



December 9, 2022

Docket Clerk
Regulations.gov
Washington, DC

RE: Prevention of Significant Deterioration and Nonattainment New Source Review:
Reconsideration of Fugitive Emissions Rule – 87 Fed. Reg. 62322 (Oct. 14, 2022),
Docket ID No. EPA-HQ-OAR-2004-0014 – Request for Extension of Time

Dear Madam or Sir:

GPA Midstream Association (GPA Midstream) respectfully requests that the Environmental Protection Agency (EPA) provide an additional 60-day extension to the time to submit comments on EPA's Prevention of Significant Deterioration and Nonattainment New Source Review: Reconsideration of Fugitive Emissions Rule, 87 Fed. Reg. 62322 (Oct. 14, 2022) ("Proposed Fugitive Emissions Reconsideration").¹

GPA Midstream has served the U.S. energy industry since 1921 and has over 60 corporate members that directly employ more than 56,000 employees that are engaged in a wide variety of services that move vital energy products such as natural gas, natural gas liquids ("NGLs"), refined products, and crude oil from production areas to markets across the United States, commonly referred to as "midstream activities." The work of our members indirectly creates or impacts an additional 396,000 jobs across the U.S. economy. GPA Midstream members gather over 77% of the natural gas and recover more than 80% of the NGLs such as ethane, propane, butane, and natural gasoline produced in the United States from more than 380 natural gas processing facilities. In the 2019-2021 period, GPA Midstream members spent over \$100 billion in capital improvements to serve the country's needs for reliable and affordable energy.

GPA Midstream has actively participated in the public process for EPA's regulation of air emissions from oil and gas sources, dating back multiple decades. We have always sought to provide meaningful and constructive comments and to bring our industry technical expertise to EPA's rulemaking efforts. For this proposal, EPA currently has provided a limited extension of the comment period to February 14, 2023. However, the proposal proffers novel technical and legal issues that span decades and will require significant time by stakeholders to consider this

¹ <https://www.govinfo.gov/content/pkg/FR-2022-10-14/pdf/2022-22259.pdf>

rule and offer meaningful comment. For that reason alone, we urge EPA to allow more time for comment.

However, even beyond that, there are multiple overlapping proposals now pending with short timelines that are running concurrently over the holiday period with the Proposed Fugitive Emissions Reconsideration that also apply to the midstream oil and gas sector. In view of these overlapping timelines, we urge EPA to further extend the time for comment on this Proposed Fugitive Emissions Reconsideration.

For example, comments are due on EPA's supplemental Proposed Standards of Performance for New, Reconstructed, and Modified Sources and Emissions Guidelines for Existing Sources: Oil and Natural Gas Sector Climate Review, 87 Fed. Reg. 74702 (Dec. 6, 2022) ("Supplemental Proposal") on February 13 - only one day before comments are due on this Proposed Fugitive Emissions Reconsideration. Referred to by EPA as its methane rule, the Supplemental Proposal is complex and expansive – EPA has put out 1000+ pages of new information and data for public review on top of the already expansive set of information proffered last year that needs to again be considered. Further, EPA has for the first time proposed new regulatory text for a set of new revised new source rules, as well as for the first time, existing sources. This expansive and unprecedented rulemaking demands significant attention of the professionals and management responsible at our members for the issues covered – the same air quality professionals that would prepare comments on the Proposed Fugitive Emissions Reconsideration.

Moreover, at the same time, EPA has put out a Request for Information on the Methane Emissions Reduction Program (Docket ID No. EPA-HQ-OAR-2022-0875) (Request for Information).² This request seeks input from stakeholders on an expansive set of issues and the enormous financial implications for these requests. Request No. 7, for example, broadly asks for input on implementation of the methane fee only recently enacted by Congress. EPA Request for Information ("What issues should EPA consider related to waste emissions charge implementation?"). Similarly, EPA's Request for Information asks, in No. 8, a broad question regarding subpart W, the GHG reporting rule. EPA Request for Information ("What revisions should EPA consider related to GHGRP Subpart W?") Subpart W is a regulation that has been under review for some time now, and as a result, there are literally many years of materials and a range of issues to consider. Further, these two requests are just two of many requests on which EPA sought input in this Request for Information.

Lastly, the timeline EPA has offered for these multiple overlapping proposals is especially prejudicial considering that EPA has chosen to seek input from the public on these issues over the Thanksgiving, Christmas and New Year's holidays.

² <https://www.regulations.gov/docket/EPA-HQ-OAR-2022-0875>

Accordingly, we respectfully request that EPA extend the period of time for comment on the Proposed Fugitive Emissions Reconsideration by not less than an additional 60 days.

Sincerely,

A handwritten signature in black ink, appearing to read "Matt Hite". The signature is written in a cursive, flowing style.

Matt Hite
Vice President of Government Affairs
GPA Midstream Association