

PUBLIC LANDS

Supporters of methane regs push court to keep rule in force

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Supporters of an Obama-era plan to restrict methane emissions on public and tribal lands are pushing a federal court to reject the oil and gas industry's latest effort to duck the standards.

Attorneys for California, New Mexico and a coalition of environmental groups argued on Friday that a federal judge should leave the 2016 Bureau of Land Management methane venting and flaring rule intact.

The Trump administration is working to roll back most of the rule but doesn't expect to complete that process until later this year. BLM tried twice last year to block parts of the regulation and was rebuffed both times by a district court in California.

Now, with the methane rule in full effect, opponents have asked the U.S. District Court for the District of Wyoming to step in and block the measures. Industry groups say many companies simply are not prepared to comply and shouldn't be penalized, given the legal and administrative limbo the regulation has faced over the past year ([Energywire](#), March 8).

But supporters of the Obama methane standards — which aim to reduce venting, flaring and leakage of the potent greenhouse gas — say the recent requests have no merit.

"Petitioners want a specific policy outcome — to avoid complying with a fully-effective final regulation associated with modest compliance costs — and their requests are transparent attempts to achieve that outcome without regard to the legality or appropriateness of the route," environmental lawyers told the court.

California Attorney General Xavier Becerra and New Mexico Attorney General Hector Balderas, both Democrats, argued that oil and gas companies having trouble complying with the revised requirements brought the problem on themselves because they did not make the necessary investments and preparations — despite uncertainty about the methane rule's fate.

"With regard to the Waste Prevention Rule, operators should already be substantially complying with requirements that had January 2017 deadlines, and they have had ample time since the Rule's effective date to prepare to meet the January 2018 deadlines," they wrote on Friday. "Any alleged inability to comply with the Waste Prevention Rule is a result of Industry Petitioners' own making and does not provide any basis for injunctive relief."

Environmental lawyers added that industry groups haven't even put forth any specifics about individual companies unable to comply.

The Wyoming court is expected to decide soon whether to leave the rule in force. The legal back-and-forth is the latest in a wild ride for the regulation, which has been the subject of four separate levels of litigation.

Another round is expected to begin after the Trump administration finalizes its broader rollback plan. That's expected in August.

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