

# United States Senate

WASHINGTON, DC 20510

July 15, 2016

The Honorable Sally Jewell  
Secretary  
U.S. Department of the Interior  
1849 C Street N.W.  
Washington, DC 20240

Dear Secretary Jewell:

We write today to express our concerns with the Bureau of Ocean Energy Management's (BOEM) proposed rule titled, "Air Quality Control, Reporting, and Compliance" and ask that the Department of the Interior (DOI) withdraw this proposal since BOEM has failed to demonstrate that offshore activities are impacting onshore air quality for purposes of compliance with the NAAQS. This proposal greatly expands the regulatory program and could impact more than 2,200 existing facilities offshore. Offshore oil and natural gas production are essential to U.S. energy supply. Rather than hinder this production, the Department should seek ways to further our energy security.

The Outer Continental Shelf Lands Act (OCSLA) provides the statutory authority for BOEM to regulate emissions from OCS sources with the provision that the emissions from offshore oil and gas activities have significant effects on onshore air quality. However, BOEM's own National Environmental Policy Act (NEPA) documents including the Final Environmental Impact Statement (EIS) for the 2012-2017 OCS oil and natural gas leasing program and the resulting lease sale EISs have shown that offshore activities do not significantly impact onshore air quality. Also, no Clean Air Act (CAA) required State Implementation Plans (SIPs) for nonattainment areas in the Gulf of Mexico region identify OCS sources as major contributors to reduced air quality. Furthermore, no Clean Air Act SIPs require OCS emission reductions in order to achieve NAAQS attainment.

In addition to the lack of demonstration that offshore activities affect onshore air quality, BOEM is currently performing two air modeling studies (AK-13-01 and GM-14-01) that were commissioned at a cost of \$4 million to taxpayers to *inform* BOEM as to whether or not *any* rulemaking was necessary. The results of these studies are not expected until 2017 and serve as yet another reason why this proposed rule should be withdrawn.

BOEM must complete these studies, to determine which state air quality impacts, if any, should be attributed to OCS authorized activities. If BOEM wishes to obtain a credible accounting of what should be regulated and what the compliance costs will be, the results of these studies would serve as a basis for assessment. Unless and until such studies are completed, peer reviewed, and assessed, it is impossible for BOEM to put forth a credible cost benefit analysis. Moreover, the affected entities cannot be reasonably expected to take adequate stock of or fully inform BOEM regarding the regulation.

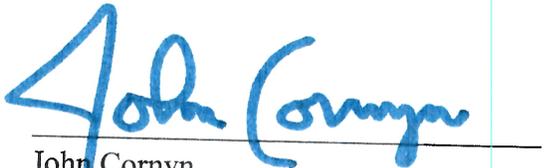
Therefore, we ask that the Department withdraw this proposed rule or at a minimum, table this proposed rulemaking until the results of its own studies are completed to determine, whether or not any regulatory action is scientifically justified.

We appreciate your prompt attention to our request, would appreciate a timely written response, and ask that you address our concerns in accordance with all DOI rules, regulations, and ethical guidelines.

Sincerely,



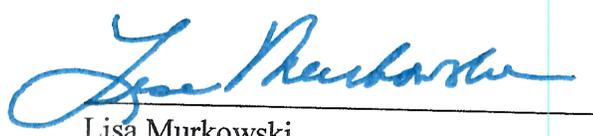
Bill Cassidy, M.D.  
United States Senator



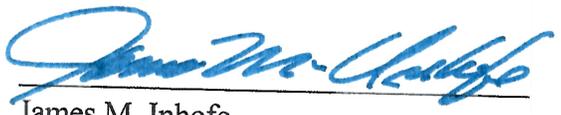
John Cornyn  
United States Senator



John Thune  
United States Senator



Lisa Murkowski  
United States Senator



James M. Inhofe  
United States Senator



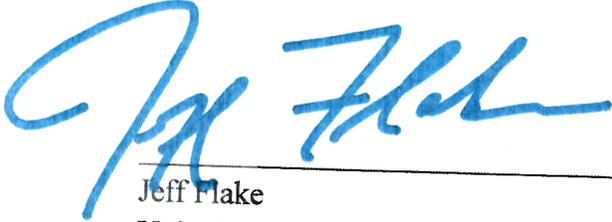
Thad Cochran  
United States Senator



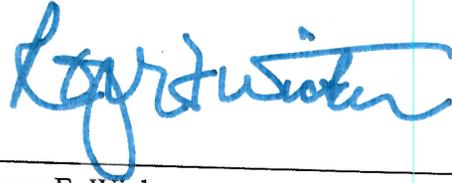
David Vitter  
United States Senator



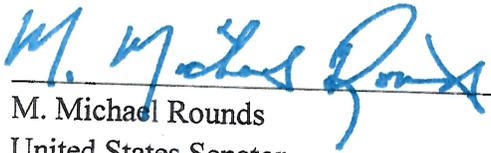
Dan Coats  
United States Senator



Jeff Flake  
United States Senator



Roger F. Wicker  
United States Senator



M. Michael Rounds  
United States Senator



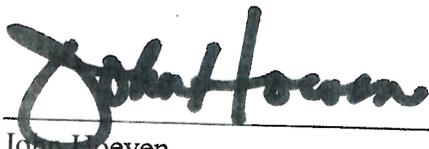
Dan Sullivan  
United States Senator



Thom Tillis  
United States Senator



Ted Cruz  
United States Senator



John Hoeven  
United States Senator



Steve Daines  
United States Senator



Jeff Sessions  
United States Senator