

Congressional Gridlock: Democrats and Republicans Take Opposing Views on Methane Regulation

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The U.S. Environmental Protection Agency (EPA) last week released new [data](#) on greenhouse gas emissions from the oil and gas sector. The data is based on emissions reports filed by over 2,400 facilities engaged in the production, processing, storage, and/or transportation of oil and gas. Overall, these facilities emitted 236 million metric tons of carbon dioxide equivalent in 2014, up 3.5 percent compared to 2013. Notably however, while carbon dioxide emissions from the oil and gas sector continue to rise, emissions of methane have fallen. According to the EPA, over the last year, methane emissions fell by 6 percent. There is, however, still cause for concern.

The EPA estimates that the oil and gas sector is the second largest source of methane nationwide. The only sector to produce more methane is agriculture. In the agricultural sector, methane is released through enteric fermentation by cattle and other livestock, as well as the breakdown of livestock waste. Methane is also emitted by landfills, due to the decomposition of organic materials, and coal mines, which often vent co-located gas. Together, these sectors account for over [92 percent](#) of all methane emissions.

When released into the atmosphere, methane can have serious environmental impacts, accelerating global climate change. Methane is a potent greenhouse gas, 84 times more effective in warming the climate than carbon dioxide during the first 20 years after it is released. Methane also results in the formation of ground-level ozone which, when ingested by humans, can trigger a variety of health problems. Ozone can, for example, cause throat irritation and coughing, worsen bronchitis and asthma, and reduce lung function.

Recognizing this, many policy-makers have called for increased controls on methane emissions from oil and gas production, coal mining, landfills, and agriculture. In the past, such calls have enjoyed bipartisan support in Congress. Unfortunately however, this is no longer the case. Indeed, many pundits doubt that it's possible to get any law through Congress, especially one aimed at controlling methane.

Shortly before President Obama took office, in January 2009, the public was highly [optimistic](#) that Republicans and Democrats would work together to solve problems. This hope did not, however, turn into reality. In its last [3 full sessions](#), from 2009 to 2013, Congress enacted an average of just 321 bills. Enactments in the current Congress, which began in January 2015, are expected to be even lower. In its first 10 months, the current Congress has enacted just 58 laws, representing less than 1 percent of all legislation introduced. To put that figure in perspective, in the 10 Congressional sessions before the Obama Presidency, enactment rates averaged 4 percent.

The gridlock in Congress has forced President Obama to look at other options to advance his policy agenda. Nowhere is this more obvious than in his handling of climate change. After the 111th Congress failed to pass the [American Clean Energy and Security Act of 2009](#), aimed at reducing climate-damaging greenhouse gas emissions, President Obama has increasingly used his existing executive powers to support emissions reductions.

In the 2013 State of the Union Address, President Obama pledged to take “executive actions...now and in the future” to address climate

change. Fulfilling that pledge, in June 2013, the President unveiled his [Climate Action Plan](#). The Plan directed the EPA and the Departments of Agriculture, Energy, Interior, Labor, and Transportation to develop an interagency strategy to curb methane emissions. That [strategy](#), released in March 2014, outlined a series of measures aimed at reducing methane emissions by 40 to 45 percent below 2012 levels by 2025. These include the adoption, by EPA, of [rules](#) limiting methane emissions from new oil and gas facilities. (Further information about those rules can be found in my previous blog [here](#).)

The EPA rules have been opposed by [oil and gas producers](#), who point to recent declines in methane emissions, and the high cost of new regulation. These concerns have been echoed by many in Congress. In a [letter](#) to President Obama, Senate Republicans argued that the rules may lead to a decline in domestic energy production, hampering economic growth. This claim has, however, been called into question by a new [report](#) from the Congressional Research Service (CRS).

The CRS report suggests that regulating methane emissions could have significant economic and other benefits. This is because, curbing emissions increases the amount of methane that is available for use. Methane can be used as a chemical feedstock in the manufacture of various household and industrial products including plastics, fabrics, and fertilizer. Recognizing this, CRS has argued that “[a]bundant and economical supplies of methane may arguably serve to reinvigorate the...petrochemical sector, bringing manufacturing industries back on shore and aiding in the creation of domestic jobs.” Additionally, increasing methane supplies may promote domestic energy independence, since methane (the key component of natural gas) can be used as a fuel to heat homes, fuel power plants, and run vehicles. It can also be liquefied and then exported, reducing the trade deficit, and stimulating economic growth.

In view of these benefits, since the 1970s, governments of both sides have repeatedly sought to advance methane capture. Following the 1973 oil embargo, amid calls for increased energy security, the 94th Congress considered a [bill](#) to encourage capture of agricultural methane. Similar bills, targeting methane from [coal mines](#) and [municipal landfills](#), were introduced in the 96th and 97th Congresses, respectively. Only the last bill passed. Interestingly, that bill was sponsored by a Republican Senator (Alfonse D’Amato) and signed into law by a Republic President (Ronald Reagan).

More recently, support for methane capture has come primarily from Democrats. In the 114th Congress, Democrats have introduced nearly a dozen bills aimed at encouraging methane capture, including by imposing a fee on emissions. These measures have, however, faced opposition from many Republicans. This session alone, Republicans have introduced 7 bills to pre-empt federal regulation of methane emissions. Given this conflict, Congressional action to limit emissions seems all but impossible.

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