



New Mexico Environment Department

SCIENCE | INNOVATION | COLLABORATION | COMPLIANCE

Updated Aug. 13, 2020

Environment Department releases draft ozone precursor emissions rules for public comment

Rules will reduce VOCs, NOx, methane emissions

On July 20, 2020, the New Mexico Environment Department (NMED) released [draft rules](#) to establish emissions standards for volatile organic compounds (VOCs) and nitrogen oxides (NOx) emissions from the oil and natural gas industry. This preliminary draft rule was released for public review and input in advance of NMED filing a formal rulemaking petition with the Environmental Improvement Board (EIB) later this year. In releasing the preliminary draft rule, NMED seeks to foster greater transparency and facilitate continued engagement from stakeholders, members of the public, and other interested parties.

As drafted, NMED's rule will apply to new and existing oil and natural gas operations in Chavez, Doña Ana, Eddy, Lea, Rio Arriba, Sandoval and San Juan counties. The air quality in these counties is deteriorating as a result of exploration, production and processing activities. Reducing VOCs and NOx emissions will result in improved air quality and, as a collateral benefit, reduced methane emissions.

How will this rule protect public health?

In combination, VOCs and NOx chemically form ozone, levels of which are currently rising in the San Juan and Permian Basins. Breathing ozone can adversely impact public health causing chest pain, coughing, throat irritation, and airway inflammation. It also can reduce lung function and harm lung tissue. Ozone can worsen bronchitis, emphysema and asthma, leading to increased medical care. Reducing these air pollutants also has the collateral benefit of reducing emissions of methane, a potent greenhouse gas. Conservatively, NMED estimates an annual reduction of 77,000 tons of VOCs and 21,000 tons of NOx should this rule go into effect.

How does our proposed rule stack up?

NMED's draft rule is more innovative, progressive and stringent than the requirements of the U.S. Environmental Protection Agency and other states. And, our proposed rule is tailored to solve New Mexico's air quality issues. For example, NMED's draft rule is sized so that there are more requirements to reduce and monitor emissions based on the potential to emit air pollutants. The rule applies to new and existing sources and sets lower emission standards. Further, the draft rule attempts to incentivize the industry toward lower- to no-emission equipment and provides pathways for new and innovative technologies as means of compliance.

How to comment:

Submit feedback on the draft rule by 5 p.m. on Sept. 16, 2020:

By email:

nm.methanestrategy@state.nm.us

By mail:

Ms. Liz Bisbey-Kuehn
NMED Air Quality Bureau
525 Camino de los Marquez
Santa Fe, NM 87505



Proposed rules:

<https://www.env.nm.gov/new-mexico-methane-strategy/>



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<https://public.govdelivery.com/accounts/NMED/subscriber/new>



Our mission:

Our mission is to protect and restore the environment and to foster a healthy and prosperous New Mexico for present and future generations. We implement through four core values: Science, Innovation, Collaboration & Compliance.



Our draft rule proposes to increase oversight and transparency through the Equipment Monitoring and Information Tracking Tag (EMITT) system database.



Collaboration Process

Spring/Summer 2019 – NMED and EMNRD host Farmington, Albuquerque, and Carlsbad public engagement meetings.

Fall 2019 – State agencies convene Methane Advisory Panel consisting of industry and NGOs.

Winter 2020 – Methane Advisory Panel releases its report for public review and comment.

Spring 2020 – NMED & EMNRD host community impact meeting.

Summer 2020 – NMED and EMNRD host a community meeting on the Methane Advisory Panel report.

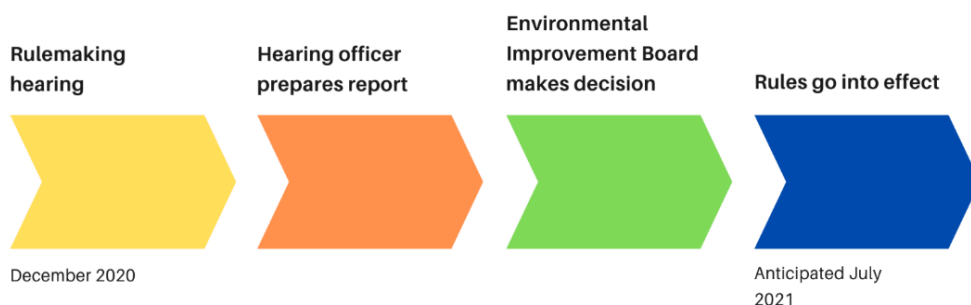
Summer 2020 – NMED and EMNRD release draft rules for public review and input.



What's next?

Our collaboration process with the public continues. After NMED receives public feedback on the draft rules, we will review and adjust the draft rule as necessary.

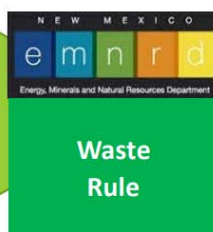
In late September 2020, NMED will file a petition with the EIB for a rulemaking hearing on a revised draft rule. After the rulemaking hearing, all parties will have an opportunity to provide post-hearing submittals (at least 30 days from the date the transcript is released) and the hearing officer will prepare final report (30 to 60 days). The EIB will then deliberate and prepare their findings of fact and conclusions of law (at least 30 days). The effective date is the date the rule is published in the New Mexico Register, which we anticipate occurring in July 2021.



What guides the draft rule?

Aside from public feedback, the Air Quality Control Act requires the EIB to consider:

1. Public interest, including the social and economic value of the sources of emissions;
2. Energy, environmental and economic impacts;
3. Efforts by sources to reduce emissions prior to the effective date of the rule; and
4. The remaining useful life of existing sources.



Technical details:

NMED's draft proposed rules target oil and gas industry equipment that emits VOCs and NOx. The draft rules establish requirements to reduce VOCs and NOx emissions from several types of equipment and processes:

1. Hydrocarbon liquid loading/unloading: Requires stringent control of VOC emissions from new and existing sources. No federal or state standard exists. Current requirements are zero control; rule requires 95% control.
2. Pig launching/receiving: Requires stringent reductions of VOC emissions from new and existing sources. No federal or state standard exists. Current requirements are zero control; rule requires 95% control.
3. Glycol dehydrators: Requires control of VOC emissions from new and existing sources; more stringent than current state or federal standards.
4. Engines: More stringent requirements than other state and federal rules.
5. Equipment leaks: Requires control of VOC emissions from new and existing sources with a potential to emit of greater than 15 tons per year; more stringent requirements than current federal and some state standards.
6. Heaters: Requires reduction of NOx emissions from existing sources.
7. Storage tanks: Requires control of VOC emissions from new and existing sources with a potential to emit of greater than 2 tons per year; more stringent than federal and some state standards.
8. Well workovers: Requires methods to reduce VOC emissions from new and existing sources and notification to nearby residents.
9. Gas well liquids unloading: Requires methods to reduce VOC emissions from new and existing sources.
10. Compressor seals: Requires control of VOC emissions from new and existing sources.
11. Pneumatic controllers: Requires control of VOC emissions from new and existing sources with incentives to use low- to no-emission equipment through monitoring, recordkeeping and reporting.
12. Evaporative ponds: Requires control of VOC emissions from new and existing sources, which is more stringent than federal requirements and those of other states.
13. Standards for stripper wells and low emitting facilities: Requires monitoring of actual oil and gas throughput, emissions tracking for new and existing individual facilities and affirmative requirements to maintain equipment to prevent emissions.