

Environment Alert

March 7, 2017

EPA to the Oil and Gas Industry on its Request for Information: Never Mind

Only months after the Environmental Protection Agency (EPA) first contacted thousands of oil and gas companies demanding detailed information regarding methane releases from gas production facilities and related equipment, it has announced that the companies are “no longer required to respond.”

In October 2016, [Akin Gump reported on EPA's announcement](#) that it planned to send “Requests for Information” to approximately 15,000 oil and gas companies involved in onshore production, gathering and boosting, gas processing, transmission, storage and liquefied natural gas import/export. EPA stated that the information was necessary to “help the agency determine how best to address methane emissions from the oil and gas industry, including through rulemaking to reduce emissions.” After obtaining Office of Management and Budget approval for the Information Collection Request on November 10, 2016, EPA sent letters to the targeted companies, requiring initial responses within 60 days and, in many cases, more detailed information within 180 days.

Akin Gump advised concerned clients to seek extensions to the initial deadline. Even with the extensions, however, most companies faced looming deadlines by the end of February. As such, the March 2, 2017, announcement comes none too soon for many companies. The EPA website states that “[EPA has withdrawn the 2016 information request for the oil and gas industry, effective immediately. If you received a letter requiring you to fill out a survey, you are no longer required to respond.](#)” EPA followed its initial announcement with a “[Notice Regarding Withdrawal of Obligation to Submit Information,](#)” published in the *Federal Register* on March 7, 2017. The Notice states that EPA intends to “assess the need” for the requested information and cited a letter from nine state Attorneys General and the Governors of Mississippi and Kentucky expressing concern about the burden associated with the pending requests.

The EPA's announcement is one of several actions the new administration has taken to bring regulatory relief to the oil and gas industry. On January 24, 2017, President Trump signed a series of Executive Orders and Presidential Memoranda targeting barriers to energy project development. Topics included [Construction of the Keystone XL Pipeline](#), [Construction of the Dakota Access Pipeline](#), [Construction of American Pipelines](#), [Streamlining Permitting and Reducing Regulatory Burdens for Domestic Manufacturing](#), and [Expediting Environmental Reviews and Approvals For High Priority Infrastructure Projects](#). Just days later, the President signed an [Executive Order on Reducing Regulation and Controlling Regulatory Costs](#). On February 28, 2017, President Trump signed an [Executive Order directing EPA to initiate rulemaking to rescind the highly controversial “Waters of the US” rule](#) issued by the Obama administration in June 2015 (See EPA's concurrent [Notice of Intention to Review and Rescind](#)

or **Revise the Clean Water Rule**). Additional actions by the President and EPA are expected in the coming weeks.

These recent actions suggest that the new administration is likely to be receptive to concerns raised by members of the oil and gas industry regarding the burdens imposed by current and proposed energy regulatory policies and to consider options for reducing the restrictions companies face. Akin Gump stands ready to help our clients on these and other matters that may need attention.

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