

January 31, 2022

Michael S. Regan
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Mail Code 1101A
Washington, DC 20460
Docket ID No. EPA-HQ-OAR-2021-0317

Re: Proposed Standards of Performance for New, Reconstructed, and Modified Sources and Emissions Guidelines for Existing Sources: Oil and Natural Gas Sector Climate Review

Dear Administrator Regan:

The Connecticut Department of Energy and Environmental Protection (DEEP) submits these comments in support of the U.S. Environmental Protection Agency's (EPA's) proposed rule *Standards of Performance for New, Reconstructed, and Modified Sources and Emissions Guidelines for Existing Sources: Oil and Natural Gas Sector Climate Review* (86 FR 63110, November 15, 2021), hereafter referred to as the "2021 Oil and Natural Gas Sector Proposed Rule." The 2021 Oil and Natural Gas Sector Proposed Rule would update and expand current requirements under Clean Air Act Sections 111(b) and (d) for methane and volatile organic compounds (VOC) emissions from new, modified, and reconstructed facilities and establish new limits for currently unregulated facilities. DEEP supports the 2021 Oil and Natural Gas Sector Proposed Rule as described in the preamble as its implementation will create significant environmental and public health benefits given the emissions reductions in greenhouse gases (GHGs) and ozone precursors.

Since 1990, Connecticut has been committed to reducing energy consumption and the associated GHG emissions. In 2008, the state strengthened its GHG emission reduction efforts by establishing statutory emissions reductions requirements with the Global Warming Solutions Act ([GWSA](#)).¹ The Global Warming Solutions Act (GWSA) called for the state to reduce the level of economy-wide GHG emissions to 10 percent below 1990 levels by 2020, and 80 percent below 2001 levels by 2050. The GWSA was amended in 2018 to add a mid-term target of 45 percent below 2001 levels by 2030.

In 2018, which is the latest year for which full emissions data is available, Connecticut emitted 42.2 million metric tons of carbon dioxide equivalent (MMTCO_{2e}). This amount is 7.3 percent

¹ Conn. Gen. Stat. § 22a-200a.

below 1990 emission levels, 17.8 percent below 2001 emission levels, and 24 percent below the level reported in 2004, when Connecticut's GHG emissions peaked.

Reductions in GHG emissions in Connecticut through 2018 are due in part to a switch from dirtier fossil fuels such as coal and oil to natural gas and renewable energy for electric generation and from oil to natural gas, biomass, and electricity for home heating. Now, to meet the statutory goals, Connecticut is increasing its efforts and adding new measures to reduce GHG emissions, particularly from the transportation and building sectors. Notably:

[Executive Order 21-3 \(12/16/2021\)](#) sets the State on path to incorporate greenhouse gas emissions mitigation and climate resiliency in state building codes, to identify cost effective means to reduce greenhouse gas emissions from heating and cooling residential and commercial buildings, strengthen energy efficiency and clean vehicle fleet targets for state agencies, scale down the purchase of diesel buses in pursuit of fully electrified public transportation bus fleet by 2035.

[Executive Order No. 3 \(9/3/2019\)](#) directs the DEEP to analyze pathways and recommend strategies to achieving a target of 100% zero carbon for the State's electric sector

[Executive Order No. 1 \(4/24/2019\)](#) directs executive branch state office buildings and vehicle fleets to become greener and more energy efficient through an expanded "Lead by Example" sustainability initiative aimed at reducing the state's carbon footprint and reducing the cost of government operations.

[Public Act 19-71](#) enabled the Connecticut to solicit and procure a significant portion of its energy consumption from offshore windfarms through long-term contracts

The 2021 Oil and Natural Gas Sector Proposed Rule is a necessary step to reduce GHG emissions from oil and natural gas production and transmission, which will help to preserve the efforts that states, such as Connecticut, have made to reduce GHG emissions and perhaps enhance those efforts. Further, as the nation moves from combusting oil and coal for electric generation to cleaner fuel sources, such emissions benefits will not be reduced or negated by emissions from natural gas production and movement, if the 2021 Oil and Natural Gas Sector Proposed Rule is finalized as described.

In addition, the VOC emission reductions anticipated from the 2021 Oil and Natural Gas Sector Proposed Rule are welcome with respect to Connecticut's efforts to attain the ozone national ambient air quality standards (NAAQS). EPA estimates that the proposed rule will reduce 12 million tons of VOCs between 2023 and 2035. VOCs are a direct ozone precursor and affect ground-level ozone concentrations regionally in short (hourly) timeframes. Currently, the state of Connecticut is designated as serious nonattainment for the 2008 ozone NAAQS and as marginal (Greater Connecticut area) and moderate (New York-Northern New Jersey-Long Island area) nonattainment for the 2015 ozone NAAQS. Connecticut's ongoing commitment to implement emission control programs that are among the most stringent in the nation has helped to decrease local emissions of ozone precursors, and ambient ozone levels have decreased. However, the people of Connecticut continue to be exposed to unhealthy ozone levels largely caused by

transported emissions from upwind states. As the 2021 Oil and Natural Gas Sector Proposed Rule may reduce ozone and ozone precursor transport from states to the west and south of Connecticut, many of which have significant oil and gas production, DEEP supports the Proposed Rule.

In addition to the general comments above, DEEP offers the following specific comments on the 2021 Oil and Natural Gas Sector Proposed Rule.

First, non-emitting controls or means of recovering emissions should be given high priority in the context of this rulemaking. Combustion control of natural gas, such as thermal oxidizers and flares, result in reduction of VOC and methane. However, such combustion controls usually create emissions of nitrogen oxides and carbon dioxide. As previously stated, nitrogen oxides and carbon dioxide emissions are inconsistent with ozone attainment and climate change goals for many states, including Connecticut. Whenever technically feasible, DEEP encourages EPA to finalize requirements with non-emitting alternatives to combustion controls.

Second, concerning the detection and repair of leaks, there is currently no optical gas imaging (OGI) protocol or method required by EPA to identify emissions. Appendix K of 40 CFR Part 60, is included in this action and outlines the proposed procedures to identify emissions using OGI. Appendix K would greatly enhance the consistency, predictability and enforceability of OGI leak detection and repair and would serve as a model for inspection staff in the states to utilize when conducting OGI surveillance.

EPA is also proposing that EPA Method 21 may be used as an alternative to OGI monitoring. It is not clear if Appendix K would be significantly less laborious and time-consuming than Method 21, which was industry's expectation. Nonetheless, DEEP believes having this alternative is beneficial for states.

DEEP encourages EPA to implement this proposal with haste so that the estimated emissions reductions can be achieved, and the states and their citizens can experience the health and environmental benefits. For this, a rapid promulgation of the final rule, efficient review of state plans and timely issuance of a federal plan are necessary.

Thank you for the opportunity to submit these comments.

Sincerely,



Katherine S. Dykes
Commissioner