



Wendy Kirchoff Testimony  
EPA Listening Session for Upcoming Oil and Natural Gas Methane Rule  
June 15, 5pm CT/6 pm ET

Thank you for the opportunity to speak today about the importance of reducing methane emissions and balancing the essential value of US oil and natural gas production with the global challenge of addressing climate change.

My name is Wendy Kirchoff. I am the vice president of regulatory policy at the American Exploration and Production Council, which represents many of our country's independent oil and natural gas producers.

AXPC supports regulation of methane that encourages innovation and flexibility, allows, and incentivizes technology for compliance, quantifies the feasibility of costs and benefits for existing facilities, and avoids duplicative state and federal regulation – and of course, is in line with the Clean Air Act.

Industry approaches and technologies have changed significantly over the last five –to six years. For years, our members have worked collaboratively with EPA staff to enhance regulatory clarity and the ability to incorporate technological advancements.

AXPC believes that EPA made important reforms to the New Source Performance Standard (Subpart OOOOa) in its 2020 Technical Revisions Rule that should be retained as beneficial lessons learned from the implementation of the 2016 rule. These include:

- Streamlined recordkeeping and reporting requirements for Leak Detection and Repair (LDAR);
- Improved processes for approving new technologies as Alternative Means of Emission Limitation (AMEL);
- Clarifying the historic interpretation to allow the averaging of emissions from storage tanks that are manifolded together and commonly controlled when determining the potential to emit six tons per year of Volatile Organic Compounds (VOCs); and
- Differing considerations for low-production wells.

As EPA moves forward with developing new methane rules, we hope to continue collaborative discussions to ensure regulations are effective and workable, while avoiding unintended consequences.

Our industry operates under the highest environmental standards in the world. Our commitment to environmental protection is clear, as the United States is a world leader in both energy production, and CO<sub>2</sub> emission reductions over the past two decades.

A lot of that progress can be credited to the industry's investment in the development of emission reducing technologies. For example, AXPC members are piloting new leak detection technologies in hopes of improving efficiency, such as finding and fixing bigger leaks faster than

the methods currently accepted in today's rule. These include aerial leak detection utilizing planes and satellites, as well as ground-based sensors, to name a few.

To best capitalize on these opportunities to further emission reductions, regulations should be enhanced to allow for and incentivize technology deployments, such as by:

- Further streamlining the AMEL process to allow “equivalency in emission-reduction” to be determined on a basin-wide level;
- Expediting the process for subsequent operators to get approval for technologies that have already been approved for another operator on similarly situated sites;
- Providing additional guidance on how to show equivalency in new technology as compared to Optical Gas Imagery (OGI); as well as
- EPA's acceptance of one or more proven technologies for widespread implementation through future rulemaking(s).

Additionally, we want to work with EPA on an approach to existing sources that recognizes that the economics and circumstances are very different for existing sources than for new sources.

Regulatory certainty and workability enable our companies' ability to support the American economy, meet responsibilities, and continue investments in emission reducing technologies. We think it vital that we work together to develop rules that are effective, can withstand legal scrutiny, allow for advanced environmental technologies, while also supporting domestic production and good-paying American jobs.

Thank you again for the opportunity to be here today; I look forward an ongoing partnership with EPA and state regulatory agencies on these issues of importance to our industry, to the communities where we operate, and the families and businesses that we serve.

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