

MICHAEL F. BENNET
COLORADO

COMMITTEES:
AGRICULTURE, NUTRITION, AND FORESTRY

FINANCE
HEALTH, EDUCATION, LABOR,
AND PENSIONS

United States Senate

WASHINGTON, DC 20510-0609

WASHINGTON, DC:
488 RUSSELL SENATE OFFICE BUILDING
WASHINGTON, DC 20510
(202) 224-6852

COLORADO:
1127 SHERMAN STREET
SUITE 150
DENVER, CO 80203-2398
(303) 455-7600

<http://www.bennet.senate.gov>

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I submit this written testimony on the Environmental Protection Agency (EPA)'s proposed modifications to the New Source Performance Standards (NSPS) for methane emissions from the oil and gas sector. I am concerned about the ramifications that the proposed changes would have on the health of the people of our state and the broader economy. I am also concerned that the state could have to impose additional measures in order to adhere to EPA's ozone standards as a result of methane pollution coming into Colorado from other states without similar methane standards.

Thank you for choosing to host the hearing in Colorado. Our state is a third Republican, a third Independent, and a third Democratic. Our economy relies on a robust oil and gas sector and a growing clean energy and outdoor recreation industry. We have many communities that rely on responsible oil and gas production for jobs and economic investment. We have farmers, mountain towns, and outdoor enthusiasts for whom wildfire and drought pose a direct threat to their business and way of life. We have those who are concerned about how oil and gas is produced in this state.

In 2014, we reconciled these competing interests by adopting the nation's first rule to reduce methane waste and pollution. The rule enjoys support from environmental groups, the oil and gas industry, and Coloradans. In fact, 67 percent of Coloradans oppose rolling back environmental standards for oil and gas development. Across our state, nurses, family farmers, and more than 50 mayors and county commissioners have spoken out about the importance of regulating methane emissions. Colorado's popular, common-sense approach was so successful that EPA and Bureau of Land Management (BLM) drew on it as a model for new wells and federal and Tribal lands.

In the beginning, critics warned that Colorado's proposed rule would stifle energy production. In fact, Colorado's natural gas production has continued to rise while oil production has nearly doubled. Critics argued the standards would kill jobs. Once again, the facts tell a different story. Across the country, nearly 80 companies at over 531 locations are working to promote more efficient oil and gas operations. Forty-one of these are located in Colorado.

Today, some people will claim the current EPA methane rule is duplicative with the current Colorado standards. Shortly after the EPA's proposed changes were released, Colorado's air regulator, the Air Quality Control Commission, confirmed that the claim is not accurate. The current EPA standards and the Colorado standards are aligned.

Colorado's experience confirms that a well-crafted rule for fugitive methane can improve public health and strengthen the economy without diminishing oil and gas production. In September, the President of the Colorado Oil and Gas Association stated:

Colorado oil and natural gas companies are working hard to follow these rules and we are seeing emission levels drop as a result. Colorado's air is getting cleaner, and we are proud to be part of the solution.

With this record, it is unclear what the Administration hopes to gain by undoing the existing NSPS rule for methane pollution.

We know what the American people stand to lose: clean air, protection from the threat of climate change, and jobs and investment from firms promoting more efficient oil and gas extraction. Colorado in particular stands to lose if Washington puts an ideological, anti-regulation agenda over facts and real-world experience. Colorado has strong methane standards, but our neighboring states do not. If the EPA weakens their national rule, Colorado will see more cross-border pollution. That means more children and seniors sick with respiratory diseases like asthma, more exposure to wildfire and drought for our farmers and rural communities, and more difficulty complying with federal air standards. That is unfair to Colorado, and it is why the EPA needs to level the playing field with a clear national standard.

Colorado is a microcosm for the country. We have a vibrant oil and gas industry, which the economy depends on, and a vibrant group of citizens, who are concerned about the health and environmental effects of oil and gas production. We have a lot of people who do not view these issues as one side pitted against the other, who are trying to deescalate the tension. Even with our progress on methane, we have yet to reach a consensus on how oil and gas is produced in this state. I know from speaking to my colleagues that is true in other states. The EPA has the opportunity to lead, to retain smart and cost-effective oil and gas standards, to create a predictable regulatory regime, and to promote more sustainable oil and gas production. I am worried that if EPA decides to continue to turn a blind eye to the concerns of the people and ignore their mission to protect the health and wellbeing of Americans, not only will they be failing in their duty, they will fuel a political divide, that in the end will only harm people, businesses, and the environment. We must avoid this outcome.

Colorado is not the only state concerned about proposed changes to the NSPS methane standard. Last month, I led 22 senators from 13 states in a letter asking Acting Administrator Wheeler to retain existing NSPS standards for methane for the oil and gas sector.

We wrote:

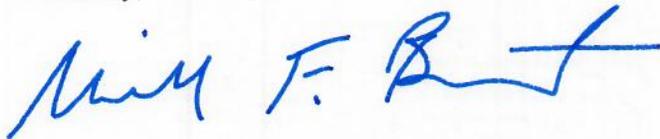
The executive, legislative, and judicial branches of government have provided clear intent that the EPA has the authority to regulate greenhouse gas emissions. Most recently, the Senate voted to retain the BLM's authority to regulate methane emissions from the oil and gas sector on public lands. We urge you to adhere to the direction from the Senate and retain the EPA's 2016 NSPS rulemaking for methane emissions from the oil and gas sector in full.

We also stated our unified opposition to EPA's proposal to rescind the methane provisions in the NSPS for oil and gas. A full repeal of the direct regulation of methane emissions will only accentuate the consequences of the weaker standards we are discussing today.

Nationally, analysts found that the EPA NSPS methane rule could create more than 50,000 jobs. Retaining the original rule would reduce 11 million more tons of carbon pollution, equivalent to the carbon pollution from burning more than 25 million barrels of oil. The rule as it stands provides certainty to businesses and states. EPA's own analysis found that the methane NSPS is even more cost-effective than initially estimated. Most importantly, retaining the methane NSPS will protect the health of American children, a core mission of EPA as required by Congress.

I respectfully request that you learn from the very state that you have selected to host this public hearing in today and retain the EPA methane standards in full. There is so much to gain for Colorado and the country.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael F. Bennet". The signature is stylized and cursive.

Michael F. Bennet
United States Senator