

Oil and Gas Ozone Precursor Rule

Improving air quality in New Mexico's most affected communities

Public Hearing before the Environmental Improvement Board: Proposed New Regulation

Oil and Gas Sector ~ Ozone Precursor Pollutants and also effectively regulating methane emission from oil and gas facilities

September 20-30, 2021

Public Comments Made by 350NM Members & Allies

I. Anonymous

"In 2014, scientists working on a NASA study discovered a 2,500-square-mile cloud of methane hovering over the Four Corners region of New Mexico – the largest concentration of methane anywhere in the nation... New Mexico's oil and gas operators are emitting 570,000 tons of methane every year -- equivalent to the climate impact of approximately 12 coal-fired power plants." Environmental Defense Fund Summary Report

It has been very apparent for some time that New Mexico has a serious problem about methane pollution from the Four Corners area.

Yet, little is being done to stop this pollution and horrendous exacerbation of Climate Change in New Mexico.

Will this health & environmental issue continue to be swept under the political rug? This environmental problem is not just affecting humans. Our forests, soils, water, air and wildlife are also suffering as a result.

Climate Change is here in NM, and it is getting worse every day. Is it perhaps because many politicians are tied to the NM energy lobby?

II. Jack Edwards

Lake Powell and lake Mead are currently at one third of their capacity and close to the point where they can no longer produce hydro electric power. Irrigators on the Sacramento river have for the first time been told to stop diverting water. (1) A pall of

smoke hangs over the west. Globally world populations are forced to migrate creating political chaos. Are these things connected?

I am here to encourage the NMEIB to enact stronger rules to prevent fugitive methane releases. The purpose of this is to prevent the increasingly large buildup of greenhouse gases and the worsening of the global warning. I think anyone who is able to connect more than two dots can understand this.

“The latest August 2021 report by the Intergovernmental Panel on Climate Change (IPCC) identifies methane as one of the worst greenhouse gases contributing to climate change.” (1)

One of the more profound effects of methane releases is what is called the “Methane Accelerator”. As the climate warms many new sources of currently sequestered methane are activated including releases from thawing permafrost and marine hydrates from warming oceans.

So if methane is such a potent contributor to global warming why not eliminate the controllable releases. As they said in the movie “Show me the money.”

I will leave you with one more closing thought. Throughout the southwest one of the most frequently found ancestral puebloan structures are granaries built of tightly mortared stone and mud and built in high and inaccessible cliffs. What did they know that we seem to be forgetting. They knew it is vital to protect their seeds for the future. Wouldn't it be nice if we New Mexicans, with our rich cultural backgrounds and our special climate vulnerability, could be a leader in controlling fugitive methane emissions.

1.) Rinaldo Brutoco, The “Methane Accelerator” Climate Change is Moving Past The Tipping Point, the Montecito Journal, September 21, 2021.

III. Kenneth Bergeron, 350NM Treasurer

I see that real progress is being made regarding the relevant regulations, but the problem is so large that I am concerned that enforcement will be weak and slow as things stand currently. We need to put more funds into regulatory resources including inspection and enforcement.

Self-reporting by the industry is well and good, but there has to be additional inspection and enforcement by State employees or contractors to make sure those efforts are thorough and sincere. Fund and hire more inspectors!

There should be no exemptions for small operations, which collectively contribute a great deal to the pollution.

Well completions should not be allowed to release large quantities of VOCs and methane. Technology to capture most of these releases are available to the operators and should be required.

Pneumatic devices that routinely release methane should be forbidden. Methane that is captured from leaking equipment can be sold and taxed, and certainly should not be released into the atmosphere.

Enforcing cleaner operations in the oil and gas industry can provide a lot of high quality jobs in the state, and besides it is the right thing to do.

Climate change is here and will only get worse. The methane pollution in our state is a major contributor to climate change. It is an embarrassment as well as a threat to the health and welfare of the people living here and in the rest of the world.

IV. Nancy Weeks Singham, 350NM Steering Committee Member

As a retired kindergarten teacher in Albuquerque Public Schools, I am very concerned about both the health and climate effects of methane pollution due to oil and gas drilling in the oil patches of our state.

I have read the reports on air quality resulting from methane and other chemical leaks, and welcome the most aggressive regulation possible. All companies, whether large or small, who are extracting oil and gas must be made to keep our air as healthy as possible. We should not have to trade our health for companies making money.

We need to protect those living closest to development by requiring more frequent inspections to find and fix leaks and to ensure strong requirements for operators to control pollution during the completion of an oil or gas well or when they redevelop an existing well.

