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Spilman Thomas & Battle files suit against U.S. EPA

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Spilman Thomas & Battle PLLC recently filed a suit against the U.S. Environmental Protection Agency challenging air regulations, which lawyers say puts an unfair burden on smaller natural gas producers.

The firm filed the petition for review in Washington, D.C., Circuit Court on behalf of several oil and natural gas associations throughout the eastern part of the country.

These associations are listed as Independent Petroleum Association of America, Independent Oil and Gas Association of West Virginia, Kentucky Oil & Gas Association, Indiana Oil and Gas Association, Pennsylvania Independent Oil & Gas Association, Ohio Oil and Gas Association, and Illinois Oil & Gas Association

According to the firm's news release, petitioners question the "low pressure gas well" definition, which lawyers allege was not subject to public review and comment before its adoption.

Petitioners allege the definition will exclude many gas wells drilled in formations that historically have been recognized as low pressure, the news release further states.

They also assert the EPA's evaluation of the economic impact of new standards for hydraulically fractured natural gas well completions does not properly consider the burden compliance will have on smaller producers, the news release states.

"The new rules and regulations were not based on data representing smaller, independent producers, and they will be disproportionately impacted as a result of the EPA's rush to judgment," said James D. Elliott, a Spilman attorney in Harrisburg, Pa. "Despite acknowledging the wide variation in emission profiles from basin to basin and even within the same basin, the EPA promulgated a 'one-size-fits-all' approach to wells based on an industry wide average."



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