PO Box 202155

Harrisburg, PA 17120

climatecaucus@pahouse.net

Co-Chairs

Senator Steve Santarsiero

Rep. Danielle Friel Otten

Vice Chairs

Senator Carolyn Comitta

Rep. Nancy Guenst

Secretaries

Senator Amanda Cappelletti

Rep. Rick Krajewski

@PAClimateAction

March 29, 2021

Secretary Patrick McDonnell
PA Department of Environmental Protection
Rachel Carson State Office Building
400 Market Street
Harrisburg, PA 17101

Dear Secretary McDonnell:

As members of the Pennsylvania Legislative Climate Caucus, we appreciate the work of the Department of Environmental Protection (DEP) to develop controls for VOC and methane emissions from oil and gas operations. As the second largest natural gas producing state in the nation, and with emerging acknowledgment by the industry that methane emissions need to be mitigated, Pennsylvania must take action to address this problem.

For that reason, we are writing to urge you to strengthen DEP's draft methane rule. As we work together to position Pennsylvania as a climate leader, we need meaningful and comprehensive rules that will allow us to reach the greenhouse gas reduction goals of 26 percent by 2025 and 80 percent by 2050, from 2005 levels as outlined in Governor Wolf's January 2019 Executive Order.

Oil and gas development casts an extensive and still growing footprint across our state. Whether it's the tens of thousands of conventional wells that have been in operation for decades, the proliferation of unconventional wells and their vast network of associated infrastructure in more recent years, or the build-out of new natural gas generation facilities, oil and gas activity continues to climb, with no signs of slowing down. The reality is that wherever oil and gas are being drilled, compressed, processed, or sent through pipelines, climate-warming methane is leaking and polluting our air. To compound this, we have only incomplete estimates as to how big the problem is now, or how large it will be in the future. Pennsylvanians are already experiencing dangerous climate change impacts and an increase in extreme weather events, which have caused flooding, landslides, and even an increase in ticks that carry Lyme disease.

Given that we are experiencing record production from wells large and small, the proposed methane rule is urgently needed. But it still falls short. As currently written, the draft rulemaking provides two acute exemptions from requirements to find and repair leaks of dangerous, climate-warming pollution.

PO Box 202155

Harrisburg, PA 17120

climatecaucus@pahouse.net

Co-Chairs

Senator Steve Santarsiero

Rep. Danielle Friel Otten

Vice Chairs

Senator Carolyn Comitta

Rep. Nancy Guenst

Secretaries

Senator Amanda Cappelletti

Rep. Rick Krajewski

@PAClimateAction

First, the draft exempts low-producing wells from performing leak detection and repair measures. As defined in the rulemaking package, this would mean that the majority of producing wells in our state—around 91 percent, or about 71,000 wells—would be exempt from compliance. This could mean that at least half of existing emissions of methane—upwards of 484,000 tons—would not be addressed. These emissions have a climate impact more than double that of all the cars in Pennsylvania combined.

There is no clear correlation between the volume of gas a well produces and its emission failure rate at any point in time. Both low- and high-producing wells can emit large volumes of air pollutants due to equipment failures or other shortfalls. The only way to find and address those leaks is through comprehensive and consistent controls. Exempting a large swath of wells from the rulemaking is counterproductive, particularly when fixing leaks prevents lost product, thus saving operators money. If everyone is playing by the same rules, we get better results and level the playing field. And if operators see a benefit in return, we find the "win-win" in addressing this pollution.

The same reasoning applies to a second significant shortfall in the proposed rule: allowing operators to reduce the frequency of their inspections based only on how many components are found to be leaking emissions on site. This reasoning is flawed because it fails to account for the actual volume of those leaks. A site may only have one problematic component, but that component could be a super-emitting source, spewing large volumes of methane into the atmosphere.

Our concerns about these emissions extend beyond their climate implications. These leaks degrade air quality, harm the health of our citizens, and build on the costly and pervasive legacy of pollution with which our state has been burdened. Pennsylvanians are already saddled with the extraordinary costs of legacy pollution from both coal and natural gas development, which includes tens of thousands of unplugged orphaned wells across the state. While we are all impacted by air pollution and climate change, the reality is that Black, Brown, Indigenous, and low-income populations are disproportionately burdened because of where they live, work, learn, and play. We should be using every means at our disposal to protect environmental justice communities, build equity, and protect future generations.

Please help us make Pennsylvania a leader in tackling climate change by implementing the most comprehensive and protective methane rules possible. Reducing methane and other pollutants from oil and gas operations is a fundamental piece of the climate action puzzle, one that must be addressed by Pennsylvania and the oil and gas industry.

The people have a right to clean air, pure water, and to the preservation of the natural, scenic, historic, and esthetic values of the environment. - **Article I Section 27 of the Pennsylvania constitution**

We ask DEP to ensure that our efforts to address climate change do not fall short. We urge you to close the loopholes that allow nearly half of the methane emissions from oil and gas operations to go unchecked, and to maintain consistent and frequent inspection requirements.

The Pennsylvania Legislative Climate Caucus convenes to research, evaluate, discuss, and raise awareness about legislation, appropriations and related matters in ways that affirm evidence-based, peer-reviewed science, the acceptance that climate change is real and human-made, the importance of environmental justice, and the necessity for a renewable energy future. Further, the Climate Caucus operates to uphold the charge of environmental stewardship as laid bare in Article I, Section 27 of the Pennsylvania Constitution.

As members of the Climate Caucus, we are committed to doing all we can to build a Commonwealth that is stronger, more resilient, more equitable, and more sustainable. We ask for your support and consideration of these priorities, and we look forward to working together toward our shared goals.

Sincerely,

Senator Steve Santarsiero

Rep. Danielle Friel Otten

Senator Carolyn Comitta

Rep. Nancy Guenst

Senator Amanda Cappelletti

Rep. Rick Krajewski

Senator Maria Collett

Senator Tim Kearney

Senator John Kane

Senator Katie Muth

PO Box 202155

Harrisburg, PA 17120

climatecaucus@pahouse.net

Co-Chairs

Senator Steve Santarsiero

Rep. Danielle Friel Otten

Vice Chairs

Senator Carolyn Comitta

Rep. Nancy Guenst

Secretaries

Senator Amanda Cappelletti

Rep. Rick Krajewski

@PAClimateAction

The people have a right to clean air, pure water, and to the preservation of the natural, scenic, historic, and esthetic values of the environment. - **Article I Section 27 of the Pennsylvania constitution**

PO Box 202155 Harrisburg,
PA 17120
climatecaucus@pahouse.net

Co-Chairs

Senator Steve Santarsiero

Rep. Danielle Friel Otten

Vice Chairs

Senator Carolyn Comitta

Rep. Nancy Guenst

Secretaries

Senator Amanda Cappelletti

Rep. Rick Krajewski

Senator Nikil Saval

Representative Summer Lee

Representative Tim Briggs

Representative Jennifer O'Mara

Representative Donna Bullock

Representative Steve Samuelson

Representative Mary Jo Daley

Representative Ben Sanchez

Representative Elizabeth Fiedler

Representative Christina Sappey

Representative Diane Herrin

Representative Melissa Shusterman

Representative Joseph Hohenstein

Representative Perry Warren

Representative Sara Innamorato

Representative Joseph Webster

Representative Michael Zabel

Cc: The Honorable Governor Tom Wolf
The Pennsylvania Environmental Hearing Board

@PAClimateAction

The people have a right to clean air, pure water, and to the preservation of the natural, scenic, historic, and esthetic values of the environment. - **Article I Section 27 of the Pennsylvania constitution**