

Methane Emissions Reduction Program Listening Session

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As Prepared for Delivery

My name is Bryan Burton, Advocacy Manager for Healthy Air at the American Lung Association and I am speaking you today to help ensure that the federal government's efforts to reduce methane emissions are optimally successful.

President Biden set forth a bold climate agenda and has since advanced policies to achieve his commitment to reduce U.S. greenhouse gas (GHG) emissions by 50-52% below 2005 levels by 2030. Realizing this progress, however, will depend on the IRA being implemented by federal agencies in a manner that is efficient, effective, and equitable.

With the Methane Emissions Reduction Program (MERP), Congress has acknowledged the major role that the oil and gas industry plays in fueling the climate crisis. There is a critical need to significantly reduce methane emissions from this sector to reach our climate goals. MERP authorizes \$1.55 billion for EPA to provide financial and technical assistance to reduce methane emissions from oil and gas systems.

The MERP also establishes a waste emissions charge (WEC or "methane fee") on methane emissions from applicable oil and gas facilities that report more than 25,000 metric tons of CO₂ equivalent per year and that exceed statutorily specified waste emissions thresholds. This program, if implemented effectively, will serve as a key complementary tool to enhance the Bipartisan Infrastructure Law to plug and remediate orphaned oil and gas wells and EPA's forthcoming final rule to reduce methane and other harmful pollution from oil and gas operations.

Nearly 18 million individuals live within one mile of an active oil or gas well, including disproportionately large numbers of communities of color, people living below the poverty line, older individuals and young children in many counties with active drilling across the nation. At these sites, smog-forming volatile organic compounds (VOC) and toxic air pollutants like benzene are emitted alongside methane. These emissions can cause cancer, irreversible lung damage, and premature death. This is a critical issue particularly in Pennsylvania, where more residents are exposed to increased cancer risks caused by the oil and gas industry than in any other state in the country. Pennsylvania is the second-largest gas producing state, and our gas industry emits upwards of 1.1 million tons of methane annually.

EPA has the opportunity to create grant programs that enable low-income and disadvantaged communities to monitor for methane emissions and other air pollution coming from oil and gas operations. Community participation in monitoring efforts is important for many reasons but primarily because it provides data local regulators can use to reduce emissions and inform protective measures. It is vital to help empower these populations and increase community trust in and access to data. Pennsylvania environmental justice areas would benefit from a grant program to equip communities with the assistance needed to participate in and benefit from EPA's "super-emitter response program" (SERP), which allows certified third parties who have detected significant emissions to submit that data to EPA and operators. MERP funds could provide communities the resources needed for community-led monitoring efforts and partnerships with monitoring entities to detect and mitigate super-emitters, making their neighborhoods healthier.

Many state agencies are understaffed and under-resourced, limiting their ability to pursue enforcement actions when they receive information about emission violations. MERP funding can be used to help states hire additional inspectors and other enforcement staff to conduct monitoring and identify potential regulatory violations, thereby ensuring that emission reductions are actually achieved.

Pennsylvania, more than many other states, must be able to access MERP funds for state agencies to plug and remediate orphan wells and associated oil and gas infrastructure. Unplugged (or improperly plugged) abandoned and orphan wells leak toxic air pollutants and methane, posing significant risks to health and the environment. Pennsylvania is ground zero for the orphan well crisis, with hundreds of thousands of unplugged orphan wells scattered across the state, the vast majority of which are undocumented.

EPA should require operators to prove that they are in compliance with all state, local, and federal clean air and water laws and regulations before they can obtain any MERP funding.

In order to realize the greatest benefits for the MERP, American Lung Association recommends that EPA prioritize funding for projects and programs that will result in the greatest reductions in methane and other emissions from the oil and gas industry. This sector is the largest industrial emitter of methane in the US, and methane emissions are responsible for around 30% of the increase in global warming since industrialization. Achieving reductions from this industry is absolutely essential to addressing the climate crisis, in addition to protecting the health of Pennsylvania communities that live in close proximity to polluting infrastructure.