11/will-texas-implement-reinstated-u-s-rules-to-cut-methane-emissions/>

Methane, however it is released, directly harms our citizens. Flaring often releases additional pollutants such as sulfur dioxide, ammonia, or volatile organic compounds (VOCs).<sup>3</sup> Some of these compounds, such as benzene are known carcinogens.<sup>4</sup> Toluene is a neurotoxin that can cause miscarriages and birth defects. One recently published study examining the Eagle Ford Shale region found that “pregnant women who lived near areas where flaring is common had 50 percent greater odds of giving birth prematurely than those who did not.”<sup>5</sup> Beyond the human suffering itself, these health effects have an estimated economic impact of \$13-29 billion each year.<sup>6</sup>

Leaks, flares, and vents all release potent greenhouse gases into the atmosphere. Flaring converts methane into VOCs, carbon dioxide, and water vapor which all contribute to climate change. Meanwhile, methane itself traps about 30 to 90 times more heat in the atmosphere than carbon dioxide, but lasts in the atmosphere for a few decades rather than a few centuries.<sup>1</sup> Due to its high effect and relatively low atmospheric lifespan, reducing methane emissions is one of the simplest, high impact actions we can take to reduce climate change.

Finally, methane emissions are economically harmful. When methane is lost, Texas loses both energy and tax revenue which could otherwise go towards the rainy day fund, schools and roads. Nationally, EPA Regulatory Impact Analysis estimates cumulative net climate benefits from the proposed regulations amounting to approximately \$4.5 billion a year, even when accounting for compliance costs.<sup>7</sup> These savings are not only within reach, but viable. According to ExxonMobil, their “experience in the Permian Basin demonstrates that zero routine flaring is within everyone’s reach.”<sup>8</sup> The Texas Methane and Flaring Coalition “agrees we should strive to end routine flaring.”<sup>9</sup>

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<sup>3</sup> Alliance of Nurses for Healthy Environments, “Methane and Health”, 2017, <https://envirn.org/wp-content/uploads/2017/08/Methane-and-Health-Factsheet.pdf>

<sup>4</sup> American Cancer Society, “Benzene and cancer risk”, 2017, <https://www.cancer.org/cancer/cancer-causes/benzene.html>

<sup>5</sup> New York Times, “Study Links Gas Flares to Preterm Births, With Hispanic Women at High Risk”, Jul 22, 2020, <https://www.nytimes.com/2020/07/22/climate/gas-flares-premature-babies.html>

<sup>6</sup> Natural Resources Defense Council, “Methane Leaks from Oil & Gas Exploration: A Health Nightmare”, Dec 4, 2018, <https://www.nrdc.org/experts/vijay-limaye/methane-leaks-oil-gas-exploration-health-nightmare>

<sup>7</sup> Environmental Protection Agency, “U.S. to Sharply Cut Methane Pollution that Threatens the Climate and Public Health”, Nov 2, 2021, <https://www.epa.gov/newsreleases/us-sharply-cut-methane-pollution-threatens-climate-and-public-health>

<sup>8</sup> EnergyFactor by ExxonMobil, “Reducing Natural Gas Flaring”, accessed Jul 29, 2020, available at <https://energyfactor.exxonmobil.com/perspectives/reducing-natural-gas-flaring/>

<sup>9</sup> Texas Methane & Flaring Coalition, “Flaring Recommendations and Best Practices”, accessed Jun 16, 2020, <https://texasmethaneflaringcoalition.org/wp-content/uploads/2020/06/6-16-20-TMFC-Flaring-Recommendations-Best-Practices-Report.pdf>

Despite all of these benefits, methane leaks and flaring are common. In the last seven years, the Commission has granted operators more than 27,000 permits to flare<sup>10</sup> - resulting in the burning of nearly 1 trillion cubic feet of natural gas.<sup>11</sup> In 2020, the Texas Railroad Commission granted about 4,500 exceptions to flaring regulations.<sup>1</sup> We call on the EPA to require the end to routine flaring either as part of this proposal or as part of a future supplemental rule. Many of the leading oil and gas companies have announced plans to end routine flaring by 2025 and we believe this is a reasonable timeline to end routine flaring.

Additionally, we urge the EPA to strengthen the monitoring requirement. EPA should require regular monitoring at smaller, high polluting wells. Hundreds of thousands of wells across the country generate just a trickle of usable product but are large and disproportionate emitters of methane. EPA has recognized in the proposal that a “low production” exemption is not appropriate. However, under EPA’s current proposal operators that calculate lower potential emissions (less than 3 tons per year of methane) could still escape regular leak monitoring. This is a big problem since operators wouldn’t be required to factor in super-emitters or equipment failures

When these gases are vented, flared, or leaked, a valuable resource is wasted that contributes to climate change, damages public health, and economically hurts our state. In the U.S. oil and gas production is the largest industrial source of methane pollution and Texas should play a key role in the nation’s efforts to curb emissions. We cannot miss this opportunity.

We now call upon the EPA to make certain that its potential new guidelines protect people and the planet from these toxic releases. That means strengthening your proposed rules to finalize the most comprehensive methane safeguards that finally reign in methane waste from oil and gas companies and hold polluters accountable.

Thank you for your consideration,

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<sup>10</sup> Texas Tribune, “Pipeline giant sues Railroad Commission, alleging lax oversight of natural gas flaring”, Dec 3, 2019,

<https://www.texastribune.org/2019/12/03/railroad-commission-sued-lax-oversight-natural-gas-flaring/>

<sup>11</sup> Environmental Defense Fund, “A zero flaring policy is long overdue, and investors can help make it reality”, May 27, 2020,

<http://blogs.edf.org/energyexchange/2020/05/27/a-zero-flaring-policy-is-long-overdue-and-investors-can-help-make-it-reality/>

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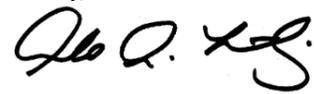
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