From:	Jessica Pace
To:	WasteRule, EMNRD, EMNRD
Subject:	[EXT] Comment on EMNRD draft rule
Date:	Tuesday, September 15, 2020 11:08:19 AM
Attachments:	WLN OCD Letter, 9-16-20.docx

Good morning,

Please find attached a comment letter on the EMNRD draft rule from Western Leaders Network Executive Director Gwen Lachelt.

Jessica Pace

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Re: Methane Rulemakings
Date: Sept. 16, 2020

Dear Secretary Cottrell Propst,

As director of Western Leaders Network, I applaud the leadership of Gov. Lujan Grisham and her administration for committing to developing nation-leading rules to reduce methane and air pollution from the oil and gas industry. But if this commendable and necessary goal is to be achieved, the Oil Conservation Division must make some critical amendments to its draft rule to ensure that these regulations are meaningful, enforceable and will protect all New Mexicans.

I write to urge OCD to reconsider its rules to strengthen enforcement and restrictions on venting and flaring methane pollution. As written, the draft rule allows too many exemptions for venting, and allows oil and gas companies to vent or flare during routine operations. OCD should ban both venting and flaring except for in the case of emergencies to protect health and safety.

Furthermore, OCD should tighten enforcement measures to give the agency the ability to take meaningful action when companies are not in compliance; deny drilling permits to applicants without firm agreements for pipeline capacity; require third-party verification to ensure companies accurately report venting and flaring data; and improve transparency by offering more opportunities for public engagement on regional decision-making.

Western Leaders Network is a nonpartisan nonprofit organization of local and tribal elected leaders across the Interior West, including more than 50 in New Mexico who in June wrote to the Governor in support of her pledge to enact nationally leading methane and air pollution rules this year.

Methane is a powerful greenhouse gas that accounts for 25 percent of global warming we're experiencing today. This unhampered, climate-changing pollution has resulted in worsening air quality, making it that much harder to address the dangerous levels of ozone pollution in counties with oil and gas activity. With hotter temperatures, New Mexico will see more drought and severe wildfire seasons. And methane waste costs New Mexico taxpayers more than $40 million in foregone tax and royalty revenue annually, which is something we can't afford, especially as we deal with the health and economic repercussions of the COVID-19 pandemic.

For all these reasons, OCD must have strong oversight of ozone-forming pollutants from oil and gas operations and ensure major reductions of methane pollution as a co-benefit to those rules from both an air quality and climate change perspective.

As the Trump administration removes critical federal regulations and safeguards to reduce methane waste and pollution, New Mexico has a unique opportunity to lead the nation with comprehensive statewide rules to address climate change and protect its communities' health and environment. I urge OCD to honor this opportunity and correct the defects in its draft rule, so New Mexicans can breathe clean air, collect needed taxpayer revenue, and recover their local economies in the wake of this pandemic.

Sincerely,

Gwen Lachelt

Gwen Lachelt, Executive Director
Western Leaders Network