

Environment & Energy

Oil and Gas Air Emissions Cuts Required Under Pennsylvania Rule

By Zach Bright

Nov. 30, 2022, 1:47 PM

- Rule applies to conventional production
 - Adoption beats deadline to qualify for highway funds
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Methane emissions and other air pollution from conventional oil and gas sources in Pennsylvania will be reduced under an emergency regulation the state Environmental Quality Board passed on Wednesday, beating a deadline for access to federal highway funds.

The rule, passed 16-2, will cut air pollution from volatile organic compounds and methane emissions that contribute to climate change from conventional oil and gas operations. VOCs are precursors to ground-level ozone, a public health and environmental hazard.

The measure had to be passed by Dec. 16 to comply with federal requirements for highway funding. Missing the deadline would have cost the state more than \$800 million federal highway funding dollars, said the state Department of Environmental Protection's acting secretary, Ramez Ziadeh.

"Due to the actions of the House Environmental Resources and Energy Committee, we have no choice but to consider this emergency certified rulemaking in order to comply with federal regulations," Ziadeh said.

Years in the Making

Under the Clean Air Act, states are required to submit state implementation plans to the Environmental Protection Agency that includes VOC emissions rules for all required oil and gas sources.

The state Environmental Quality Board took six years to complete the rulemaking, saying the time needed was due in part to a gap in state data. The rule was adopted in October and then approved Nov. 17 by the state Independent Regulatory Review Commission before moving on to the vote by the board.

"No regulation takes six years to complete. This is unacceptable. The only reason we are here today is because of the department's incompetence," Glendon King, executive director for the Republican House Environmental Resources and Energy Committee, said Wednesday ahead of the vote.

The Pennsylvania House Environmental Resources and Energy Committee, led by Republicans, further delayed the process by sending a letter of disapproval to the regulatory review commission. Its action threatened to delay rulemaking to 2023 and make the state miss the Dec. 16 deadline.

"I've seen my conservative colleagues starve the DEP of resources," Greg Vitali, House Democratic chairman of the State Environmental Resources and Energy Committee, said before the vote. "They've starved the air program of resources, starved them of personnel to do these regulations, and then blame them for not moving faster."

The emergency regulation will go into effect upon notice or publication in the Pennsylvania Bulletin. A rule for unconventional, or fracked, gas sites is set to publish in the Bulletin on Dec. 10.

Pennsylvania law requires that the two industries be regulated separately.

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