LITIGATION CHALLENGES: METHANE NEW SOURCE PERFORMANCE STANDARDS
Overview

• Litigation & Reconsideration Update
• eNGO Efforts to Block Trump Administration
• The Path Forward
Litigation & Reconsideration Update

• April 18, 2017 Letter
  – Process and criteria for AMEL
  – LDAR for low production wells

• May 18, 2017 DC Circuit holds cases in abeyance

• June 5, 2017 Federal Register
  – Requirements for P.E. certification of closed vents systems
  – Well site pneumatic pump standards
  – 90-day stay under 307(d)(7)(B)
eNGO Efforts to Block Trump Administration

• June 5, 2017 Emergency Motion in DC Circuit
  – Alleged “irreparable harm”
  – No authority to grant 90-day stay
  – Grant of reconsideration was not proper
  – Even if proper, too broad

• June 14-15, 2017 – Motions to Intervene
eNGO Efforts to Block Trump Administration

• June 15, 2017 – Responses from EPA and Industry
  – Not likely to succeed on merits
  – Reconsideration appropriately granted
  – Stay was appropriate in scope
  – Irreparable harm not demonstrated

• Other eNGO challenges
The Path Forward

• June 12, 2017 Proposed Rule
• 2-year stay
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QUESTIONS?

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