

# Two-Week Oil and Gas Ozone Rule Hearing Wraps Up

The New Mexico Environmental Improvement Board on Friday concluded a two-week hearing on proposed regulations to address oil and natural gas pollution that contributes to high ozone levels.

Ozone can cause smog and respiratory issues.

The air pollution has worsened across New Mexico in recent years, including in the state's oil basins.

The state Environment Department proposal would target emissions by requiring operators to find and fix leaks and have emissions data certified by a professional engineer.

John Smitherman, a senior adviser for the New Mexico Oil and Gas Association, said the state should not pursue a proposal to tighten pollution controls for wells that have been drilled but have not yet entered the full-blown production phase.

"We believe the volumes of gas during that time are very small and do not warrant the risks and costs associated with trying to capture them," Smitherman said.

Smitherman said that requiring operators to change how they operate during a well's "initial flowback" stage could lead to dangerous liquid and gas pressure buildups.

Industry groups have also raised concerns about the rule's potential economic impacts on smaller producers in a state that relies heavily on oil and gas revenue.

Tom Alexander, a former industry executive and current Environmental Defense Fund consultant, said requiring leak detection and repair is "reasonable" because technology like special cameras already exists.

"If a well can't stand modest investment to do the right thing, then maybe it needs to be plugged," Alexander said. "I don't see anything here that is going to destroy the industry."

EDF and other environmental groups are asking for the rules to require:

- More inspections for sites near homes and schools.
- Stricter standards during drilling and completing wells.

- Earlier deadlines for adopting zero-emission equipment control devices.

Those changes would make the rule align more closely with Colorado's regulations.

The seven-member board is expected to make a decision on the proposed rule in early 2022.