



October 4, 2025

The Honorable Lee Zeldin
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW
Washington, D.C. 20460

Re: Extension of Deadlines in Standards of Performance for New, Reconstructed, and Modified Sources and Emissions Guidelines for Existing Sources: Oil and Natural Gas Sector Climate Review, Docket ID No. EPA-HQ-OAR-2025-0162

Dear Administrator Zeldin:

The Independent Petroleum Association of America (IPAA) hereby submit these comments on the Environmental Protection Agency (EPA) Interim Final Rule: Extension of Deadlines in Standards of Performance for New, Reconstructed, and Modified Sources and Emissions Guidelines for Existing Sources: Oil and Natural Gas Sector Climate Review.

IPAA represents thousands of American independent oil and natural gas producers across the nation that are most affected by the standards (Subpart OOOOb) and guidelines (Subpart OOOOc) promulgated by the EPA, and therefore by the actions addressed in this rule.

Overview

IPAA supports this action by EPA to extend a selection of deadlines regarding regulations under Subparts OOOOb and OOOOc. This action recognizes that these deadlines are impractical because the agency has accepted that reconsideration of the underlying regulations is essential.

EPA has correctly identified that several specific source requirements – control devices, equipment leaks, storage vessels, process controllers, covers/closed vent systems, and continuous monitoring of the “vent gas net heating value” of flares and enclosed combustion control devices – must be modified. Similarly, state planning requirements and the Super Emitter program need revision. Deadlines associated with these requirements must be adjusted.

Additionally, IPAA believes that the Annual Reporting Deadline requirements that were the subject of specific extensions in early August should be suspended until the final regulatory structure of Subpart OOOOb is settled.

While EPA’s regulations represent a reasonable extension of time, when the final regulatory structures of Subparts OOOOb and OOOOc are completed, EPA should revisit these timelines to confirm they are still adequate. As part of that evaluation, EPA should revise OOOOc such that

the time frame for existing sources to come into compliance should start when EPA approves a state's implementation plan is approved by EPA, not when a state submits its plan to EPA for review. With EPA's heavy emphasis on the state plans being equivalent to EPA's "guidelines," unless a state essentially adopts the guidelines wholesale, existing sources are taking a serious risk in implementing changes to comply with a state plan that differs from the guidelines. Fundamental fairness supports the argument that the "clock" for existing sources to come into compliance with a state plan starts when EPA approves the state plan.

The Larger Challenge

With these extensions in place, EPA must now turn to the specific issues that the extensions relieve of undue pressure. IPAA, because of the scope of our membership, has directed its primary focus toward the provisions of Subpart OOOOc and the requirements of Section 111(d). A key component of our membership are owners and operators of low production wells. For purposes of this document, low production wells are those well sites producing 15 barrels of oil equivalent (boe)/day (90 mcf/d of natural gas).

While there are numerous issues within Subparts OOOOb and OOOOc that merit reconsideration, these comments focus on low production wells because the current Emissions Guidelines will result in the premature shutdown of hundreds of thousands of low production wells with little environmental benefit and the potential generation of numerous orphan wells. Two independent studies of the impact of Subpart OOOOc conclude that approximately 300,000 oil and natural gas wells would shut down. These studies are: (1) Enverus "*Quad O Threatens Viability of Extremely Marginal Wells*", 2024, and (2) Earth System Sciences, LLC, *Potential Production Impacts of Proposed EPA Methane Rule (NSPS OOOOb & EG OOOOc)*, 2023. These consequences result from the Subpart OOOOc Leak Detection and Repair (LDAR) requirements that rely on component counts and the prohibition of gas driven pneumatic controllers. Other provisions related to the management of associated gas compound the problems. Additionally, the provisions in Subpart OOOOc related to the implementation of Section 111(d) constrain states from alleviating these severe consequences.

However, there are alternative approaches to the management of methane emissions from low production wells that would reduce emissions cost effectively. Critically, to create such an outcome, EPA needs to develop an alternative regulatory framework for low production wells. The current regulatory framework tracks the Subpart OOOO, OOOOa and OOOOb New Source Performance Standards regulations that fragment oil and natural gas well sites into multiple individual facilities.

This approach makes little sense for low production wells where existing operations are contained at single facilities. However, the Clean Air Act (CAA) provides EPA with the authority to construct different regulatory categories for existing facilities. This authority should be used to create separate categories for existing low production oil facilities and existing low production natural gas facilities. These categories can then be used to create a regulatory framework that targets the identified emissions sources in a cost-effective manner and does not burden owners and operators with low value, crippling regulatory programs.

