



# ENVIRONMENTAL LAW & POLICY CENTER

July 23, 2021

EPA Administrator Michael Regan  
Environmental Protection Agency  
1200 Pennsylvania Ave. NW  
Washington D.C. 20004

**Re: Listening Session Testimony on Reducing Methane Emissions from the Oil and Gas Sector (June 17, 2021), EPA-HQ-OAR-2021-0295**

Dear Administrator Regan:

My name is John Petoskey, I am an associate attorney at the Environmental Law and Policy Center of the Midwest (ELPC). ELPC is the Midwest's leading environmental legal and policy advocacy organization. Our goal is to preserve the Midwest's environment for future generations.<sup>1</sup>

Today I urge EPA to adopt a standard that reduces methane emissions from the oil and gas sector to 65% below 2012 levels by 2025. This is a reasonable and necessary goal. Today my comments will specifically detail the impacts of climate change in the Midwest and on the Great Lakes. A strong methane rule is key to emissions reductions that will minimize these impacts.

I have lived in the Midwest my whole life and am a proud citizen of the Grand Traverse Band of Ottawa and Chippewa Indians. Like many Midwesterners, my summers were spent on the Great Lakes fishing, swimming, and hiking in our dense and biodiverse forests. I now live in Chicago where I enjoy the Lake Michigan waterfront with people from all walks of life during our magnificent summer.

The Great Lakes and our environment are our most vital resource in the region. The lakes provide drinking water for over 40 million people and support an enormous agricultural, shipping, and tourist economy.<sup>2</sup> The Great Lakes, the Gishi Gaamig in my native Anishinaabe language, are

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<sup>1</sup> About ELPC, Environmental Law and Policy Center, <https://elpc.org/about/>

<sup>2</sup> Terry Gibb, *The Great Lakes Facts and Features*, Michigan State University, July 20, 2015, [https://www.canr.msu.edu/news/lakes\\_appreciation\\_month\\_the\\_great\\_lakes\\_facts\\_and\\_features](https://www.canr.msu.edu/news/lakes_appreciation_month_the_great_lakes_facts_and_features). See also *The Dynamic Great Lakes Economy*, Michigan Sea Grant, <https://www.michiganseagrant.org/wp-content/uploads/2021/03/MICHU-20-203-Great-Lakes-Jobs-Report.pdf>.

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also important to the continued vitality of indigenous people that call the Midwest home.<sup>3</sup> They are a source of food and water, a place where our communities can gather to pray and practice our traditional lifeways.<sup>4</sup> I and the 68 million Americans who live in the Midwest love our homeland and want to keep living in thriving cities, enjoying our beautiful natural environment, and preserve our unique habitats for the coming seven generations.

The only way to do this is by deploying every tool that we have to slow the warming of our climate. EPA now has the opportunity to require the oil and gas industry to drastically reduce its methane emissions. EPA must act swiftly and aggressively. As EPA knows, methane is a greenhouse gas that is nearly 85% more potent than CO<sub>2</sub> in the near term.<sup>5</sup> While CO<sub>2</sub> lasts longer in our atmosphere, methane emissions will set the pace of warming over the coming decades because of their potency.<sup>6</sup> Methane emissions are now increasing faster than at any time since the 1980s.<sup>7</sup>

A recent study by the Environmental Defense Fund found that between 2012 and 2018 EPA underestimated methane emissions from the oil and gas industry by 60%.<sup>8</sup> Amid all of this, the previous administration – in opposition to both the environmental community and the oil and gas industry – weakened methane standards and deregulated an entire sector of the industry.<sup>9</sup> These missteps wasted precious time in the fight against climate change and only strengthen the case for EPA to act with haste now.

In my homeland, even lower emissions scenarios will lead to environmental disaster. A report on extreme heat by the Union of Concerned scientists found that even if we drastically cut greenhouse gas emissions, Midwestern cities like Chicago will experience two to three times the number of above 90 to 100-degree days in the coming century.<sup>10</sup> In 1995 Chicago experienced a heatwave that killed 739 people and in 2020 we broke heat records again.<sup>11</sup> Extreme heat disasters are going to be frequent and more intense in the future if EPA does not act.

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<sup>3</sup> Kozich, A. T., Halvorsen, K. E., & Mayer, A. S. (2018, May 15). Perspectives on Water Resources among Anishinaabe and Non-Native Residents of the Great Lakes Region. Wiley Online Library. <https://onlinelibrary.wiley.com/doi/pdf/10.1111/j.1936-704X.2018.03272.x>.

