

PADEP Presents Update on the OOOOc Rulemaking to the Air Quality Technical Advisory Committee

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On October 10, 2024, the Pennsylvania Department of Environmental Protection (PADEP) presented an update on and summary of OOOOc Rulemaking to the Bureau of Air Quality's Air Quality Technical Advisory Committee (AQTAC). See [PowerPoint Presentation](#), PADEP, "Emissions Guidelines (EGs) for Greenhouse Gas (GHG) Emissions from Existing Crude Oil & Natural Gas Facilities (40 CFR Part 60 Subpart OOOOc)" (Oct. 10, 2024). On March 8, 2024, the U.S. Environmental Protection Agency (EPA) finalized its rule targeting methane emissions from the oil and natural gas sector (the Methane Rule), which established new source performance standards (NSPS) for facilities built, modified, or reconstructed after December 6, 2022 (OOOOb), as well as emissions guidelines (EG) for states to follow in designing and executing state plans for existing sources (OOOOc). See Standards of Performance for New, Reconstructed, and Modified Sources and Emissions Guidelines for Existing Sources: Oil and Natural Gas Sector Climate Review, 89 Fed. Reg. 16,820 (Mar. 8, 2024) (to be codified at 40 C.F.R. pt. 60). The Methane Rule applies to oil and gas facilities involved in production and processing (including equipment and processes at well sites, storage tank batteries, gathering and boosting compressor stations, and natural gas processing plants) and natural gas transmission and storage (including compressor stations and storage tank batteries). The Rule requires frequent monitoring and repair of methane leaks at well sites, centralized production facilities, and compressor stations using established inspection technologies or, at an operator's selection, novel advanced detection technologies. OOOOb applies to affected facilities that begin construction, reconstruction, or modification after December 6, 2022, while OOOOc (as implemented by state programs) will apply to sources existing as of that same date. The main differences between OOOOb and OOOOc are the timeframe for compliance and the additional requirements for new wells, particularly relating to flaring and well completions.

Under 25 Pa. Code § 122.3, Pennsylvania will incorporate OOOOc by reference and adopt a State Plan based on the Model Rule. PADEP has until March 8, 2026, to submit the State Plan to EPA. The State Plan must document meaningful engagement, which includes input from PADEP advisory bodies, environmental justice communities, stakeholder outreach and discussion, and public hearings. After the State Plan is submitted, EPA has 60 days to determine completeness and then has one year to approve or disapprove the plan. Under the regulations, EPA has until May 2027 to approve the state plans. The projected compliance deadline for owners and operators will be the first quarter of 2029.

Notably, the Methane Rule has several key subparts. First, it aims to phase out venting and flaring of gas from oil wells because the most significant emissions reductions will come from this directive. The Methane Rule also creates the Super Emitter Program (SEP) for identifying and addressing significant methane leaks from production facilities, including an avenue for qualified third parties to alert EPA of owners and operators exceeding the emissions standards and for EPA to require owners/operators to investigate such alerts. A "super emitter" event is defined as emissions of 100 kg (220.5 pounds) of methane per hour or larger. Further, the Methane Rule is also applicable to storage vessels, as owners and operators of existing tanks or tank batteries will need to evaluate a new applicability trigger under OOOOc. Under the presumptive standard, for existing storage tanks or tank batteries with a potential to emit of 20 tons of methane per year or greater, owners/operators will have to reduce their emissions by 95%.

The Methane Rule also establishes new leak detection and repair (LDAR) requirements based on the type of facility involved, which generally includes well sites, centralized production facilities, and compressor stations where methane is emitted. Additionally, for well closure, fugitive emissions monitoring is required to continue until closure and, once closed, a final optical gas imaging survey must be performed. All pneumatic pump affected facilities in the

oil and gas industry and pneumatic controllers must have zero emissions, and natural gas-driven pumps are prohibited except at facilities with fewer than three natural gas-driven diaphragm pumps in areas where other power sources are inaccessible. There are also new requirements for well liquids unloading, centrifugal compressors, reciprocating compressors, covers and closed vent systems, natural gas processing plant equipment leaks, and sweetening units.

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