



August 15, 2014

Environmental Protection Agency
EPA Docket Center (EPA/DC)
Mail Code 28221T
Attention Docket ID No. EPA-HQ-OAR-2010-0505
1200 Pennsylvania Avenue, NW
Washington, DC 20460

**RE: Comments of the Wyoming Pipeline Authority- Oil and Natural Gas Sector:
Reconsideration of Additional Provisions of New Source Performance
Standards; Docket ID No. EPA-HQ-OAR-2010-0505.**

Ladies and Gentlemen:

In the above referenced docket, the Environmental Protection Agency ("EPA") has proposed revised rules that cover in part the disposition of natural gas from wells during various stages of development. The EPA has defined three stages of development based generally upon characteristics of the quality of the gas produced and the ability of separators to segregate gas from other materials flowing from the well. The three stages are (1) "initial flow back stage" during which the functionality of gas separators is compromised by irregular flows and the intermingling of materials detrimental to separator operations, followed by (2) "separation flow back stage" during which the functionality of separators is improved but has not completely stabilized to the point that reversions to the "initial flow back stage" are not uncommon, followed by (3) the "production stage" during which separator functionality is continuous.

EPA is proposing a new rule at §60.5375 (a)(1)(iii) that states in part "*...During the production stage, recovered gas may not be vented or controlled by any combustion device.*" **On its face, this rule if enacted as written would eliminate any discretion on the part of a state agency to authorize flaring of a well for any purpose after a well had reached the point of stabilized flow through a separator.**

Adding murkiness to this proposed rule at §60.5375 (a)(1)(iii), the proposed rule at §60.5375(a)(2) would require that "*All salable quality gas must be routed to the gas flow line as soon as practicable. In cases where recovered gas cannot be directed to the flow line, you must follow the requirements in paragraph (a)(3) of this section.*" Moving ahead to proposed §60.5375(a)(3), that section reads: "*You must capture*

and direct recovered gas to a completion combustion device, except in conditions that may result in a fire hazard or explosion, or where high heat emissions from a completion combustion device may negatively impact tundra, permafrost or waterways. Completion combustion devices must be equipped with a reliable continuous ignition source."

At worst, EPA is seeking to eliminate flaring authority by state agencies or at best, has written rules that appears to ban flaring per proposed §60.5375(a)(1)(iii), but then appear to allow it to continue in certain circumstances as suggested by the interaction of §60.5375(a)(2) and §60.5375(a)(3).

The Wyoming Pipeline Authority recommends that the EPA modify these rules in two ways:

(1) Clarify in §60.5375 (a)(1)(iii) of the rule that in no case does the application of the rule supersede or otherwise limit flaring of natural gas that is otherwise in compliance with a rule or order from a state regulatory agency with authority over such flaring.

(2) Change the language of proposed §60.5375 (a)(1)(iii) as follows " *...During the production stage, recovered gas may not be vented or controlled by any combustion device **except as permitted in cases where recovered gas cannot be connected to a flow line in which the requirements in paragraph (a)(3) of this section shall apply.***"

If you have any questions, please contact me at 307-237-5009 or by email at: brian@wyopipeline.com

Sincerely,



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Wyoming Pipeline Authority

Cc: Mr. Jeremiah Rieman
Natural Resource Policy Director
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Senator Eli Bebout
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