



Association of Irrigated Residents - California Communities Against Toxics

May 15, 2015

Elizabeth Scheehle, Chief
Oil and Gas and Greenhouse Gas Mitigation Branch
California Air Resources Board
1001 "I" St. Sacramento, CA, 95814

Subject: Comments on "Proposed Regulation Order Article 3: Greenhouse Gas Emission Standards for Crude Oil and Natural Gas Facilities"

Dear Ms. Scheehle:

On behalf of the undersigned organizations we wish to thank you for the opportunity to comment on the proposed regulations on greenhouse gas emissions from oil and gas facilities. Regulating greenhouse gasses and other air emissions from oil and gas operations is a crucial step in reducing the many negative impacts of this industry on climate and health. We support the steps that the California Air Resources Board (CARB) has taken to begin regulating the oil and gas industry more effectively.

We urge CARB to adopt the most climate and health protective regulations possible. The following areas must be addressed in order to achieve this level of protection. As organizations concerned with protecting community health, in addition to reducing greenhouse gasses, we urge the adoption of regulations that maximize co-benefits. These regulations offer an opportunity to achieve multiple positive impacts, by reducing emissions of volatile organic compounds (VOC's) and other health harming emissions, while also addressing the primary mandate under AB 32 of reducing methane emissions. We urge the following improvements to the regulations:

1. **Include oil and gas wastewater discharge sites in the regulations.** Oil sumps may be a significant source of methane and VOC emissions. CARB should immediately launch a

program to inventory both methane and VOC emissions from oil sumps and require vapor control or eliminate open pits.

2. **Evaluate district rules for opportunities to further reduce emissions.** Many district level rules that focus on VOC emissions reductions, could be improved to further reduce greenhouse gas emissions. For example, district rules dealing with oil sumps and flaring should be evaluated as to their effectiveness in reducing methane and other health harming emissions. While the local air districts have primarily regulated these facilities to reduce VOC emissions, there may be methane reductions that would result from more stringent or better designed rules. The San Joaquin Valley Air Pollution Control District's Oil Sump Rule #4402 for example, is much less stringent than other districts, and may be resulting in significant VOC and methane emissions.
3. **Monitor, and evaluate co-benefits.** We urge CARB to include monitoring that quantifies co-benefits, such as VOC emission reductions. These regulations should result in demonstrating actual reductions in health harming emissions, based on measurable test results that are verifiable and accurate.
4. **CARB should evaluate cumulative impacts of new and existing wells, and assist in new well permitting.** Currently, the permitting process of the Division of Oil, Gas and Geothermal Resources (DOGGR) does not consider emissions of methane or any other air quality issues. CARB should evaluate cumulative impacts of multiple well projects, field level emissions, and statewide or regional impacts that are not accounted for in the permitting process for new wells by DOGGR.
5. **More frequent inspections.** Annual inspections for leaks are inadequate. We urge CARB to require quarterly inspections consistent with the practice in Colorado¹, Ohio² and Wyoming³. More frequent inspections will result in catching leaks faster, therefore making the regulations more effective
6. **District level enforcement should be reconsidered.** As some of our organizations work in the San Joaquin Valley, we have concern about the local air district's ability and/or willingness to enforce these and other rules. The San Joaquin Valley Air Pollution Control District (SJVAPCD) has a poor track record of protecting communities from oil and gas, and other industrial pollution. One specific example of their inadequate enforcement, is that the SJVAPCD does not currently require best available control technology (BACT) for tanks containing crude oil and waste water. EPA recently issued a Notice of Violation (April 30, 2015) to the Bakersfield Crude Terminal which included the following statement of fact: "Geodesic domes have been installed in the United States which enclose tanks storing petroleum liquids. These domes lower emissions from the tanks. Since this control technology has been achieved in practice, it is BACT for these types of tanks. The tanks at the Facility are not enclosed by geodesic domes."

¹ <https://www.colorado.gov/pacific/cdphe/aqcc-meeting-materials-february-19-23-2014>

² <http://www.epa.ohio.gov/dapc/genpermit/genpermits.aspx>

³ Wyoming Air Quality Standards and Regulations (WAQSR) Chapter 6 Section 2 New Source Review (NSR) permitting program, http://www.pipelinelaw.com/files/2014/04/September_2013_Oil_and_Gas_Revision_UGRB.pdf

These regulations must ensure that local air districts appropriately enforce permit conditions and actively impose BACT requirements whenever feasible. The regulations should include more enforcement assurances from CARB and less reliance on local air districts. CARB should consider whether it has the resources to carry out its own enforcement. If that is not feasible, CARB should examine options for ensuring district level enforcement is adequate, such as requiring reporting by districts on enforcement activities, or conducting spot checks to ensure compliance.

Thank you for considering these comments. We look forward to continuing to engage as this process moves forward.

Sincerely,

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