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January 3, 2020

The Honorable Andrew Wheeler
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Ave., N.W.
Washington, DC 20460

Dear Administrator Wheeler,

I write regarding the February 2018 blowout at a natural gas well in Belmont County, Ohio owned by an ExxonMobil subsidiary, XTO Energy. On February 15, 2018, the Schnegg natural gas well experienced a blowout that resulted in the uncontrolled venting of natural gas over 20 days. XTO Energy initially said it could not determine the amount of natural gas that leaked from the well; later, XTO Energy and ExxonMobil issued an estimate that ended up being 400 percent lower than the actual amount of methane released.² In a study published on December 16, 2019, independent researchers used satellite imaging to determine that this single blowout released around 60,000 tons of methane into the atmosphere, more than the amount emitted by oil and gas industries in France, Norway, and many other nations over an entire year.^{1,2}

This sizable methane release presents an obvious and significant risk to the global climate, as methane, the primary component of natural gas, is around 80 times more potent a greenhouse gas than carbon dioxide over a 20-year period.³ The 60,000 tons of methane from this one blowout is equal to the global warming pollution emitted by more than 350,000 cars over one year.⁴ If this were an oil spill, Exxon and its subsidiaries would face financial and legal consequences. Just because a release of methane of this magnitude is not readily visible, that does not mean that it is less damaging to our climate and environment and should not be held to the same standard. However, current law does not appear to provide for the ability to issue civil penalties when oil and gas companies release massive quantities of methane from a well blowout.

¹ Hiroko Tabuchi, *A Methane Leak, Seen from Space, Proves to be Far Larger Than Thought*, N.Y. Times (Dec. 16, 2019), <https://www.nytimes.com/2019/12/16/climate/methane-leak-satellite.html>.

² Sudhanshu, *et al.*, *Satellite observations reveal extreme methane leakage from a natural gas well blowout*, Proceedings of the National Academy of Sciences (Dec. 16, 2019), <https://doi.org/10.1073/pnas.1908712116>.

³ <https://www.epa.gov/ghgemissions/understanding-global-warming-potentials>.

⁴ Using EPA Greenhouse Gas Equivalencies Calculator (https://19january2017snapshot.epa.gov/energy/greenhouse-gases-equivalencies-calculator-calculations-and-references_.html) and IPCC 5 Global Warming Potentials (https://www.ghgprotocol.org/sites/default/files/ghgp/Global-Warming-Potential-Values%20%28Feb%2016%202016%29_1.pdf)

Additionally, not only did this disaster contribute to a global climate emergency, but the release also posed an immediate threat to the local community. Along with natural gas, other potentially hazardous substances were released in large quantities during the blowout. As the February 15, 2018 Environmental Protection Agency (EPA) Pollution Situation Report states, “natural gas, produced water, and brine has discharged along with unknown condensate components estimated to be at 100 million cubic feet per day.”⁵

This alarming release of substantial quantities of methane and toxic substances is unacceptable and damaging to the health of the surrounding environment and nearby residents. The release led to a lengthy evacuation of roughly 100 residents within a one-mile radius of the well site, with neighboring communities complaining of health ailments including throat irritation, dizziness, and breathing problems.¹ However, it appears that the EPA either has not been transparent about its efforts to monitor and follow up on the chemical releases or has abandoned its oversight role entirely. The EPA should be protecting our climate and public health from dangerous releases, but has seemingly abdicated its responsibility on both fronts in its response to this disaster.

During the initial days of the response, the EPA filed initial Pollution Reports that listed items on which the EPA would follow up, including on what hazardous substances were released and the effect that these chemicals would have on the environment. However, there are no available data or reports demonstrating that any follow-up took place, and unlike with other large-scale disasters, the EPA has not posted any follow-up report on the EPA Response public website.⁶ This apparent lack of follow-up to a major drilling blowout by your agency is extremely troubling.

According to reports, the blowout was caused after high pressure caused the well’s casing to fail, but the well has since been placed back in service. We do not know why the well failed, how it was replaced, or whether other wells across the country owned by ExxonMobil or its subsidiaries may be susceptible to failing in the same way. We do not know the total environmental impact was of this disaster—if independent researchers had not accessed satellite data to assess the methane release, we still might be trusting XTO Energy’s estimate. If there are no consequences for major leaks like this, there will be no incentive for oil and gas companies to avoid them or properly respond to them in the future.

It is alarming that a gas well blowout of this magnitude did not lead to any published investigations or fines and it is unclear what, if any, corrective actions were taken by the EPA.

In light of the preceding, please respond to the following questions by January 15, 2020:

I. EPA Response and Enforcement Activity

⁵ U.S. Environmental Protection Agency Pollution/Situation Report – XTO Energy Well Blowout – POLREP #1 https://www.fractracker.org/a5ej20sjfwe/wp-content/uploads/2018/03/XTOPowhatenPoint_polrep_1.pdf.

