

From: [Methanestrategy, NM, NMENV](#)
To: [Kuehn, Elizabeth, NMENV](#)
Subject: Fw: Public Comments on Draft Ozone Precursor and Methane Rules
Date: Friday, September 4, 2020 10:40:55 AM
Attachments: [Public Comment Draft Ozone Precursor and Methane Rule.docx](#)


From: Sr. Rose Marie Cecchini <r.cecchini@ccdioc.com>
Sent: Tuesday, August 11, 2020 4:33 PM
To: Methanestrategy, NM, NMENV
Cc: rcecchinimm@centurylink.net; patsheely@gmail.com
Subject: [EXT] Public Comments on Draft Ozone Precursor and Methane Rules

Peace greetings,

Attached are public comments on the Draft Ozone Precursor and Methane Rules being submitted on behalf of people of faith in communities in Shiprock, Farmington, Flora Vista, Bloomfield, Blanco, Aztec and other communities In San Juan county.

Thank you for the opportunity to participate in the important process of formulating the finalized version of the Rules by offering public comment.

Peace,

Sr. Rose Marie Cecchini MM,
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August 11, 2020

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

RE: Public Comment on NMED and NMEMNRD Draft Ozone Precursor and Methane Rules

Dear Ms. Bisbey-Kuehn and Members of NMED, NMEMNRD and Methane Advisory Panel,

First of all, thank you for the vitally significant, arduous work you have accomplished in drafting the Ozone Precursor Emissions Rules, incorporating stakeholder collaboration, in response to Governor Lujan Grisham's **Executive Order on Addressing Climate Change and Energy Waste Prevention**. The Governor has committed to adopting nation-leading oil and gas rules to cut methane and air pollution.

I also appreciate the opportunity to participate in the process of formulating the finalized version of the Rule by offering public comment. The outcome of this important process will have lasting influence on the people, land, economy and environment of New Mexico for generations to come.

I am Rose Marie Cecchini, MM, and have lived in Gallup, NM, for the past 24 years. I serve as Director of the Office of Life, Peace, Justice and Creation with Catholic Charities of Gallup Diocese. I offer these comments on behalf of concerned people of faith in communities of Shiprock, Farmington, Flora Vista, Bloomfield, Blanco, Aztec and other communities in San Juan county. In my visits to these communities, people have shared with me the adverse health and environmental impacts they experience and suffer from, caused by methane gas releases, venting, flaring, leaks and associated toxic air pollution. Local residents describe how impacts from oil and natural gas facilities in their area are causing increase in asthma attacks, especially in children and elders, increased risks of cancer and respiratory illnesses, increased emergency room visits, hospitalization and premature deaths. Community members also report brown clouds and smog that frequently hang over their homes and neighborhoods.

Our faith traditions teach that Creation is God-given and sacred, intended for the wellbeing and flourishing of all human and planetary life. Being responsible for Creation is a sacred trust that requires us to seriously consider the moral, ethical and environmental justice dimensions that need to be incorporated in all state and federal regulations to insure the common good. Pope Francis states in ***Laudato Si', On Care of Our Common Home***, that the air in the atmosphere and the climate are sacred commons for the common good, belonging to all and meant for the life of all. Methane releases are contributing to the relentless over-heating of our planet intensifying climate change. Here in New Mexico we have seen NASA satellite images of the Delaware-sized methane hot spot above the Four Corners primarily caused by the oil and gas industry's unregulated operations in the state. Methane is a climate pollutant 87 times more potent than carbon dioxide driving the climate crisis. We must act to address these challenges for present and future generations.

We have the following concerns regarding inadequacies in the current draft Rules:

New Mexico Environment Department air pollution rule

- The exemptions for "stripper wells" and the 15 tons per year pollution threshold for volatile organic compounds must be removed. These two exemptions combined would exempt 95% of all

wells in New Mexico. OCD reports there are 65,052 oil and gas wells in NM. If not changed, it would continue to allow the vast majority of wells in New Mexico to operate unregulated. This is unacceptable.

- Pneumatic devices that help regulate fluids, pressure, and temperature are huge sources of emissions and can often fail to function properly. Leak detection and repair requirements should be extended to these devices. Colorado adopted these requirements with the support of the largest trade associations.
- NMED should consider requirements for “zero-bleed” or zero emission pneumatics regardless of whether a site has access to electricity. Oil and gas operators in Canada are already using solar to power these devices.
- NMED should consider monthly inspections for high producing well sites, just as Colorado has adopted.
- Waste of New Mexico’ natural resources must not be allowed. Annually, oil and gas companies waste \$275 million worth of natural gas through venting, flaring and leaks which cost New Mexicans more than \$40 million each year in royalties that operators are not required to pay for oil or gas produced on federal or state lands when they vent, flare, or leak methane rather than sell it.

Oil Conservation Division methane waste rule

- OCD has set an appropriate goal that 98% of all gas be captured. However, if that requirement is not set by locality, for companies with operations in both the San Juan and Permian Basins, all of the reductions could occur in the Permian. This would disproportionately affect Navajo and Latino communities in the San Juan Basin, resulting in environmental racism. OCD should set the goal on the basis of locality such as county or basin.
- OCD should create an open and transparent process for involving the public by adopting an annual reporting requirement on progress towards implementing the rule and providing more opportunities for the public to engage in OCD decision-making regionally, such as on gas capture planning, well density and spacing.
- The rule’s current approach to enforcement is grossly inadequate. It states that OCD **may** pursue a set of general actions against any company that is not meeting the capture requirements. That is totally unacceptable as evident in prior administrations’ failure to enforce rules for decades. The rule must create automatic triggers for OCD to taking meaningful action to ensure that companies will comply.
- Given the well-documented history of widespread venting and flaring reporting noncompliance, OCD should require companies to contract with independent third-party verification to ensure the integrity of venting and flaring data that is reported to the agency.
- The draft rule carves out too many exemptions for venting which is even more damaging to the climate than flaring. OCD should ban all venting except for emergencies and require gas to be put into pipelines. Flaring should only occur when absolutely necessary to protect health and safety. OCD should include provisions to ensure that flares combust nearly all of the gas and that flares stay lit.

The people of New Mexico face grave threats from rising temperatures, decreasing rainfall, drought, declining snowpack, rising wildfire danger and other impacts brought on by intensifying climate change, adversely affecting our natural and cultural heritage now and for future generations. Our hope and prayer is that NMED,

OCD and NMEMNRD will assist in meeting these challenges through continued revision and improvement of the Rules – which are also opportunities for a new direction toward a sustainable, renewable energy future for New Mexico.

Sincerely,

Rose Marie Cecchini, MM

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