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Conservation and Tribal Citizen Groups Challenge Trump Administration's Rescission of BLM Waste Prevention Rule

Rollback of protections wastes taxpayer-owned resources, endangers public health, and gravely impacts climate change

SAN FRANCISCO – A coalition of 17 conservation and tribal citizen groups filed a lawsuit Friday challenging the Trump Administration's replacement of the Bureau of Land Management's Waste Prevention Rule, stating that the new rule violates federal policies. The states of New Mexico and California have already filed a lawsuit challenging BLM's action.

The common-sense rule updated nearly 40-year-old standards by implementing cost-effective measures to reduce wasteful venting, flaring, and leaking of publicly owned natural gas from federal and tribal lands. However, the administration's revised shell of a rule fails to take reasonable precautions to prevent waste and protect the public welfare, illegally relying almost entirely on inadequate or nonexistent state regulations in place of federal standards.

BLM adopted the Waste Prevention Rule to address rampant waste of public resources. BLM's own estimates show that between 2009 and 2015 oil and gas companies wasted more than 462 billion cubic feet of natural gas, enough gas to supply over 6.2 million households—or every household in Colorado, Montana, New Mexico, North Dakota, South Dakota, Utah, and Wyoming—for one year.

As a result of BLM's actions today eliminating those protections, oil and gas companies will now be allowed to vent, leak, or flare \$824 million-worth of publicly owned natural gas into the air over the next decade. State, local, and tribal taxpayers will lose millions of dollars of royalty payments.

Moreover, according to BLM's own estimates, rescinding the Waste Prevention Rule will also result in the emissions of 180,000 tons of methane—a greenhouse gas 87 times more powerful than carbon dioxide—every year. BLM's action also endangers communities' health by exposing them to dangerous smog-forming and carcinogenic air pollutants.

“We are going to court on behalf of American taxpayers, public health, and the planet,” said Robin Cooley, an Earthjustice attorney representing tribal and conservation citizen groups. “The Trump administration is not above the law— Interior Secretary Zinke cannot yank away a common-sense rule that was the product of years of careful deliberation simply to appease his friends in the oil and gas industry.”

“The illogical and impulsive way in which the Interior Department conducted this completely unnecessary revision process once again showcases this administration’s complete disregard for the American public and existing environmental protections. And while the administration will continue to proceed as if these policies don’t exist, the fact remains that what they are doing is illegal and we will fight it,” said Bruce Pendery, litigation and energy policy specialist at The Wilderness Society.

“The Trump administration has been relentless in its efforts to appease corporate polluters and roll back critical clean air standards,” said Kelly Martin, director of the Sierra Club’s Beyond Dirty Fuels campaign. “Today we continue the fight in court to hold them accountable and protect our health, climate, and communities from dangerous methane pollution.”

“The federal government is not living up to its trust responsibility to tribal members of the Fort Berthold Reservation in North Dakota who are living every day with toxic air pollution, constant noise and flares lighting up the skies of our homeland,” said Lisa DeVille, president of the Fort Berthold Protectors of Water and Earth Rights. “The Trump administration is taking away these important protections without considering the devastating impact to me and my community. That’s why we are taking them to court.”

“Secretary Zinke is rolling back a rule that required greater capture of natural gas and that the industry pay a royalty on gas that is vented to the atmosphere or otherwise wasted,” said Rodger Steen, chair of the Western Organization of Resource Councils’ Oil and Gas Campaign Team. “Requiring royalty payment on wasted gas is one important reason why the 2016 rule is needed, but there are others. As the increasing scarcity of basic resources like clean water and old forests reminds us, we need to use our finite resources wisely and not waste them.”

The Conservation and Tribal Citizen Groups filed their lawsuit in the U.S. District Court for the Northern District California, which has already struck down BLM’s two prior attempts to roll back the Waste Prevention Rule. Earthjustice represents Fort Berthold Protectors of Water and Earth Rights, Sierra Club, The Wilderness Society, and Western Organization of Resource Councils in the lawsuit.

Click [here](#) to see the complaint.

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