United States House of Representatives
Select Committee on the Climate Crisis

Hearing on June 24, 2022
"Cutting Methane Pollution:
Safeguarding Health, Creating Jobs, and Protecting Our Climate"

Questions for the Record

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<u>The Honorable Kathy Castor</u>

1. **How would strong Federal rules complement state regulations?**

Currently, several states are leaders in regulating methane monitoring and emissions reductions. However, other states have not implemented methane rules, resulting in a hodgepodge of regulations across state lines. Operators therefore must keep track of different combinations of rules in different areas of operation.

If strong Federal rules for methane monitoring and emissions mitigation were put into place, it would create a more homogenized compliance landscape for operators. A key element of a strong Federal regulation that could encourage broad adoption (and removal of duplication) by states would be for regulations to be performance-based rather than prescriptive.

Currently, we believe that EPA can push much further in the direction of performance-based specifications, and much further away from rule language that prescribes either operation of equipment or methods for deployment. A performance-based rule would, for example, specify the frequency with which all regulated equipment must be "scanned" (whether by aircraft, OGI camera, continuous monitoring device or other technology) and the size of emission that must be "seeable" (threshold of detection). A performance-based rule would include a technology-neutral matrix of options, each with an equivalent set of specifications (frequency of scanning all equipment and threshold of detection) and each with an equivalent work practice or set of follow-up requirements. A performance-based rule would not carve out specific technologies or work practices into separate categories but would instead include all modes of monitoring under the same umbrella, with separate work practices and follow-up requirements to achieve equivalency in emissions reductions and operator obligations.

The US is at a pivotal and very exciting moment, with an opportunity for meaningful regulation that can provide measurable and demonstrable emissions reductions while simultaneously offering industry and technological innovation. To achieve sustained emissions reductions, rules should use performance-based metrics and require measurements to demonstrate reductions.