There is significant information on the emissions profile of low production wells. The Department of Energy (DOE) released a study in 2022: *Quantification of Methane Emissions from Marginal (Low Production Rate) Oil and Natural Gas Wells* (DOE Study). This study is important to the deliberations because it is the only study focused on low production wells, and it collected emissions data at operating sites. It contains information that can be used to craft a workable regulatory program. This information includes:

- The top 10% of emitting sources contributed approximately 90% of the total methane emissions observed.
- Significant emissions were dominated by major equipment – tanks (open thief hatches, bad seals), failed pneumatic controllers, and inadvertently open vents.

Delving into the material yields more insights into potential options.

For example, in its 2021 Subpart OOOOb and OOOOc proposals, EPA judged that well sites with emissions of 3 tons/year of methane are so small that regulation is inappropriate. While EPA failed to flesh out this concept, it is pertinent to revisit it in the context of the DOE Study.

The DOE study shows that oil and natural gas well sites producing 6 boe/day and less emitted below the 3 tons/year threshold. Importantly, these well sites included tanks, natural gas driven controllers and the other components that exist at a well site. It shows that with all these components the wells do not constitute a compelling environmental regulatory target. The DOE Study also shows that most of the well sites from 6 to 15 boe/day are also below 3 tons/year. More assessment is necessary to determine the primary sources of their emissions. If the sources are tanks or natural gas controllers – the Study's primary emissions sources – targeted management could put them below the 3 tons/year threshold.

Similarly, the DOE study does not suggest that low production well site associated gas management presents a significant source of emissions. EPA's development of its associated gas requirements has never recognized that low production wells generally do not produce the constant stream or adequate volume necessary to make gas recovery feasible. Most low production oil wells do not operate continuously and therefore produce associated gas intermittently. Consequently, the current Subpart OOOOc requirement for capture and sale of associated gas is infeasible.

These facts drive the need for EPA to change its regulatory approach for low production wells. EPA should create at least two new existing source categories – one for low production oil wells and one for low production natural gas wells. Within these categories, EPA could create subcategories that could have differing requirements based on the results of the DOE study. Targeting requirements based on the low production wells emissions profiles could allow for specific actions and the use of enhanced audio/visual/olfactory (AVO) to manage emissions and avoid the excessive cost and limited benefits of the current Emissions Guidelines in Subpart OOOOc. Additionally, EPA needs to provide an offramp to Subpart OOOOc once production substantially declines for all wells. At a minimum, it should trigger once a well has declined to 15 boe/day or less.

Two other issues are intertwined with the relationship between Subparts OOOOb and OOOOc that should be simultaneously addressed. First, existing low production oil and natural gas wells routinely need to revise their utilization of equipment at their well sites. These revisions do not result in increased emissions; consequently, these actions must be protected from treatment as a modification under Section OOOOb. Second, small production oil wells drilled under Subpart OOOOb and producing associated gas are finding that associated gas production declines at a greater pace than overall production declines. This results in intermittent associated gas production that cannot be managed under Subpart OOOOb requirements. Without an associated gas management option to allow flaring or venting as its production declines, these well sites will be forced to shut down before they economically should.

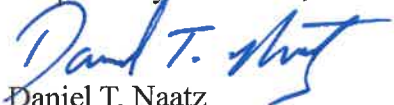
Because Subpart OOOOc provides Emissions Guidelines to be used by states, they must develop state regulations for its implementation. The requirements for this process are framed by Section 111(d) of the CAA. However, this section was written long before the concept of regulating greenhouse gas emissions existed. It is unworkable for developing regulations for methane emissions from oil and natural gas production operations. For example, Section 111(d) contains authority for states to develop less restrictive regulations than the Emissions Guidelines based on remaining useful life and other factors (RULOF). The structure of this process in the current rules assumes these analyses will be done as a part of the state plan development. When Section 111(d) was written, the scope of existing facilities potentially affected in a state was perceived as one or two, not the tens of thousands of low production oil and natural gas wells that are involved in Subpart OOOOc. Changes are essential. Additionally, in Subpart OOOOc, EPA has tried to constrain the ability of states to make RULOF decisions to those instances where significant capital expenditures are involved. However, EPA knows that the LDAR programs that threaten low production wells are primarily operating cost driven. Again, changes are essential.

A question that regularly arises in dealing with low production wells involves the definitions that are used. The definition of stripper well in 26 U.S. Code § 613A(c)(6)(E) provides the best choice because it has been in use for decades and is well understood in the industry.

Conclusion

The ongoing regulatory deliberations on oil and natural gas production emissions need to come to closure. The information now available to understand low production oil and natural gas emissions shows that a reasonable, cost-effective regulatory framework is possible if EPA is willing to embrace the key concepts presented herein. The additional time provided by these Interim Final regulations opens critical opportunities to address the flawed regulatory structure of the current Subpart OOOOb and OOOOc requirements. EPA must seize this opportunity and act expeditiously.

Respectfully submitted,



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