

December 11, 2018

Office of the Secretary
Environmental Protection Agency
1200 Pennsylvania Ave, NW
Washington, DC 20460

RE: The National Society of Professional Engineers' Public Comment on Docket ID No. EPA-HQ-OAR-2017-0483-FRL-9984-43-OAR, Oil and Natural Gas Sector: Emissions Standards for New, Reconstructed, and Modified Sources Reconsideration

On behalf of the more than 31,000 members of the National Society of Professional Engineers, NSPE submits this comment in response to the Environmental Protection Agency's proposed rule reconsideration on emissions standards for new, reconstructed, and modified sources in the oil and natural gas sector.

NSPE is particularly concerned with the EPA's proposed elimination of the requirement that closed vent systems (CVS) be certified by a professional engineer. As you are probably aware, the National Transportation Safety Board recently published a set of urgent recommendations related to the natural gas pipeline explosions in Merrick Valley, Massachusetts. Among them was a recommendation that the state of Massachusetts require a professional engineer to review and approve construction and modification documents for public utility services.¹

NSPE has long opposed licensing exemptions for engineers who are in responsible charge of the practice of engineering that could impact the public health, safety, and welfare. An oil or natural gas CVS meets that criteria. If the system malfunctions, it could result in leaks that contaminate the air, or explosions, as was the case in Merrick Valley.

In its Notice of Proposed Rulemaking, the EPA cites industry concerns regarding the availability of professional engineers (PEs), and in particular, PEs who are willing to sign and seal design and modification plans for CVS they were not involved in creating. NSPE respectfully suggests that those industry members who expressed such concerns are seeking relief from a problem of their own making—a problem easily solved by employing full-time professional engineers who would, consequently, be involved in the design process from beginning to end.

According to a report from the Environmental Integrity Project (a nonprofit founded by former EPA attorneys) over 42,000 tons of sulfur dioxide were released into the air

¹ <https://www.nts.gov/investigations/AccidentReports/Reports/PSR1802.pdf>

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between 2009 and 2011 as a result of “emission events” at oil, natural gas, and chemical plants.² That’s in addition to controlled emissions that occurred during normal operations. If design and build standards are relaxed, as the EPA is proposing, we expect that number will increase, and so does the EPA. In its own filing regarding these reconsiderations, the EPA acknowledged that the proposed changes would result in increased air pollution that would “adversely affect health and welfare....”³

By providing relief for a self-inflicted problem, the EPA is perpetuating acceptance of engineering license exemptions, a practice that creates confusion and prevents rigorous qualification standards from being applied to every person who works as an engineer. It is, additionally, allowing dramatic increases in the amount of pollution released into the air each year. Increased pollution that, by the EPA’s own admission, will make Americans sick.

NSPE strongly urges the EPA to support the high standards set for professional engineers, and hold fast to its purpose of protecting the environment, and by extension, the health and welfare of the American people. Any further questions, please contact Stephanie Hamilton, advocacy and government relations manager, at shamilton@nspe.org.

Sincerely,



Michael Aitken
P.E., F.NSPE President

Cc: NSPE Board of Directors
Tim Austin, P.E., F.NSPE, Past President

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https://www.environmentalintegrity.org/news_reports/documents/20120718AccidentProneFinal.pdf

³ <https://www.federalregister.gov/documents/2018/10/15/2018-20961/oil-and-natural-gas-sector-emission-standards-for-new-reconstructed-and-modified-sources>