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Via electronic transmission

EPA Docket Center (EPA/DC)
U.S. Environmental Protection Agency
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Re: Docket No. EPA-HQ-OAR-2010-0505

The State of Connecticut's Department of Energy and Environmental Protection ("Department" or "DEEP") respectfully submits these comments in support of the Environmental Protection Agency's ("EPA's") proposed rule "Oil and Natural Gas Sector: Emission Standards for New and Modified Sources," published at 80 Federal Register 56,593 on September 18, 2015 ("Proposed Rule"). Specifically, DEEP supports the policy comments submitted by The New York Attorney General's Office on November 17, 2015. The Proposed Rule would amend the new source performance standards ("NSPS") under the Clean Air Act for the oil and natural gas source category by setting standards for reducing methane, as well as volatile organic compounds ("VOC"), for certain equipment, processes and activities used in the production, processing, and transmission segments of the oil and gas industry. DEEP particularly anticipates the benefits of the Proposed Rule to assist Connecticut in implementing its climate change and ozone attainment plans.

Since 1990, Connecticut has been committed to reducing energy consumption and associated greenhouse gas emissions. In 2008, the state strengthened its greenhouse gas emission reduction efforts by establishing statutory emissions reductions requirements in the Global Warming Solutions Act, which requires the state to reduce its greenhouse gas emissions levels by at least 10% from 1990 levels by 2020 and by at least 80% from 2001 levels by 2050.¹

In 2012, Connecticut's greenhouse gas emissions fell to 39.5 million metric tons carbon dioxide equivalent, decreasing steadily from peak levels reached in 2004. The overall decline between 1990 and 2012 was 10.5 percent, meaning that emissions for the first time fell below the 10 percent reduction by 2020 target set in the Global Warming Solutions Act, in part due to a switch from dirtier fossil fuels like coal and oil to natural gas for electric generation and home heating. In fact, EPA's recent Clean Power Plan to reduce greenhouse gas emissions from existing power plants encourages states to switch from electric generation using coal to generation using natural gas and other lower carbon-intensive fuels. Having reached its Global Warming Solutions Act 2020 target eight years ahead of schedule, Connecticut aims to preserve this progress and continue pushing for greater reductions in the coming decades to meet the 2050 goal.

¹ Conn. Gen. Stat. § 22a-200a.

In order to prevent erosion of the substantial emission reduction benefits achieved from this transition from dirtier fossil fuels to natural gas, the Proposed Rule is a necessary and positive step to cut methane emissions from the oil and natural gas industry. In 2009, EPA determined that methane is one of six greenhouse gases that “may reasonably be anticipated both to endanger public health and to endanger public welfare.”² Connecticut has already taken steps address the problem of methane leaks from the natural gas industry at a local level through its regulation of the state’s natural gas local distribution companies (“LDCs”). The three LDCs have aggressive replacement programs for aging cast iron and bare steel pipe mains, which are prone to leaks. Further, Connecticut’s Public Utilities Regulatory Authority has capped the amount of annual non-hazardous leaks that each LDC may have to ensure these methane leaks are addressed in a timely manner.³

In addition to greenhouse gas emission reductions, the Proposed Rule will also produce ozone concentration reductions that are critical to changing Connecticut’s persistent ozone nonattainment status. Both the proposed VOC and methane emission reductions are important to ozone attainment efforts because the two pollutants address different geographic and time scales. VOCs, a direct ozone precursor, affect ozone concentrations regionally and in short (hourly) timeframes. Thus, VOC emission reductions from gas production and processing activities in states upwind of Connecticut, such as Pennsylvania and Ohio, are anticipated to contribute in the near future to lowering ambient ozone concentrations in Connecticut. Furthermore, methane reductions resulting from the Proposed Rule may reduce background ozone levels over future decades, assisting Connecticut to attain future ozone national ambient air quality standards.

To these ends, Connecticut supports the EPA’s efforts under the Proposed Rule to properly address VOC and methane leakage from the oil and natural gas industry at a national level. Given the prevalence of oil and gas infrastructure in every state in the country, a strong regulatory foundation and a consistent national approach is needed to provide a critical baseline of environmental protection.

Thank you for your time on and consideration of these important issues.

Sincerely,



Robert J. Klee
Commissioner

² 74 Fed. Reg. 66496, 66497 (Dec. 15, 2009).

³ See Connecticut Public Utilities Regulatory Authority, Final Decision, Docket No. 14-07-16, *PURA Report to the General Assembly Concerning Lost and Unaccounted for Gas* (Apr. 29, 2015) (providing an analysis of the steps the LDCs take to reduce lost and unaccounted for gas in their respective distribution system and recommendations for improvement).