



National Tribal Air Association's Fact Sheet on EPA's Controlling Air Pollution from the Oil & Gas Industry

Oil and Natural Gas Air Pollution Standards

The oil and natural gas industry includes a wide range of operations and equipment, from wells to natural gas gathering lines and processing facilities, to storage tanks, transmission, and distribution pipelines. The industry is a significant source of emissions of methane, nitrogen oxides, volatile organic compounds (VOCs, which are a group of chemicals that contribute to the formation of ground-level ozone known as smog), as well as toxic compounds like benzene, ethylbenzene, and n-hexane, which can cause cancer.

Are there any changes coming?

On March 1, 2018, the U.S. Environmental Protection Agency (EPA) announced amendments to two narrow provisions of the 2016 New Source Performance Standards (NSPS) for the oil and natural gas industry in response to comments the agency received on proposed stays of the rule and on subsequent Notices of Data Availability. The amendments address two of the “fugitive emissions” requirements in the 2016 rule that pose significant and immediate compliance concerns: 1) a requirement that leaking components be repaired during unplanned or emergency shutdowns, and 2) the monitoring survey requirements for well sites located on the Alaskan North Slope.¹

The counties in the Uinta Basin are currently designated as unclassifiable with respect to the 2008 ozone National Ambient Air Quality Standards (NAAQS) and, as such, owners/operators of eligible oil and natural gas sources on Indian country lands within the Uinta and Ouray reservations have been utilizing the national oil and natural gas federal implementation plans (FIPs) streamlined approach to satisfy permitting requirements since August 2, 2016, when the FIP became effective. However, the EPA has announced its intention to designate portions of the Uinta Basin, including the Uinta and Ouray reservations, as nonattainment for the 2015 NAAQS.

On April 30, 2018, the U.S. Environmental Protection Agency (EPA) signed proposed amendments to the 2016 FIP for managing air emissions from new and modified true minor oil and natural gas sources in areas of Indian country that are in attainment of the NAAQS. The FIP limits emissions of harmful air pollutants while providing streamlined construction authorization for new and modified true minor sources in the oil and natural gas production and processing

¹ <https://www.epa.gov/controlling-air-pollution-oil-and-natural-gas-industry>

sectors.² The proposed amendments provide for extending the coverage of the streamline permitting mechanism to the nonattainment areas on the Uinta and Ouray reservations.

How does this affect my Tribe?

Tribes potentially affected by this proposal include the Ute Indian Tribe's lands within the Uinta and Ouray reservations as well as Tribes with new and modified true minor sources that are in the oil and natural gas production and natural gas processing segments of the oil and natural gas sector. All the Ute Indian Tribe Indian country lands of which the EPA is aware are located within the exterior boundaries of the reservation, and these amendments will apply to all such lands. The rulemaking will seek to achieve three goals for the Indian country portion of the Uinta Basin: 1) clean air; 2) continued, uninterrupted development of the oil and natural gas resources; and 3) consistent CAA regulatory requirements between Indian country lands within the Uinta and Ouray reservations.

The proposal to amend the New Source Performance Standards (NSPS) will affect all new or modified oil and gas sources in Indian country that have leaking equipment by providing more flexibility to the source on when to address those leaks. In addition, it will affect the sources on the North Slope by modifying the monitoring requirements to address the inability of the monitors to function in extremely cold temperatures.

How to comment

EPA will take public comments on the proposed amendments until July 2, 2018. There are multiple ways to submit written comments. Please be sure to label your comments with the Docket ID number for the proposed rule to ensure that it is received. The Docket ID number for the proposal is EPA-HQ-OAR-2014-0606.

Label your comments with the Docket ID number, and then submit them by any one of the following methods

- Online: <https://www.regulations.gov/docket?D=EPA-HQ-OAR-2014-0606>. Click on the "Comment Now!" button at the top right of the page, and follow the instructions for submitting your comments.
- Email: Send comments by e-mail to a-and-r-Docket@epa.gov, Attention Docket ID No. EPA-HQ-OAR-2014-0606. Please include the docket ID number in the subject line of your email message.
- Fax: You may fax your comments to: (202) 566-9744, Attention Docket ID. No. EPAHQ-OAR-2014-0606.
- Mail: You may mail your comments to Environmental Protection Agency, EPA Docket Center (EPA/DC), Mail Code 28221T, Attention Docket ID No. EPA-HQ-OAR2014-0606, 1200 Pennsylvania Avenue, NW, Washington, DC 20460

² <https://www.epa.gov/controlling-air-pollution-oil-and-natural-gas-industry/proposed-amendments-federal-implementation>