<sup>4</sup> See e.g. Lenard Monkman, 'Pray for the waters': Great Water Gathering brings Indigenous, non-Indigenous protectors together, CBC, Aug. 18, 2017, <https://www.cbc.ca/news/indigenous/pray-for-the-waters-great-water-gathering-brings-indigenous-non-indigenous-protectors-together-1.4243996>

<sup>5</sup> *Methane: A crucial opportunity in the climate fight*, Environmental Defense Fund, <https://www.edf.org/climate/methane-crucial-opportunity-climate-fight#:~:text=It's%20an%20opportunity%20we%20can,warming%20in%20the%20near%20term>.

<sup>6</sup> *Id.*

<sup>7</sup> *Id.*

<sup>8</sup> *Methane Research Series*, Environmental Defense Fund, <https://www.edf.org/climate/methane-research-series-16-studies>

<sup>9</sup> Coral Davenport, *Trump Eliminates Major Methane Rule, Even as Leaks Are Worsening*, New York Times, August 13, 2020, <https://www.nytimes.com/2020/08/13/climate/trump-methane.html>.

<sup>10</sup> *Killer Heat in the United States*, Union of Concerned Scientists, July 2019, 19, [https://www.ucsusa.org/sites/default/files/2020-12/UCS\\_extreme\\_heat\\_report\\_190712b\\_low-res\\_corrected12-20.pdf](https://www.ucsusa.org/sites/default/files/2020-12/UCS_extreme_heat_report_190712b_low-res_corrected12-20.pdf)

<sup>11</sup> Kelli Smith, *Chicago summer already setting records as 25th anniversary of 1995 killer heat wave looms*, Chicago Tribune, Jul. 9, 2020, <https://www.chicagotribune.com/weather/ct-chicago-summer-weather-1995-heat-wave-20200709-hrvkdrwpknfh5g22tnrxfv3p4-story.html>

Not only will climate change impact temperatures, but it will also have detrimental impacts on the Great Lakes and water quality. The Environmental Law and Policy Center's Great Lakes Climate Change Report, attached as an addendum, shows that precipitation in the Midwest has already increased 10% since industrialization and rain events are becoming more intense as the climate warms.<sup>12</sup> Regions like Wisconsin could see a 40% increase in extreme precipitation events.<sup>13</sup>

This precipitation will lead to more agricultural runoff from concentrated animal feeding operations contributing to the eutrophication of our lakes and the growth of harmful algal blooms.<sup>14</sup> Such blooms can render the drinking water for entire cities undrinkable.<sup>15</sup> What's more, in many Midwestern cities, like Chicago, with lots of gray infrastructure, we can expect to see more harmful urban stormwater runoff and combined sewage overflows.<sup>16</sup> These events could make living in many urban communities untenable by ruining drinking water with harmful bacteria. These examples illustrate that the methane rule now before the EPA also implicates water quality and environmental justice.

EPA must be a part of the solution. EPA should implement a strong methane rule to mitigate some of the most catastrophic consequences of global climate change. That rule should aim to reduce methane emissions from the oil and gas industry to 65% below 2012 levels by 2025.<sup>17</sup>

Chi'miigwetch, thank you, for the opportunity to share these concerns with the EPA.

*s/ John Petoskey*

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<sup>12</sup> *An Assessment of the Impacts of Climate Change on the Great Lakes*, Environmental Law and Policy Center, 2019, 4, <https://elpc.org/wp-content/uploads/2020/04/2019-ELPCPublication-Great-Lakes-Climate-Change-Report.pdf> (this document is also attached as an addendum to this testimony).

<sup>13</sup> *Id.* at 32.

<sup>14</sup> *Id.* at 29.

<sup>15</sup> *Id.* at 39.

<sup>16</sup> *See Id.* at 25.

<sup>17</sup> *See generally* Reducing Methane from Oil and Gas: A Path to a 65% Reduction in Sector Emissions, Clean Air Task Force, Dec. 2020, [https://www.catf.us/wp-content/uploads/2020/04/Path\\_to\\_65pc\\_OG\\_reduction-Dec2020\\_update.pdf](https://www.catf.us/wp-content/uploads/2020/04/Path_to_65pc_OG_reduction-Dec2020_update.pdf).