



BACK AND FORTH, BACK AND FORTH – FEDERAL COURT IN WYOMING HALTS BLM METHANE RULE

On April 4, U.S. District Court of Wyoming Judge Scott Skavdahl granted industry requests to [halt implementation](#) of key provisions of the contested 2016 Bureau of Land Management (BLM) “Venting and Flaring” Rule. This decision comes shortly after a February 2018 ruling in favor of [reinstating](#) the methane emissions rule.

“... the Court finds the most appropriate and sensible approach is to exercise its equitable discretion to stay implementation of the Waste Prevention Rule’s phase-in provisions and further stay these cases until the BLM finalizes the Revision Rule ...”

The 2016 Venting and Flaring Rule established requirements to reduce waste of natural gas from venting, flaring, and leaks during oil and natural gas production activities on onshore Federal and Indian leases. The initial compliance date for the majority of requirements was January 17, 2018; however, the rule has been delayed, suspended, and reinstated since its conception, leaving many without certainty or guidance on enforcement.

Various groups, including the Trump Administration, several states (including Montana, North Dakota, Texas, and Wyoming), and members of the oil and gas industry, previously attempted to block the rule on the basis that it was unnecessary and burdensome to the industry. Additionally, the BLM proposed a [significant revision](#) to rescind many of these requirements on February 22, 2018, with comments due to BLM by April 23.

What It Means

Pursuant to the April 4 ruling, the BLM Venting and Flaring requirements originally intended to become effective on January 18, 2018 are now [suspended](#). That means there is no current regulatory requirement to conduct or implement these portions of the regulation. We expect BLM to finalize the February 2018 proposed rule this

summer.

Note: Environmental organizations have appealed Judge Skavdahl's ruling to the 10th Circuit Court of Appeals. Our team will continue to keep track of legal developments.

Questions?

Contact our air compliance experts with questions about the rule and its current status:

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delve.
verb: research or make inquiries into something
synonyms: investigate, inquire into, probe, explore, research, look into