



March 26, 2024

The Honorable Michael S. Regan
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington DC 20004

Re: Methane Emissions and Waste Reduction Incentive Program for Petroleum and Natural Gas Systems, Docket Number EPA-HQ-OAR-2023-0434

Dear Administrator Regan:

The undersigned national health, medical, nursing and public health organizations write in support of the Environmental Protection Agency's proposed regulations to implement the Methane Emissions Reduction Program's Waste Emissions Charge and urge swift finalization of the proposal. Congress included a clear directive in the passage of the Inflation Reduction Act to reduce methane emissions – a powerful greenhouse gas that is accelerating climate change. These comments seek to highlight the health imperative for reducing methane and mitigating climate change and urge the agency to finalize the rule with several key provisions intact.

The climate crisis threatens the health of everyone and demands urgent, bold action.

According to the National Oceanic and Atmospheric Administration, an unprecedented 28 billion-dollar disasters struck the U.S. in 2023.¹ The Fifth National Climate Assessment painted a grim picture for public health and the ability of health systems to respond to climate change absent drastic emissions reductions.² Millions of people across the U.S. are subject to increasingly frequent and severe weather impacts such as excessive heat or extreme cold, intense rainfall or prolonged drought, and the increase in frequency of catastrophic wildfires.

¹ NOAA National Centers for Environmental Information (NCEI) U.S. Billion-Dollar Weather and Climate Disasters (2024). <https://www.ncei.noaa.gov/access/billions/>, DOI: 10.25921/stkw-7w73

² USGCRP, 2023: Fifth National Climate Assessment. Crimmins, A.R., C.W. Avery, D.R. Easterling, K.E. Kunkel, B.C. Stewart, and T.K. Maycock, Eds. U.S. Global Change Research Program, Washington, DC, USA. <https://doi.org/10.7930/NCA5.2023>

These severe weather events are more than just a one-time disruption. During a disaster, access to healthcare or other essential services may be limited which could have longer lasting impacts on a patient's care. The loss of life, property and community are unfortunately not unusual, and climate-fueled disasters have long-term consequences for health. Flooding often leads to the development of mold in homes and other indoor spaces, which impacts the respiratory system.

Extreme heat can be deadly, particularly for older adults. According to the recent Lancet Countdown U.S. Brief, heat-related mortality for adults 65+ increased 88% in 2018-2022 compared to 2000-2004, with an estimated 23,200 deaths in 2022.³ Wildfires worsen air quality, causing dangerous smoke in communities both near and far from the fire.

Further, as temperatures rise, pollution from cars, trucks, power plants, oil and gas wells and other industrial sources interact with sunlight to form ground-level ozone pollution. The 10 warmest years since 1850 have all occurred in the last decade, and 2023 was by far the warmest year on record.⁴ The American Lung Association's 2023 State of the Air report, using data from 2019-2021, showed that more than 30% of the U.S. population was exposed to high levels of ground-level ozone pollution.⁵ Ozone is one of the most widespread and dangerous pollutants in the U.S. When inhaled, it can damage multiple body systems, such as the respiratory system, central nervous system, reproductive system and is potentially linked to cardiovascular harm.

The physical impacts of climate change are also met with very real mental health impacts. From increased anxiety and depression to specific impacts on individuals living with mental disorders, climate change truly leaves no part of the body untouched. These impacts are not a warning of what's to come, but rather an explanation of what is happening right now that will only grow in severity if left unmitigated.

Reducing methane emissions from the oil and gas industry is a fast, cost-effective way to slow the rate of climate change while also having meaningful impacts on air quality and health equity. Methane has more than 80 times the warming potential of carbon dioxide over a 20-year period. It is a short-lived pollutant that packs a more immediate damaging punch on the climate than carbon, and global methane rates are at an all-time high. NOAA started measuring methane in 1984 and 2023 saw the largest year-over-year increase on record. The International Energy Agency, in a recent report, labeled the United States as the largest emitter of methane from oil and gas.⁶

³ Lancet Countdown, 2023: 2023 Lancet Countdown on Health and Climate Change Policy Brief for the United States of America. Beyeler NS, Knappenberger P, Hess JJ, Salas RN. Lancet Countdown U.S. Policy Brief, London, United Kingdom, 20 pp.

⁴ NOAA National Centers for Environmental Information, Monthly Global Climate Report for Annual 2023, published online January 2024, retrieved on March 13, 2024 from <https://www.ncei.noaa.gov/access/monitoring/monthly-report/global/202313>.

⁵ American Lung Association. State of the Air 2023. Key Findings: Ozone Trends. April 2023.

