



November 21, 2022

**BY EMAIL**

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RE: Request for Extension of Comment Period on EPA's Proposed Standards of Performance for New, Reconstructed, and Modified Sources and Emissions Guidelines for Existing Sources: Oil and Natural Gas Sector Climate Review - Docket ID No. EPA-HQ-OAR-2021-0317

Dear Ms. Marsh and Ms. Hambrick:

GPA Midstream Association (GPA Midstream) respectfully requests that the Environmental Protection Agency (EPA) provide a minimum of a 60-day extension of the comment period on EPA's Supplemental Proposal of Standards of Performance for New, Reconstructed, and Modified Sources and Emissions Guidelines for Existing Sources: Oil and Natural Gas Sector Climate Review (Supplemental Proposal) – Docket ID No. EPA-HQ-OAR-2021-0317, which includes a 504-page preamble and 600 pages of regulatory text, as well as extensive additional materials.<sup>1</sup>

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<sup>1</sup> Available at <https://www.epa.gov/controlling-air-pollution-oil-and-natural-gas-industry/epa-issues-supplemental-proposal-reduce>.

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 to the EPA’s initial OOOO proposal more than a decade ago. We have always sought to provide meaningful and constructive comments and to bring our industry technical expertise to EPA’s rulemaking efforts. EPA’s Supplemental Proposal, however, currently provides only a 60-day comment period. This timeframe is insufficient to permit stakeholders to provide meaningful comment, especially in view of the expansive set of issues for which EPA has explicitly asked for comment. EPA’s own compilation of just the items on which it explicitly solicits input spans 20 pages and includes some 144 separate requests for comment.<sup>2</sup> The agency must allow stakeholders an adequate opportunity to provide comment and this includes sufficient time to actually consider the extensive discussion in the Proposal, let alone the expansive list of specific requests for input.

In addition, the Supplemental Proposal includes 600+ pages of contemplated regulatory changes across the newly redefined Crude Oil and Natural Gas source category. This includes, as you know, new approaches for regulating emissions from both new, reconstructed, and modified sources *and* the hundreds of thousands of existing sources across the sector not previously regulated by EPA requirements. This includes significant new approaches to addressing emissions, as well extensive associated new monitoring, recordkeeping and reporting requirements.

Even further than the regulatory language, to assess fully, stakeholders will need to review the record proffered by EPA in support of its Proposal governing different categories and types of equipment across EPA’s source category – including the 252 page Regulatory Impact Analysis (Nov. 2022), 137 page supplementary draft report on the Social Cost of GHG (Sept. 2022) and associated materials - and attempt to assess the feasibility of the approaches to both new and existing sources, which often present different and complex scientific and economic analyses. This effort will require thorough and deliberate consideration.

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<sup>2</sup> EPA, Standards of Performance for New, Reconstructed, and Modified Sources and Emissions Guidelines for Existing Sources: Oil and Natural Gas Sector Climate Review Supplement Proposed Rule Summary of Comment Solicitations (Oct. 2022), available at [https://www.epa.gov/system/files/documents/2022-11/MEMO\\_Supplemental%20Rule\\_Comment%20Solicitations\\_October%202022%20%281%29.pdf](https://www.epa.gov/system/files/documents/2022-11/MEMO_Supplemental%20Rule_Comment%20Solicitations_October%202022%20%281%29.pdf)

Moreover, a critical piece of an EPA rulemaking is often the supporting documents such as the Technical Support Document (TSD), which EPA often relies on extensively to support its rules and to provide technical support for its response to comments on stakeholders. Here EPA has cited a new TSD, but EPA has not listed the document in its collection of documents supporting the rule on EPA's website. *See* Preamble to Supplemental Proposal at 288, n. 191 (*citing*, U.S. Environmental Protection Agency. Supplemental Background Technical Support Document for the Proposed New Source Performance Standards (NSPS) and Emissions Guidelines (EG, Supporting Spreadsheets (August 2022)) And, to our knowledge, the referenced TSD and supporting spreadsheets (and the remaining other new supporting information) are not available on EPA's docket. Nor has EPA posted a revision Appendix K, which is the highly technical document regarding monitoring requirements. It is highly unfair to have pushed out this rule and demanded a prompt set of comments, without apparently even making the full record readily available.

In sum, given the breadth and complexity of the issues raised and material included in the proposal, amplified by the significant economic impact contemplated by a regulation like that outlined in the Supplemental Proposal, we respectfully submit that an extension would assist GPA Midstream in providing meaningful comments. The timeline EPA has offered is especially prejudicial considering that EPA has taken 10 months to produce a still incomplete set of allegedly supporting materials – and then expects the thousands of pages of information to be reviewed imminently and comments prepared over the Thanksgiving, Christmas and New Year's holidays.

Accordingly, we respectfully request that the comment period for submission to EPA be extended by not less than 60 days.

Sincerely,

A handwritten signature in black ink that reads "Matt Hite". The signature is written in a cursive, slightly slanted style.

Matt Hite  
Vice President of Government Affairs  
GPA Midstream Association