I also support strengthening requirements to cut pollution from pneumatic controllers that are used in oil and gas production. NMED should require companies to inspect pneumatics for leaks and accelerate the timeline to retrofit equipment with zero-bleed or zero-emission pneumatic controllers

I currently work with high school and college students on issues of climate change. I am sick at heart to see their daily anxiety about their futures due to climate change current

dangers and future threats. This is even more tragic when the fast growing methane emissions from our state COULD BE STOPPED with current technology, but for the desire for maximum profits.

I urge the board to take strong and swift action to curtail ozone creating pollutants.

Thank you for your work on this critical issue.

V. Stefi Weisburd, 350NM Steering Committee Member

I am writing to the Members of the Environmental Improvement Board to urge them to adopt the most stringent methane and ozone precursor rules possible.

Given the consistently failing grades that our oil and gas-producing counties receive from the American Lung Association on ozone and particulates and the recent projections of New Mexico climate scientists working on the 50-year water plan of a "staggering increase in temperature that would have profound consequences for life (and water resources) in New Mexico," due to green-house gas-driven climate change, there really is no other choice.

More than half of New Mexico's greenhouse gas emissions come from the oil and gas sector. With so much at stake for our other industries that are being negatively impacted by climate change — from farming and ranching to outdoor recreation and tourism, insurance, construction, utilities - it is unconscionable that we allow the one industry that is creating extreme weather events, severe water shortages, forest fires, large debris flows and flooding and hazy, smoke-filled skies to operate under anything but the most stringent standards.

Technology and procedures are sufficiently advanced to allow for fossil fuel companies to eliminate leaks in storage tanks, upgrade to zero-emissions non-pneumatic controllers and valves, scrupulously monitor for leaks and expedite immediate repairs and address pollution created during the well completion process.

I would think this would be a priority for the operators too because their workers live here, and their health and safety should be a concern as well as that of the communities that live close to the facilities.

I have been attending UNMH's excellent ECHO Climate Change and Human Health program. Health care professionals are deeply concerned about the compounding effects of air pollution and climate change on health especially in rural areas of the state

where poverty and lack of access to health care are prevalent - just the places where a lot of oil and gas companies operate.

So please look out for the most vulnerable New Mexicans and the generations to come who will inherit a much more challenging world. Let's do our part and keep as much methane, VOCs and ozone precursors out of the air.

VI. Walter Gerstle, 350NM Steering Committee Member

I encourage the EIB to vote to support and strengthen the New Mexico Environment Department's draft rule to address ozone precursor pollutants from oil and gas operations.

Work needs to be done to protect communities and address major pollution sources to meet Governor Lujan Grisham's goal of nation-leading rules to cut pollution.

Here are three key improvements the Environment Department should adopt to protect communities and address major sources of pollution:

- Protect those living closest to development by requiring more frequent inspections to find and fix leaks.
- Ensure strong requirements for operators to control pollution during the completion of an oil or gas well or when they redevelop an existing well.
- Strengthen requirements to cut pollution from pneumatic controllers that are used in oil and gas production. The devices are the second largest source of oil and gas methane emissions in New Mexico. NMED should require companies to inspect pneumatics for leaks and accelerate the timeline to retrofit equipment with zero-bleed or zero-emission pneumatic controllers.

Please adopt strong final rules that protect communities and that addresses the major sources of air and climate pollution.

VII. Stephanie Haan-Amato, 350NM Steering Committee Member

Please accept this written comment regarding the Methane Pollution Rules. I urge you to strengthen the New Mexico Environment Department's draft rule to address Ozone Precursor Pollutants from oil and gas operations in order to ensure justice for the most vulnerable and the future.

I am hopeful that the Environment Department will adopt three key improvements to the proposed rules:

- Protect those living closest to development by requiring more frequent inspections to find and fix leaks.
- Ensure strong requirements for operators to control pollution during the completion of an oil or gas well or when they redevelop an existing well.
- Strengthen requirements to cut pollution from pneumatic controllers that are used in oil and gas production. NMED should require companies to inspect pneumatics for leaks and accelerate the timeline to retrofit equipment with zero-bleed or zero-emission pneumatic controllers.

As a New Mexico resident for more than 20 years, I am troubled by our continued allowance of methane pollution, a powerful greenhouse gas. Through venting, flaring, and leaks, oil and gas operators release large amounts of methane every year. Reducing this pollution is a key step in the Governor's strategy to address air pollution and climate impacts caused by oil and gas facilities.

Moreover, rural communities, tribal communities, children, and the elderly are especially at risk. A recent analysis demonstrated that tribal communities often suffer from disproportionately high pollution levels.