BEN LUJAN

Member of Congress

TOM UDALL

United States Senator

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' Mx54ing#nn, 3949 20515

October 5, 2018

The Honorable Susan Bodine

Assistant Admuustrator '

Office of Enforcement and Compliance Assurance

U.S. Environmental Protection Agency

1200 Pennsylvania Ave. NW

Mail Code 2201 A

Washington, DC 20460

Dear Assistant Administrator Bodine:

The attached Ietter was sent to us by Mr. Michael Eisenfeld of the San Juan Citizens Alliance in

Farmington, New Mexico. In his letter, Mr. Eisenfeld expresses concern about the impact on the

environment of oil and gas recompletion in the San Juan Basin of New Mexico. The ailiance's

letter also poses a number of important questions regarding the Environmental Protection

Agency's ({EPA) responsibility to assure compliance with federal air quality rules in the San Juan

Basin and the status of EPA's enforcement in northwestern New Mexico.

Given the significant public interest in these matters, we respectfully ask that you carefulIy

review Mr. Eisenfeld's letter and respond fully to each of the issues and questions. The State of

New Mexico is set to rule on issues related to these matters by November 19, 2018. Therefore, a

response is requested as soon as possible, but no later than November 1, 2018.

Sincerely,

PR3NTED ON RECYCL£D PAPER

PO Box 6655

Farmington, NM 87499

505.325.6724

sanjuancttizens.org

October 1, 2018

The Honorable Martin Heinrich, United States Senate

303 Hart Senate Office Building

Washington, D.C. 20510

(202) 224-5521

The Honorable Tom Udall, United States Senate

531 Hart Senate Office BuiIding

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The Honorable Ben Ray Lujan, United States House of Representafives

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Re: (CFR) 40, 60, 0000/New Mexico

Dear Senators and Representative Lujan,

Oil and gas companies in San Juan and Rio Arriba counties in Northwestern New Mexico have

recently applied to double the number of natural gas wells in the Blanco-Mesaverde formation in

both counties. Doubling the number of wells in the area could significantly impact the air quality

of the Four Corners region, already the subject of national and international studies relating to

what is known as the "Four Corners Methane Hotpsot". lndeed, the 60+ year old San Juan Basin

natural gas field has been determined to be the leakiest gas field in the United States (Cassady

2016).

Extensive and ongoing peer-reviewed research shows that oil and gas emissions are the major

contributor to this unusual accumulation of inethane (Kort et al, 2014; Frankenberg et al, 2016).

Natural gas emissions contain toxic and cancer causing chemicals such as benzene, toluene,

xylene and others in addition to methane. As VOCs and agents for the formation of NOX,

natural gas pollutants have been shown to be particularly damaging to the health of children, the

disabled, and the elderly (McMuilin, 2018).

At a September 13, 2018 hearing before the New Mexico Oil Conservation Commission

(NMOCC), Texas-based Hilcorp Energy Company made an application to double the number of

Blanco-Mesaverde wells from the current limit of 8 wells per section to 16 wells per section in

San Juan and Rio Arriba counties. This could result in approximately 7,500 new natural gas

wells in a region that already has approximately 40,000 active and abandoned wells. The hearing

has been continued to November 19, 2018.

The purpose of this letter is to review EPA rule 0000 and OOOOa as they apply to natural gas

development in the San Juan Basin and elsewhere in New Mexico. We seek to determine if

energy companies are in compiiance with EPA rules regarding air quality as related to drilling

and recompletion.

In light of industry's pending application before NMOCC to double the number of gas wells in

the majority of the San Juan Basin, it is essential that we know the status of federal rule

compliance and enforcement designed to protect New Mexico citizens from health and

environmental threats arising from federal mineral development on both tribal and public

lands. We ask that EPA meet its responsibilities under existing rules and regulations, and answer

in a timely manner the questions and concerns we list below:

• EPA records for all well in San Juan and Rio Arriba counties, showing notification by

operator two days prior to beginning hydraulic fracturing procedures;

• Annual reports to EPA from operators detailing well site completions, certified as

accurate and truthful by a senior official ofthe owner or operator;

• Listing of specification by operator of deviations to CFR 40, 60; 0000 regulations

experienced during completion and reported to EPA;

• Listing of exceptions granted by EPA to operator for hydraulically fractured low-pressure

wells, including ali "Determinations of TechnicaI Infeasibility."

Additionally, we ask that EPA determine and report the number of Reduced Emission

Completion units available to San Juan Basin operators at this timo.

We also ask that EPA include how the information requested above is to lie made available to the

public and how EPA's oversight and enforcement are compatible with the existing plans and

policies of adjacent local, state, federal, and tribal agencies. We ask that EPA show whether and

how current oversight is consistent with the purposes, policies, and programs of federal law and

regulations applicable to federal minerals on both tribal and federal public lands. -

New Mexico citizens are entitled to the federal health and elivironmental safeguards that the

Environmental Protection Agency was established to provide. If EPA is unable to answer the

requests for information listed above in advance of the November 19, 2018 NMOCC hearing on

doubling well density in San Juan and Rio Arriba counties, we believe it would be appropriate

for EPA to request a further continuance of the hearing until a thorough understanding of

whether or not energy companies are in compliance with CFR 40, 60, 0000 in New Mexico,

what EPA enforcement actions regarding CFR 40, 60, 0000 are, and how this information may

be made public so that a transparent process may take place.

Please reply in writing by November 1, 2018.

Sincerely,

Michael Eisenfeid

Energy and Clirnate Program Manager

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sanjuancitizens.org