⁶ EPA On-Scene Coordinator (OSC) Response Website, U.S. Environmental Protection Agency <https://response.epa.gov/>.

1. What was the cause of the Ohio gas well blowout in 2018?
2. XTO Energy received a permit from the Ohio EPA for installation and operation of the Schnegg Unit gas well.⁷ Under the permit, the U.S. EPA is responsible for enforcement of the National Emission Standards for Hazardous Air Pollutants at the Schnegg facility, in addition to enforcement of the Ohio State Implementation Plan that covers compliance with the Clean Air Act. Did the XTO Energy well blowout lead to any federal permit violations? If so, what were the violations? If not, why not?
3. The February 18, 2018 EPA report states that “XTO Energy is the suspected Responsible Party. Enforcement activities are being identified.”¹¹
 - a. What enforcement activities, including civil penalties, did EPA identify for XTO Energy as the responsible party?
 - b. Did the EPA explore fining XTO Energy as a result of the gas well blowout? If not, why not?
 - c. When did EPA convey these enforcement activities to XTO Energy? If not, why not?
 - d. If no enforcement activities took place, why not?
4. Please provide a report that details your agency’s involvement with this well-site response and monitoring from February 15, 2018 onward.
5. What steps have you taken to measure health impacts on nearby residents from this blowout and respond to them?

II. Monitoring and response

6. In the second Pollution Report, EPA staff stated that the EPA will “determine the extent and impact of oil, hazardous substances, pollutants, and/or contaminants that have been discharged or released.”⁸ Please provide a detailed report addressing these points:
 - a. What type of substances, pollutants, and contaminants were discharged or released as a result of this blowout and in what quantities?
 - b. How did the discharges or releases affect the surrounding environment and public health (including air, water, and wildlife)?
7. Which, if any, measured pollutants exceeded air quality or water quality standards?
8. EPA staff stated that the agency will “continue to provide air and water quality monitoring support along with providing technical support through the Unified Command structure to evaluate the following plans: Air Monitoring Plan, Water Quality Monitoring Plan, Drilling Fluid Plan, Hazmat Assessment Plan, Biocide Plan, Containment Plan,

⁷ Erica R. Engel-Ishida, *RE: Final Air Pollution Permit-to-Install and Operate*, Ohio EPA (December 18, 2014) http://wwwapp.epa.ohio.gov/dapc/permits_issued/1238365.pdf at pp. 9-10

⁸ U.S. Environmental Protection Agency Pollution/Situation Report – XTO Energy Well Blowout – POLREP #2 https://www.fractracker.org/a5ej20sjfwe/wp-content/uploads/2018/03/XTOPowhatanPoint_polrep_2.pdf.

Community Action Plan, and a Waste Management Plan.”⁹ What was the outcome of these monitoring efforts and the evaluation of each of these plans? Please provide details for each plan and the resulting assessment.

9. In the initial Pollution Report, the EPA evaluated substances present at the well site that may potentially be classified as hazardous substances under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), including thousands of gallons of hydrochloric acid, ethylene glycol, and other substances.¹⁰ As a result, the EPA “decided to open a CERCLA Response due to the presence of methanol onsite.”¹¹ What is the status and outcome of this CERCLA evaluation and response? Please provide all documents related to this investigation.
10. Does the EPA believe that oil and gas companies should be held responsible for large-scale releases of methane from drilling operations or blowouts? If not, why not?
11. Does the EPA believe that the ability to impose civil penalties on oil and gas companies for large-scale releases of methane from drilling operations or blowouts would improve safety and deter these sorts of massive well blowouts of natural gas?

We appreciate your prompt reply to these questions. If you have any questions about this request, please contact Georgia Lagoudas or Hannah Vogel on my staff at (202) 224-2742. Thank you for your attention to this matter.

Sincerely,



Edward J. Markey
United States Senator

⁹ U.S. Environmental Protection Agency Pollution/Situation Report – XTO Energy Well Blowout – POLREP #2
https://www.fractracker.org/a5ej20sjfwe/wp-content/uploads/2018/03/XTOPowhatenPoint_polrep_2.pdf

¹⁰ U.S. Environmental Protection Agency Pollution/Situation Report – XTO Energy Well Blowout – POLREP #1
https://www.fractracker.org/a5ej20sjfwe/wp-content/uploads/2018/03/XTOPowhatenPoint_polrep_1.pdf

¹¹ U.S. Environmental Protection Agency Pollution/Situation Report – XTO Energy Well Blowout – POLREP #2
https://www.fractracker.org/a5ej20sjfwe/wp-content/uploads/2018/03/XTOPowhatenPoint_polrep_2.pdf