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Ms. Gail Fallon
U.S. Environmental Protection Agency
Region 8, Air Program
Docket ID. *EPA-R08-OAR-2012-0479*
Mail Code 8ARD-PM
1595 Wynkoop Street, Denver, CO 80202

*Submitted to Docket ID No. EPA-R08-OAR-2012-0479 via web-based portal
(<http://www.regulations.gov>).*

**Re: Information Collection Request Submitted to OMB for Review and Approval;
Comment Request; Federal Implementation Plan for Oil and Natural Gas Well
Production Facilities, Fort Berthold Indian Reservation (Mandan, Hidatsa, and Arikara
Nation), North Dakota (Renewal)**

Dear Ms. Fallon,

The American Petroleum Institute (API) respectfully submits comments on Region 8's *"Information Collection Request Submitted to OMB for Review and Approval; Comment Request; Federal Implementation Plan for Oil and Natural Gas Well Production Facilities, Fort Berthold Indian Reservation (Mandan, Hidatsa, and Arikara Nation), North Dakota (Renewal)"*¹ API is the only national trade association representing all facets of the oil and natural gas industry, which supports 10.3 million U.S. jobs and nearly 8 percent of the U.S. economy. API's more than 600 members include large integrated companies, as well as exploration and production, refining, marketing, pipeline, and marine businesses, and service and supply firms. They provide most of the nation's energy and are backed by a growing grassroots movement of more than 40 million Americans.

¹ 84 Fed. Reg. 64317 (November 21, 2019)

We understand that the EPA is soliciting comments on whether the proposed ICR is necessary and useful. Some of the information that is collected as part of the annual report is duplicative of the records that are submitted to the EPA for compliance with the Oil and Natural Gas Sector's New Source Performance Standards (NSPS OOOOa). For example, the FBIR ICR requires the submission of records of each oil and natural gas well completion or recompletion operation, as well as the first date of production. NSPS OOOOa requires essentially the same thing; however, the specifics of reporting are different enough to warrant the preparation of two separate reports. In addition, the reporting periods and deadlines differ from the two regulations, requiring operators to track separate compliance reporting periods and well lists for each separate report. If EPA Region 8 does not have access to the NSPS OOOOa reports that the operators submit to demonstrate compliance, then as an alternative, we suggest that operators may submit a courtesy copy of the NSPS OOOOa annual report to EPA Region 8, allowing elimination of the duplicative reporting under the FBIR FIP. This would promote both efficiency and accuracy, since records would not have to be maintained for two separate reporting periods with slightly different reporting requirements.

The EPA has also requested input on the reporting burden for operators in the FBIR reporting under the FIP. Based on API member experience, it's common that more than 20 personnel hours are required to prepare the annual FBIR FIP report. Separate from the increase in total estimated respondent burden due to the anticipated industry growth, we believe the EPA has underestimated the individual reporting burden and estimated costs associated with the paperwork used to demonstrate compliance with the FBIR FIP.

To close, we support all agency efforts to streamline recordkeeping and reporting requirements. We encourage EPA Region 8 to review the NSPS OOOOa reporting requirements and, to the extent possible, consider modification of the reporting requirements of the FBIR FIP to avoid the current overlap with NSPS OOOOa and the unnecessary duplication of efforts. If you have any questions regarding the content of these comments please contact me (ToddM@api.org , 202-682-8319).

Sincerely,

Matthew Todd
API