

Numerous States, Oil And Gas Industry Fighting EPA's New Methane Rule

States and industry representatives continue to challenge in court the legality of the Environmental Protection Agency's (EPA) methane rules aimed at the domestic oil and gas industry.

Texas Attorney General Ken Paxton filed suit in the US Court of Appeals for the District of Columbia recently challenging EPA's "federal overreach".

More than a dozen states have sued over the rule because it is unnecessary and would add additional cost to the production of domestic energy.

States, like Texas, already regulate air emissions through their own government agencies, such as the Texas Commission on Environmental Quality (TCEQ).

Other states joining the lawsuit are Alabama, Arizona, Kansas, Montana, Ohio, Oklahoma, South Carolina, Kentucky, and North Carolina.

The Texas Alliance of Energy Producers and the Independent Petroleum Association of America (IPAA), along with 17 other state and national associations, have filed a petition for rehearing with the EPA on August 2.

Subpart OOOOa, as finalized, will have a disproportionate impact on independents, and especially independents that constitute small businesses under the "Regulatory Flexibility Act", the petition stated.

The issues raised fall into two categories:

1. Issues that are entitled for reconsideration (under law) where it is impracticable to raise an objection during the period of public comment; and
2. The EPA failed to address the final rule, and it will have a devastating impact on the domestic oil and gas industry if the rule is not corrected.



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