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From: POLITICO Pro Energy Whiteboard
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Subject: EPA mulls phase-in for methane rule's requirements

By Alex Guillén

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EPA says it is considering longer phase-in periods for key requirements under the 2016 methane emissions rule for new oil and gas wells, rather than implementing an outright stay.

The new potential approach, for which EPA will take public comment for 30 days, means the agency likely will not take action until early 2018.

In a [Notice of Data Availability](#) signed on Wednesday, EPA said that the American Petroleum Institute suggested that instead of a stay, EPA could extend the existing deadlines to set up the necessary infrastructure, conduct monitoring surveys of leaks and take other actions to implement the rule. The NODA also proposes a similar phase-in process for the certification of closed vent systems by professional engineers.

The NODA further updates the economic analysis for the proposed stay to include foregone climate benefits from the increased emissions of methane and volatile organic compounds, which was not included in the original proposal in June. EPA also updated the analysis to cover a later time period due to the delay in finalizing the stay, now covering January 2018 through December 2019.

Click [here](#) for the NODA, the updated economic analysis and an agency fact sheet.

The D.C. Circuit Court of Appeals over the summer struck down Administrator Scott Pruitt's temporary stay of the rule, saying he had violated the Administrative Procedure Act by not taking public comment first. The rule has remained in effect since.

WHAT'S NEXT: EPA will take public comment for 30 days once the NODA is published in the Federal Register.

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