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Thomas McGarity, Texas Perspectives: EPA has just adopted see-no-evil policy in oil and gas industry

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Posted: Thursday, March 9, 2017 10:30 pm

THOMAS MCGARITY Texas Perspectives

In one of his first official acts as administrator of the Environmental Protection Agency, Scott Pruitt withdrew a previous request to 15,000 oil and gas companies for information on releases of methane, a potent greenhouse gas, from their onshore operations. The withdrawal came one day after Pruitt received a letter from a group of 11 Republican officeholders — nine state attorneys general and two governors — assembled by Texas Attorney General Ken Paxton asking that the EPA take that action.

Why were Paxton and his colleagues so troubled by a mundane request for information? And why was Pruitt, a former attorney general of Oklahoma, in such a hurry to accede to their demands? The short answer is they don't want to know how much methane the oil and gas industry emits into the air because they don't want the EPA to do anything to reduce those emissions.

Methane is a major contributor to the global warming that contributed to the hottest February ever in many Texas cities. Pound for pound, methane emissions are 25 times as potent as carbon dioxide emissions from automobiles and power plants. With the dramatic expansion of domestic oil and gas operations as a result of modern hydraulic fracturing technologies, nearly one-third of the nation's methane emissions come from oil and gas production, processing and transmission facilities.

The EPA initially requested the information on methane in connection with its announced intention to write standards for 1.7 million existing oil and gas wells, more than 300,000 miles of pipelines and associated compressor stations, nearly 500 natural gas-processing facilities and almost 400 underground gas-storage facilities. These standards would have a profound impact on the oil and gas sector.

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But if the agency cannot gather information on methane emissions from these facilities, it will be unable to write defensible standards for reducing those emissions. And that is precisely why the state officials demanded that the EPA withdraw the request. They were carrying the oil and gas industry's water to give the impression that it was not the industry but the people of Texas and the other states who didn't want the agency to write methane standards for the oil and gas industry.

Their demand also allowed Pruitt, who had previously sued the EPA himself as Oklahoma's attorney general, to mention in his three-paragraph explanation that the agency was "committed to strengthening its partnership with the states."

This might be bad enough for citizens who worry about the impact of global warming on Texas coasts and water supplies, but the EPA's see-no-evil policy has consequences beyond the oil and gas industry. The information the agency had been seeking would also have been useful in comparing greenhouse gas emissions from the natural gas industry to those of the coal industry.

Natural gas-fired power plants emit only about half as much carbon dioxide per kilowatt hour as coal-fired plants. Consequently, the rapid move away from coal to natural gas in power plants during the past several years has been viewed as a boon for the environment. But if we take into account the far more potent methane emitted by the entire natural gas industry, the comparative environmental advantage of natural gas over coal is small or nonexistent.

The EPA's recent standards for existing power plants will allow companies to take credit for switching to natural gas, but how much credit will depend on the "carbon footprint" of natural gas. If they cannot claim as much credit for burning natural gas, power plant owners will have incentive to turn to other sources. That might include coal, but more likely, they will put additional resources into renewable wind and solar power.

Texas wind farms already produce more electricity than any other state by a factor of three, and its burgeoning solar industry is now producing electricity at competitive prices. This raises the question: Why is Paxton so determined to protect the natural gas industry at the expense of Texas' booming wind and solar industries?

Attorneys general are supposed to be in the business of protecting citizens from threats such as global warming — not protecting favored industries from competition.

Thomas McGarity is a professor of law at The University of Texas at Austin and a board member of the Center for Progressive Reform.

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