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Abigail Tardif
Acting Assistant Administrator, Office of Air and Radiation
U.S. Environmental Protection Agency
1200 Pennsylvania Ave., NW
Washington, DC 20460

Request to Grant Company Requests for Extensions of Subpart OOOOb Deadlines

Acting Assistant Administrator Tardif:

GPA Midstream Association ("GPA Midstream") respectfully requests that the U.S. Environmental Protection Agency ("EPA") grant company requests for extensions of deadlines under the New Source Performance Standard ("NSPS") for the Oil and Natural Gas Sector, 40 C.F.R. Part 60 Subpart OOOOb, where the requested relief is warranted and legally available. Rather than seeking a blanket extension on behalf of association members, we ask EPA to consider and approve individual requests submitted by owners or operators, based on the deadlines, facility circumstances, supporting information, and proposed extension periods identified in those requests. This request includes annual reporting deadlines and other Subpart OOOOb deadlines for which EPA has authority to grant extensions.

GPA Midstream has served the U.S. energy industry since 1921 and represents approximately 45 domestic corporate members that directly employ 57,000 employees engaged in the gathering, transporting, processing, treating, storage, and marketing of natural gas, natural gas liquids, crude oil and refined products, commonly referred to as "midstream activities." The work of our members indirectly creates or impacts an additional 470,000 jobs across the U.S. economy. In 2024, GPA Midstream members had an economic impact of $191 billion through operating 502,900 miles of gas gathering pipelines, gathering more than 91 billion cubic feet per day of natural gas, and operating more than 342 natural gas processing facilities that delivered pipeline quality gas into markets across a majority of the U.S. interstate and intrastate pipeline systems.

EPA has authority to adjust certain reporting deadlines. The NSPS General Provisions at 40 C.F.R. § 60.19(c) provide that "[n]otwithstanding time periods … specified in this part for the submittal of information to the Administrator by an owner or operator … such time periods … may be changed by mutual agreement between the owner or operator and the Administrator." The rules further specify, at 40 C.F.R. § 60.19(f)(2), that an "owner or operator who wishes to request a change in a time period … for a particular requirement shall request the adjustment in writing as soon as practicable before the subject activity is required to take place" and that the "owner or operator shall include in the request whatever information he or she considers useful to convince the Administrator that an adjustment is warranted." The Administrator may approve

a request if, in his judgment, the adjustment "is warranted."

These provisions provide a mechanism for owners or operators to request adjustments to reporting time periods, supported by information demonstrating why relief is warranted. GPA Midstream asks EPA to use that authority to grant qualifying company requests. For requests involving substantive compliance deadlines or other obligations, EPA should identify and apply the authority available for the particular requirement; the reporting adjustment provisions cited above should not be treated as a general authorization to extend every Subpart OOOOb deadline.

A principal basis for granting extension requests is that EPA has proposed substantial revisions to numerous OOOOb provisions currently subject to annual reporting requirements. As a result, regulated entities may be required to identify and report as deviations actions that would not constitute deviations under EPA's pending reconsideration proposal, which is titled, "Additional Reconsideration Standards of Performance for New, Reconstructed, and Modified Sources and Emissions Guidelines for Existing Sources: Oil and Natural Gas Sector Climate Review.**"** Requiring companies to prepare and submit annual reports before EPA completes that reconsideration risks creating an inaccurate compliance record and expending resources documenting as violations levels that the Agency has proposed and may soon decide are fully compliant. These include the following that would *not* be deviations under EPA's proposal:

1. Process Controllers >100 psig pressure not at the zero-emissions standard at compressor stations. Would be exempt under proposed reconsideration.
2. Pumps already controlled by 95% on December 6, 2022, that are pushed into modification/reconstruction. Exempt under reconsideration
3. Missed audio, visual, and olfactory inspections ("AVOs") or optical gas imaging ("OGI") monitoring where an alternative monitoring event took place within the same period. Under reconsideration, no deviation would have occurred.
4. Any leaks that were identified on tank closed vent system ("CVS") subject to OOOO or OOOOa that had repair deviations for OOOOb. No longer a source of fugitives in the new definition in the reconsideration rule.
5. Storage tanks at centralized production facilities where the tanks were pulled in through modification under the existing rule. Under the reconsideration rule, these tanks would no longer be subject to the requirements.
6. Any CVS leaks under no identifiable emissions ("NIE") standard. Those would not be deviations if the repair deadlines are met in the reconsideration rule.
7. Any deviations on monitoring or repairs of leaks at gas plants below the proposed 1% methane and 10% VOC wet gas "in service" concentration thresholds would exempt the fugitive component under the proposed reconsideration rule.
8. Any late Method 22 flare observations where the new 24-hour grace period was met under the proposed reconsideration language.
9. Any deviations for temporary flares that did not meet the monitoring standards.
10. Any deviations for marginal wells subject to the rule that have reduced monitoring

frequencies (fugitives) or allow for alternative standards (controllers) in the new reconsideration rule.

EPA has also not yet made available the reporting forms, templates, and implementation guidance needed for complete and accurate reporting through the Compliance and Emissions Data Reporting Interface ("CEDRI"). Although reports can be submitted outside of CEDRI, the prudent approach would be to align reporting deadlines with the availability of final forms and instructions in CEDRI, so regulated entities can submit complete and accurate reports consistently. Companies need adequate lead time after final forms and guidance are published to develop internal systems, train personnel, validate data, and ensure accurate submissions. EPA should therefore finalize all required CEDRI templates, instructions, and supporting guidance, and make them available with sufficient lead time, before any reporting deadline.

EPA should provide additional time before regulated entities are required to comply with the pending reporting obligations because companies are currently dedicating significant personnel, technical, and financial resources to implementing measures that directly reduce emissions and improve environmental performance. Requiring immediate compliance with reporting requirements that may soon be revised risks diverting those limited resources away from activities that provide tangible emissions benefits. In addition, moving forward under requirements that remain subject to ongoing reconsideration creates unnecessary uncertainty for regulated entities, state agencies, and the public. Companies may invest substantial resources in developing reporting systems, procedures, and compliance approaches that could become obsolete if EPA adopts revisions to the underlying requirements. Providing a reasonable compliance extension would allow regulated entities to focus on emissions-reduction activities while ensuring that reporting systems are built around final, stable regulatory requirements.

For the reasons discussed above, GPA Midstream respectfully requests that EPA give favorable consideration to company-specific requests for extensions of Subpart OOOOb deadlines where warranted by the facts presented and permitted under applicable law. Doing so would promote accurate reporting, regulatory certainty, efficient allocation of compliance resources, and effective implementation of the Agency's ongoing reconsideration effort. GPA Midstream appreciates EPA's consideration of these requests and stands ready to assist the Agency in addressing any questions.

Sincerely,





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