

[DRAFT] U.S. Methane Policy

Consistent with Methane Guiding Principle #4: Advance Sound Policy and Regulations”

Background

- In 2016, EPA issued a rule which for the first time directly regulated emissions of methane from ***new and modified sources***, known as the Quad Oa regulation.
- EPA recently proposed a number of revisions to the Quad Oa regulation to make it more cost-effective.
 - o Reduced the frequency of monitoring from twice to once per-year for larger volume wells and to once every-other year for low volume wells
 - o Allowed in-house engineers to make certain certifications rather than requiring a registered professional engineer
 - o Allowing alternative compliance with certain state regulations that are equivalent in stringency to Quad Oa
- EPA is considering a further amendment to Quad Oa to rescind the *direct* regulation of methane for new/modified sources and replace it with a rule which directly regulates VOCs
 - o Quad Oa has been challenged in court based upon concerns that EPA failed to meet a procedural legal requirement by failing to make a formal finding that methane is an endangering pollutant under the Clean Air Act.
 - o Some also have urged EPA to drop the direct regulation of methane because this would remove the legal predicate that would thereafter require EPA to issue a future rule regulating methane emissions from ***existing sources*** (albeit without any specified deadline for doing so).
 - o If EPA should drop the regulation of methane, Quad Oa will continue to regulate VOCs which will reduce methane as a co-benefit.
 - o Over time, more and more existing sources will become subject to Quad Oa as they are “modified” or “reconstructed.”

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