Contacts

- Matt Samelson, Intermountain Oil and Gas Best Management Practices Project, 303-519-5769, westernnaturalresourceslaw@gmail.com.
- Kelleigh Helm, Colorado Law, Getches Wilkinson Center for Natural Resources, Energy and the Environment, 303-492-1293, oilandgasbmps@colorado.edu.

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Comparative Legal Database Examining Air Quality Regulations in Oil & Gas

The University of Colorado Law School, Getches-Wilkinson Center for Natural Resources, Energy, and the Environment has released a comparative legal database for air regulations pertaining to oil and gas development. The database is located at http://lawatlas.org/query?dataset=air-quality-with-oil-and-gas-development&id=54f796c9d42e07163a4d07b9

This database examines air quality regulations pertaining to oil and gas development in 12 states. The jurisdictions selected for measurements are Colorado, Louisiana, Montana, New Mexico, North Dakota, Ohio, Oklahoma, Pennsylvania, Texas, Utah, West Virginia, and Wyoming. These jurisdictions were chosen because each state is experiencing new or increased shale oil and shale gas development, and there is tremendous value in looking at other jurisdictions to guide statutory construction and rulemaking.

"Because the oil and natural gas industry is the largest industrial source of volatile organic compounds and equipment used in the development process, such as glycol dehydrators, are a major source of hazardous air pollutants, such as methane and benzene, there is tremendous value in comparing how states seek to maintain and protect air quality," said Matt Samelson, an attorney and consultant to the Intermountain Oil and Gas Best Management Practices Project.

The questions for this database have been derived from the New Source Performance Standard ("NSPS") OOOO-Standards of Performance for Crude Oil and Natural Gas Production, Transmission and Distribution. This EPA regulation went into effect October 15, 2012. The EPA calls this regulation "cost effective regulations to reduce harmful air pollution from the oil and natural gas industry, while allowing continued, responsible growth in U.S. oil and natural gas production. The final rules rely on proven technologies and best practices that are in use today to reduce emissions of smog-forming volatile organic compounds (VOCs)." The NSPS creates a structured guideline for comparative strengths of states air quality oil and gas regulations.

The comparative legal database work is a project of the Intermountain BMP Project at the Getches-Wilkinson Center. Hosted by Temple University's Public Health Law Research program, the database is designed for elected officials, policymakers, industry executives, concerned citizens, and researchers to compare air quality regulations used in oil and gas development. The air quality database complements an existing water quality and water quantity databases released in the last two years.