



**THE ADMINISTRATOR**

WASHINGTON, D.C. 20460

June 27, 2024

Kimberly L. Jones, Ph.D.  
Chair, Science Advisory Board  
U.S. Environmental Protection Agency  
William Jefferson Clinton Federal Building  
Washington, D.C. 20460

Dear Dr. Jones:

I would like to thank you and the other members of the U.S. Environmental Protection Agency Science Advisory Board for your January 17, 2024, report on the scientific and technical basis of the proposed rule, titled "Greenhouse Gas Reporting Rule: Revisions and Confidentiality Determinations for Petroleum and Natural Gas Systems (RIN 2060-AV83)." The SAB elected to review the scientific and technical basis of this rule on June 23, 2023. The SAB workgroup conducted deliberations at a November 30, 2023, public virtual meeting and considered oral and written public comments throughout the process. The SAB then submitted their resulting report to the EPA.

The SAB Report included the following recommendations:

- Convene a group of experts to advise on how to create a statistically robust, regionally specific sampling approach to developing site-level emission factors.
- Use an approach to improve the accuracy of reported emissions and potential Waste Emissions Charge fees in consideration of regionally observed emissions by looking at differences of basin-level, facility level and Greenhouse Gas Reporting Program reported emissions.
- Sponsor regular basinwide assessments of total methane emissions in collaboration with other government agencies and compare those assessments to reported emissions.
- Eliminate consideration of the 250 metric tons of carbon dioxide equivalent as an independent threshold for a large-emission event.
- Expand information available on pollutants co-emitted with methane by creating data sets of regional-produced gas compositions and any variance across production site components and oil and natural-gas value chains.

The EPA announced<sup>1</sup> May 6, 2024, a final rule to strengthen, expand and update methane emissions reporting requirements for petroleum and natural-gas systems under Subpart W of the EPA's Greenhouse Gas Reporting Program to ensure greater transparency and accountability for methane pollution from oil and natural-gas facilities by improving the accuracy of annual emissions reporting from these operations. This is consistent with the Congressional directives in the Inflation Reduction Act under Clean Air Act section 136(h) and the EPA's authority under the Clean Air Act. The EPA carefully reviewed and considered the SAB recommendations in developing this final rule.

In the final rule the EPA streamlined the other large release events source category, consistent with the SAB's recommendation that we reconsider the proposed 250 metric ton CO<sub>2</sub>e threshold. The EPA finalized a single threshold of 100 kg/hr methane. This source category was added to account for abnormal or large emission events not otherwise accounted for in Subpart W, and the EPA has finalized methods that avoid double counting of emissions from these events.

Several of the SAB recommendations relate to incorporating regional and basin measurement techniques and data into Subpart W reporting. These recommendations would incorporate more advanced measurement technologies. The final rule incorporates advanced measurement approaches including to help identify and quantify other large release events, quantify emissions from completions and workovers with hydraulic fracturing and determine flare efficiency. The EPA recognizes that these technologies and their use for annual quantification of emissions are evolving rapidly. The EPA is committed to transparent and continuous improvements to its programs to ensure reporting is accurate and complete. The EPA intends to take the following steps to gather further information about advanced measurement technologies and to inform potential regulatory changes or other standard setting programs that encourage the use of more accurate and comprehensive measurement strategies.

- The EPA this summer plans to solicit input on the use of advanced measurement data and methods in subpart W by issuing a request for information and opening a nonregulatory docket, including specific questions and topics on which the EPA seeks input from the public. The EPA intends to use the feedback received to consider whether it is appropriate to undertake further rulemaking addressing the use of advanced measurement technologies in Subpart W.
- The EPA also seeks to continuously update our knowledge about new measurement and detection technologies and to elicit input from stakeholders and experts about how such advances should inform the EPA's reporting regulations. To keep pace with this dynamic field, the EPA plans to undertake a solicitation or engagement for information about advanced measurement technologies in the form of a request for information, workshop or similar mechanism on at least a biennial basis. These engagements will enable the EPA to learn about technological advances and the extent to which there is robust information about their accuracy, reliability and appropriateness for use in a regulatory reporting program.

Additionally, the EPA notes that on February 9, 2024, the Department of Energy and the EPA announced a notice of intent to make IRA funds available to help measure and reduce methane

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<sup>1</sup> See <https://www.epa.gov/newsreleases/biden-harris-administration-announces-final-rule-cut-methane-emissions-strengthen-and>


emissions from the oil and gas sector, with one of the areas of focus as “characterizing and quantifying methane emissions from oil and natural-gas operations across multiple, large geographical regions through the creation of regional methane-emissions measurement and monitoring consortia.” More information is available at [www.epa.gov/newsreleases/epa-and-doe-announce-intent-fund-projects-reduce-methane-emissions-oil-and-natural-gas](http://www.epa.gov/newsreleases/epa-and-doe-announce-intent-fund-projects-reduce-methane-emissions-oil-and-natural-gas).

Finally, the SAB recommended that the EPA expand the information on co-pollutants emitted with methane. Under the existing regulations, Subpart W already requires that facilities monitor, measure and report emissions of nitrous oxide and carbon dioxide in addition to methane. Petroleum and natural-gas systems have not been found to be a significant source of other greenhouse gases. Currently the EPA has not expanded reporting under Subpart W to additional gases in the final rule. The EPA notes that data for co-pollutants are available through the EPA’s National Emissions Inventory, which provides a comprehensive and detailed estimate of air emissions of criteria pollutants, criteria precursors and hazardous air pollutants from air emissions sources.

If you have any questions, I would be happy to direct any inquiries you might have about any of the regulatory matters in which you have expressed interest to staff in the Office of the Administrator and the Office of Air and Radiation.

I appreciate the board’s work in support of the EPA’s scientific activities, especially in supporting the proposed rule and the considerations for future rulemakings. I look forward to continuing to work with you in the future and offer you my warmest wishes for continued success in the meantime.

Sincerely yours,

A handwritten signature in black ink that reads "Michael S. Regan". The signature is written in a cursive, flowing style.

Michael S. Regan