⁶ IEA (2023), Global Methane Tracker 2023, IEA, Paris <https://www.iea.org/reports/global-methane-tracker-2023>, Licence: CC BY 4.0

Methane emissions are not the only concern from oil and gas pollution. Volatile organic compounds released alongside methane can cause cancer and lead to respiratory and cardiovascular harm. VOCs are also among the pollutants that interact with sunlight to form ground-level ozone, so they have both immediate and secondary impacts on health.

Oil and gas pollution also disproportionately impacts communities of color. The Latino community is particularly overburdened, with 1.8 million Latinos in the U.S. living within a half-mile of an oil and gas facility.⁷ “State of the Air” 2023 found that people of color were 3.7 times more likely than white people to live in a county with the unhealthiest levels of pollution.⁸ Reducing emissions in the communities that have been most overburdened is necessary to meet the administration’s Justice 40 initiative and will also reap national benefits by way of cleaner air.

The proposed waste emissions charge is a commonsense program to hold the nation’s largest oil and gas polluters accountable for their contributions to climate change and health harms. The proposed waste emissions charge applies to the largest polluters – those emitting 25,000 or more metric tons of carbon dioxide equivalent. If companies fail to comply with recently finalized limits on oil and gas pollution – which were overwhelmingly supported by the health and medical community⁹ – they will be subject to a fee based on the reporting of their methane emissions under subpart W of the Greenhouse Gas Reporting Program. If companies comply with the standards and reduce methane waste and pollution, they do not have to pay a fee. Smaller companies with lower emission profiles are exempt.

Companies already have access to cost-effective and successful technologies to reduce emissions, and the Methane Emissions Reduction Program also included over a billion dollars in funding to state, Tribal agencies, communities and operators to reduce emissions. \$350 million in federal funding has already become available to help mitigate methane emissions at end-of-life wells and additional funding opportunities were announced earlier this year.¹⁰

All of the actions taken by EPA to address methane – the New Source Performance Standards, federal grants to reduce emissions, the waste emissions charge and updates to the Greenhouse Gas Reporting rule – are intended to work together to achieve emissions reductions. EPA estimates that this proposed rule will reduce 960 thousand metric tons of methane between 2024

⁷ Clean Air Task Force (2016), Latino Communities at Risk: The Impact of Air Pollution from the Oil and Gas Industry. Fleischman L, Declan K, Maxwell C, Rios E. https://www.catf.us/wp-content/uploads/2016/09/CATF_Pub_LatinoCommunitiesAtRisk.pdf

⁸ American Lung Association. State of the Air 2023. Key Findings. April 2023.

⁹ Comments from Health Organizations to EPA Proposed Standards of Performance for New, Reconstructed, and Modified Sources and Emissions Guidelines for Existing Sources: Oil and Natural Gas Sector Climate Review. Docket Number EPA-HQ-OAR-2021-0317 FRL-8510-02-OAR. Submitted February 2023

¹⁰ U.S. Environmental Protection Agency. (2023, December 15). *Biden-Harris Administration Announces \$350 Million to 14 States to Reduce Methane Emissions from Oil and Gas Sector as Part of Investing in America Agenda* [press release]. <https://www.epa.gov/newsreleases/biden-harris-administration-announces-350-million-14-states-reduce-methane-emissions>

and 2035, as well as 140 thousand metric tons of VOCs and five thousand metric tons of hazardous air pollutants. The climate benefits are estimated to be \$1.9 billion, far outpacing the costs of methane mitigation.

We support the proposed rule and ask for key provisions to be finalized. The Inflation Reduction Act instructed EPA to address methane by deploying industrial equipment processes that reduce methane and waste, supporting innovation and mitigating the health effects of methane. The waste emissions charge component of the Methane Emissions Reduction Program can help meet those deliverables if fully implemented and enforced. We urge that the following be included in the final rule:

- Provide stringent guardrails around exemptions by:
 - following the statute with regard to regulatory compliance exemptions;
 - issuing clear criteria for operators seeking exemptions due to an unreasonable delay in permitting;
 - requiring demonstrations from operators seeking exemptions for plugged wells that the wells have been properly plugged and no longer leak methane, and
 - including verification protocols to ensure exemptions are only available once the conditions in the statute are met and are reflective of accurately reported emissions.
- Establish transparent methodologies for determining an operator's net emissions.

Climate change is a health emergency and also a health opportunity. Swiftly finalizing this proposed rule will set the nation on a path towards a healthier future, less threatened by climate change.

Thank you,

Allergy & Asthma Network
Alliance of Nurses for Healthy Environments
American Lung Association
American Medical Association
American Public Health Association
Asthma and Allergy Foundation of America
Children's Environmental Health Network
Climate Psychiatry Alliance
Health Care Without Harm
Maryland Health Professionals for a Healthy Climate
National Association of Pediatric Nurse Practitioners
National Hispanic Health Foundation
National Hispanic Medical Association
Oncology Advocates United for Climate and Health - International
Physicians for Social Responsibility