



MATTHEW G. BEVIN
GOVERNOR

CHARLES G. SNAVELY
SECRETARY

**ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION**

ANTHONY R. HATTON
COMMISSIONER

300 SOWER BOULEVARD
FRANKFORT, KENTUCKY 40601
TELEPHONE: 502-564-2150
TELEFAX: 502-564-4245

November 25, 2019

The Honorable Andrew Wheeler, Administrator
U.S. Environmental Protection Agency
William Jefferson Clinton Building
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Re: Comments relating to *Oil and Natural Gas Sector; Emission Standards for New, Reconstructed, and Modified Sources Review*;¹ Docket ID: EPA-HQ-OAR-2017-0757

Dear Administrator Wheeler,

On behalf of the Commonwealth of Kentucky, the Energy and Environment Cabinet, Division for Air Quality (Division) respectfully submits the following comments relating to the United States Environmental Protection Agency's (EPA) proposed rule *Oil and Natural Gas Sector; Emission Standards for New, Reconstructed, and Modified Sources Review*.

The Division supports EPA's primary proposal to remove the transmission and storage segment from the source category. The expansion of the source category is inappropriate as that segment of the industry is functionally separate from production and processing. If the EPA determines that the methane emissions from the transmission and storage segment cause or contribute significantly to air pollution that may reasonably be anticipated to endanger public health or welfare, the Division supports EPA proposing a separate rulemaking for the regulation of transmission and storage sources.

In the proposed rule, the EPA states, "[r]escinding the applicability to methane emissions of the 2016 NSPS OOOOa requirements, while leaving the applicability to VOC emissions in place, will not affect the amount of methane emissions reduction than those requirements will achieve."² The Division agrees that without necessary changes to the current requirements, the costs to comply with the current rule will outweigh any actual reduction in the amount of methane emissions. In addition, with the removal of the storage and transmission segment from the source

¹ 84 FR 50244

² 84 FR 50246

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category, the Division agrees that the methane emission reduction strategies are duplicative of the VOC emission reduction strategies.

The Division also notes that the EPA requests comments on topics that are broader in scope than this particular rulemaking, such as the specific elements of criteria that might govern significant contribution findings, whether the Administrator should determine a threshold for significant contribution under CAA section 111(b)(1)(A), and the legal and practical implications resulting from the effect of precursors to criteria pollutants on the triggering of CAA section 111(d) requirements.³ Therefore, the Division recommends that the EPA request these comments through an advance notice of proposed rulemaking (ANPR) or an information collection request (ICR) to provide for meaningful public participation and review of these issues as they reach beyond the scope of this source category and proposal.

The Division appreciates EPA's consideration of the above comments. If you have questions or comments, please contact me at Melissa.Duff@ky.gov at your convenience.

Sincerely,

A handwritten signature in blue ink that reads "Melissa Duff". The signature is written in a cursive style with a long horizontal stroke at the end.

Melissa K. Duff, Director
Division for Air Quality

³ 84 FR 50269