



September 16, 2020

Tiffany Polak, Deputy Director  
New Mexico Energy, Minerals, and Natural Resources Department  
Oil Conservation Division  
[EMNRD.wasterule@state.nm.us](mailto:EMNRD.wasterule@state.nm.us)

Re: Support for Proposed Regulations to Reduce Methane Waste Emissions from Oil and Gas Production

Dear Deputy Director Polak:

The City of Albuquerque (City) supports the updated regulations 19.15.7 New Mexico Administrative Code (NMAC), *Forms and Reports*, 19.15.18 NMAC, *Production Operating Practices*, 19.15.19 NMAC, *Natural Gas Production Operating Practice*, and new regulations 19.15.27 NMAC, *Venting and Flaring of Natural Gas* and 19.15.28 NMAC, *Natural Gas Gathering Systems*, proposed by the Energy, Minerals, and Natural Resources Department (EMNRD) to reduce methane waste emissions from oil and gas production in the State of New Mexico. Reductions of oil and gas production emissions are likely to lead to lower ozone levels in Albuquerque - Bernalillo County—the largest economic center and metropolitan area in the state. The proposed rules therefore serve multiple public interests.

Enclosed with this letter is a copy of *Air Quality Modeling of 2017 Ozone Episodes in the City of Albuquerque* (Sonoma Report) prepared by Sonoma Technology, Inc. for the City Environmental Health Department Air Quality Program.<sup>1,2</sup> The City respectfully requests that the Sonoma Report be incorporated into the rulemaking record and that the Oil Conservation Commission consider it as evidence in support of adopting EMNRD's proposed rules.

The Sonoma Report concludes that decreases in emissions from New Mexico oil and gas production would likely lower ozone levels in Albuquerque-Bernalillo County.<sup>3</sup> While the proposed rule focuses on reducing methane waste, it will also likely reduce volatile organic compounds and oxides of nitrogen emissions—precursors to ground-level ozone formation. The City is constructing a photochemical assessment monitoring station to further characterize potential sources of ozone precursors, and will share that data with the state when available.

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<sup>1</sup> This letter is being provided by email via SmartFile so that the large, electronic Sonoma Report can be included. Please download the report from the following link for entry into the record:  
[https://sftp.cabq.gov/link/HF\\_Y9IAh08/](https://sftp.cabq.gov/link/HF_Y9IAh08/).

<sup>2</sup> Sonoma Technology, Inc. *Air Quality Modeling of 2017 Ozone Episodes in the City of Albuquerque* (Sonoma Report). June 2019. Available at: <https://www.cabq.gov/airquality/documents/somoma-report-final-june-2019.pdf>

<sup>3</sup> *Id.*, p. 186.

While the City and County are in attainment for the U.S. Environmental Protection Agency's (EPA's) 70 parts per billion (ppb) National Ambient Air Quality Standard for ozone, local ozone concentrations have been close to or have exceeded the standard (i.e. design value concentrations were 67 ppb in 2015 to 2017; 70 ppb in 2016 to 2018; and 71 ppb in 2017 to 2019).<sup>4</sup> If air quality exceeds the ozone standard, it negatively impacts public health in multiple ways, including causing respiratory harm, cardiovascular harm, central nervous system harm, and early death.<sup>5,6,7,8</sup>

The City has an active climate and sustainability program aiming to equitably reduce Albuquerque's contributions to climate change. This comprehensive program addresses greenhouse gas emissions from energy generation, transportation, and building inefficiencies. In addition to its ozone benefits, the City believes EMNRD's proposed rules will have important co-benefits for reducing greenhouse gases and criteria pollutants.

For these reasons, the City supports EMNRD's proposed regulations to impose a 98% gas capture rate by December 1, 2026 on venting and flaring from in-state operations of oil and gas producers and midstream operators.

Thank you for your consideration of this important information. We look forward to working in partnership with the state so that together, we can protect public health and achieve a sustainable future for all New Mexicans. Should you have any questions regarding this comment, please contact Mara Elana Burstein, Deputy Director, Environmental Health Department, at 505-288-2911 or by email at [mburstein@cabq.gov](mailto:mburstein@cabq.gov).

Sincerely,



Ryan C. Mast  
Director, Environmental Health Department (EHD)

cc: Tim Keller, Mayor, City of Albuquerque, [mayorkeller@cabq.gov](mailto:mayorkeller@cabq.gov)  
Lawrence Rael, Chief Operations Officer, Chief Administrative Office, [lrael@cabq.gov](mailto:lrael@cabq.gov)  
Mara Elana Burstein, Deputy Director, EHD, [mburstein@cabq.gov](mailto:mburstein@cabq.gov)  
Dario Rocha, Environmental Health Manager, EHD, [drocha@cabq.gov](mailto:drocha@cabq.gov)

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<sup>4</sup> City of Albuquerque Environmental Health Department Air Quality Program. 2020 Annual Network Review for Ambient Air Monitoring. May 15, 2020. At p. 19. Available at <https://www.cabq.gov/airquality/documents/2020-city-of-albuquerque-annual-network-review.pdf>

<sup>5</sup> 40 Code of Federal Regulations §50.2(b)

<sup>6</sup> Centers for Disease Control and Prevention Website. Ozone and Your Health. Accessed on 8-26-20 from: <https://www.cdc.gov/air/ozone.html>

<sup>7</sup> American Lung Association Website. Ozone. Accessed 8-27-20 from: <https://www.lung.org/clean-air/outdoors/what-makes-air-unhealthy/ozone>

<sup>8</sup> U.S. Environmental Protection Agency, *Integrated Science Assessment for Ozone and Related Photochemical Oxidants*, 2013. EPA/600/R-10/076F