



BP America Production Company
Gordon R. Smith
Mail Code: 2.110 A
501 Westlake Park Boulevard
Houston, TX 77079

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Brad Musick
Lany Weaver
New Mexico – Air Quality Bureau
2048 Galisteo
Santa Fe, New Mexico 87505

Subject: Proposed (draft) Regulations 20.2.87 GHG Reporting and 20.2.73 Implementation

Dear Mr. Musick and MS Weaver,

BP appreciates the opportunity to comment on the Department's proposed rules for greenhouse gas reporting in the State of New Mexico. As the department is aware, BP is a global company and has been actively engaged in the Climate Change discussion and GHG control issues for nearly a decade. We have maintained a global emissions reporting system internally since 1998, actively reduced our internal emissions, developed and piloted an internal emissions trading system to develop knowledge and learning regarding trading, participate in both the UK and EU GHG trading systems, and have been active participants in policy discussions and initiatives throughout this period. In this time, we have developed a broad knowledge base regarding GHG inventory, reduction, and policy options.

Following are BP's general comments on the draft rules:

BP believes these rules should contain provisions for automatic preemption by a Federal rule when/if a Federal rule that accomplishes substantially the same (or better) reporting is promulgated. The specter of multiple State, Regional and perhaps even City programs which vary in methodologies and "rules" is not a pleasant nor optimum outcome for a truly global issue which requires broad policy options to address.

BP fully supports the New Mexico Oil and Gas Association comments and suggested language changes. These add much clarity and definition to the draft rules and should be carefully considered and adopted. In particular we support NMOGA's suggestion that the GHG reporting rules should be incorporated as a new section to 20.2.73 rather than integrated into the existing rule language. Greenhouse gas emissions, the applicable regulations, and control mechanisms are intrinsically different than criteria pollutants and incorporating the GHG language simply confuses the issues.

The remainder of BP's comments are edited into the attached proposed rules. While we do not support establishment of State or Regional programs, we do feel that where they are being established they need to be consistent with and support moving to the larger scope.

Again, thank you for the opportunity to comment on the draft New Mexico "Mandatory Greenhouse Gas Emissions Reporting" rules. Should you have any questions concerning these comments or associated issues, please feel free to contact me.

Gordon Reid Smith
Senior Environmental Advisor
Bp America Production Company