



Alliance of Nurses for Healthy Environments | Center for Environmental Health
Citizens For Responsible Oil & Gas | Clean Water Action | Earthworks |
Grassroots Coalition | The Wildlands Conservancy

January 29, 2016

**Comments on Underground Gas Storage Facility Regulations
Notice of Proposed Emergency Rulemaking Action
Title 14 Division 2 Chapter 4 Subchapter 1 Article 3
Division of Oil, Gas, and Geothermal Resources**

Thank you for the opportunity to provide comments on the proposed emergency regulations for underground gas storage facilities. Please accept these comments on behalf of a coalition of environmental groups concerned about the public health and climate implications of the methane leak from the SoCalGas Underground natural gas storage facility near Porter Ranch, California.

General Comments

Aliso Canyon was a disaster waiting to happen; the facility was old, poorly managed, and experienced abysmal oversight. The mismanagement of this Aliso Canyon site is symptomatic, in many respects, of the mishaps revealed statewide in California's Underground Injection Control (UIC) program.¹

Nevertheless, we support Governor Brown's decision to finally declare a state of emergency on January 6 directing state agencies to take unprecedented action on underground gas storage.² In fact, there are more than 300 similar facilities around the country, with twelve others in California.³ We need to make sure that we do not have other climate and health disasters waiting to happen in California and around the United States. To that end we need:

1. An emergency statewide effort to shut down facilities that lack basic safety equipment, including Aliso Canyon. Gas storage wells that lack shut off valves should be taken offline before other disasters happen.
2. Increased oversight and management of these facilities.
3. Support for residents affected by pollution, including health care as well as financial compensation.

4. A rapid transition for consumers away from gas. This transition would protect communities from underground storage risks, gas line leakage and explosions like the one in San Bruno.

Specific Comments

Section 1724.9. (a)(1) We support the strong improvements in this section especially the language creating mandatory compliance and including a greater number of properties and characteristics required in data collection.

Section 1724.9. (b) Project Approval Letters should be posted to a publicly accessible website.

Section 1724.9. (c) We support the proposal requiring the operator to at least daily monitor annular pressure and gas flow. We also support the proposed requirement that operators report any anomalous pressure readings to DOGGR. In addition, we urge DOGGR to also verify the pressure readings by performing independent inspections. The proposed regulations should also describe how often the operators must report daily monitoring readings to DOGGR.

Section 1724.9. (d) We suggest striking the words “where installed” from the beginning of this proposed regulation. The proposals should require, where appropriate, all operators to install safety valves. We support the provision requiring replacement of inoperable valves within 90 days of their discovery. In addition, we suggest that DOGGR require a public hearing where installation or repair of safety valves will take longer than the 90-day period, since this may be indicative of a more serious problem.

Finally, DOGGR should post on a publicly accessible website, the results of all mechanical integrity tests as well as surface and annulus inspections.

Section 1724.9. (e) We support the proposed regulation’s requirement of operators to create a leak detection and inspection protocol. Further, we agree with the requirement that these protocols provide for at least daily inspections using technologies such as infrared imaging. DOGGR should make available to the public the operator’s protocol and should additionally require that these protocols include third party verification. In particular, DOGGR should link third party verification to a petition process whereby leaks discovered and reported to DOGGR immediately triggers agency investigation.

Section 1724.9. (g) We support the requirement that operators submit Risk Management Plans (RMP) that identify potential threats and assess their severity. Where the proposals require ongoing verification of mechanical, tubular, and reservoir integrity, the RMPs should specify how often that verification occurs. In addition, the data received from the RMPs should be stored in a publicly available database on a project-by-project basis.

Conclusion

Governor Brown’s emergency order recognizes the scope of this problem. This is a crisis that spans multiple agencies. The massive gas leak from the SoCalGas facility near Porter Ranch poses still unknown threats to public health. Yet, we already know the threats methane emissions cause for our climate. Fixing the leak, compensating victims, and enforcing strong regulatory protections should be the top priority. However, this disaster should underscore the need to rapidly transition entirely away from fossil fuels.

¹ See Clean Water Action/Clean Water Fund report Aquifer Exemptions: A first-ever look at the regulatory program that writes off drinking water resources for oil, gas and uranium profits at <http://www.cleanwateraction.org/files/publications/Aquifer%20Exemptions%20-%20Clean%20Water%20report%201.6.15.pdf>

² <https://www.gov.ca.gov/news.php?id=19263>

³ <https://www.flickr.com/photos/eiagov/23146764415/in/datetaken-public/>