

June 23, 2020

**Remarks for Public Comment**

Virtual Public Hearing  
Environmental Quality Board  
P.O. Box 8477  
Harrisburg, PA 17105-8477

Submitted via email to: [RegComments@pa.gov](mailto:RegComments@pa.gov)

**Ref. Control of VOC Emissions from Oil and Natural Gas Sources Proposed Rule**

Dear Members of the Pennsylvania Environmental Quality Board:

Thank you for holding this hearing. I appreciate the opportunity to comment on the proposed rule regarding control of VOC emissions from oil and natural gas sources as published in 50 Pa.B. 2633, Saturday, May 23, 2020.

The Breathe Project is a Southwestern Pennsylvania organization that constantly avails itself of top-level health, epidemiological, and air quality science and public health information. We are a collaboration of over 42 organizations working to improve air quality, eliminate climate pollution and make our region a healthy and prosperous place to live. We are public health professionals, academics, environmental advocates, and citizens. We use the best available science and technology to better understand the quality of the air we breathe and provide opportunities for citizens to engage and take action.

It is encouraging that the Pennsylvania Department of Environmental Protection has proposed a rule to reduce methane and harmful pollutants from existing natural gas infrastructure. This proposal marks progress in Pennsylvania's actions to curb air pollution and climate change. However, the current version includes major loopholes. According to the proposed rule:

Of the 71,229 conventional wells reporting production, only 303 are above the 15 barrels of oil equivalent per day production threshold as reported in the Department's 2017 oil and natural gas production database and will have fugitive emissions component requirements.<sup>1</sup>

and

---

<sup>1</sup> Volume 50 Issue 21, 50 Pa.B. 2633, "Control of VOC Emissions from Oil and Natural Gas Sources," D. *Background and Purpose*. Available online: <http://www.pacodeandbulletin.gov/Display/pabull?file=/secure/pabulletin/data/vol50/50-21/684.html>. Viewed June 23, 2020.

A well site with a well that produces less than 15 barrels of oil equivalent per day is not subject to the fugitive emissions requirements.<sup>2</sup>

Thus, the proposed rule exempts thousands of low-producing wells from leak inspection requirements. Low-producing wells are responsible for more than half of the methane pollution from oil and gas sources in Pennsylvania.

Another industry loophole would allow operators to reduce the frequency of inspections if a small enough percentage of equipment is found to be leaking on-site. This loophole should also be removed to ensure we are stopping as much leaking methane as is reasonable.

The negative consequences for ignoring these loopholes will be impactful in Southwestern Pennsylvania. Our region already suffers from some of the worst air pollution in the United States. The American Lung Association's (ALA) annual "State of the Air" (SOTA) report for 2020 again put the Pittsburgh region on notice. Allegheny County once again received straight Fs for daily particulate matter levels, long-term particulate matter levels, and ozone.

Ozone contributes significantly to poor air quality in Southwestern PA. An analysis of qualified EPA monitoring data showed that ozone is the driving factor of the air quality index for this region 347 out of 1096 days, about 1/3 of the time, over 2016 – 2018. Furthermore, of the ozone monitors in the Pittsburgh area, one of the sites was in the worst 10%, one was in the worst 20%, and four were in the 30% – 50% range over 2016 - 2018.<sup>3</sup>

Our region's 2.6 million people are at risk if the loopholes are not closed. This includes vulnerable populations who bear disproportionate risks from current levels of air pollution: 48,000 children with pediatric asthma; 214,000 people with adult asthma; 160,000 people with COPD; 220,000 people with cardiovascular disease; 291,000 people living with low incomes; and 363,000 people who are non-white.<sup>4</sup> The environmental justice concerns are clear, substantial, and should not be ignored.

The Breathe Project urges you to close the loophole that exempts low-producing wells from the rule's leak inspection requirements and eliminate the provision that allows operators to reduce the frequency of inspections if previous inspections reveal that only a small percentage of components is leaking. If these loopholes are not closed, Pennsylvania cannot achieve Governor Wolf's climate goals to reduce Pennsylvania's greenhouse gas emissions 80 percent by 2050 (compared to 2005 levels), and residents will continue to suffer from avoidable air pollution from ozone.

Thank you for your time and consideration.

Sincerely,

Matthew M. Mehalik, Ph.D.  
Executive Director  
Breathe Project

---

<sup>2</sup> Volume 50 Issue 21, 50 Pa.B. 2633, "Control of VOC Emissions from Oil and Natural Gas Sources," § 129.127. Fugitive emissions components, Subsection (a). Available online: <http://www.pacodeandbulletin.gov/Display/pabull?file=/secure/pabulletin/data/vol50/50-21/684.html>. Viewed June 23, 2020.

<sup>3</sup> Clean Air Task Force, Analysis of SWPA's Air Quality, 2019.

<sup>4</sup> ALA SOTA 2020, Available online: <http://www.stateoftheair.org/city-rankings/states/pennsylvania/allegheny.html>, accessed 05/20/20.

