



Oil & Gas Accountability Project

A program of EARTHWORKS

Offices:

Bozeman:

P.O. Box 7193
Bozeman, MT 59771
406-587-4473 (p)
406-587-3385 (f)

Durango:

P.O. Box 1102
Durango, CO 81302
970-259-3353 (p)
970-259-7514 (f)

Washington, D.C.:

1612 K St., NW
Suite 808
Washington, D.C. 20006
202-887-1872 (p)
202-887-1875 (f)

Website:

www.ogap.org

Guest Editorial

For Immediate Release: Friday, May 9, 2008
Contact: Gwen Lachelt, 970-759-4387

New Mexico's people and water win with stronger oil and gas protections

TO THE EDITOR:

On May 9, New Mexico put in place one of the nation's strongest rules protecting water and public health from toxic oil and gas waste pits, and not a moment too soon.

The state's Oil Conservation Commission's "pit rule," as it was dubbed, won broad support from suburban landowners, ranchers, and residents across New Mexico who have suffered water and soil contamination from unlined oil and gas waste pits and buried waste.

In a nutshell, all oil and gas waste pits must now be lined and registered with the state; companies must find alternatives to pits when groundwater is within 50-feet of the surface such as "closed-loop" or pitless drilling systems. Any waste that is buried onsite must first be tested and meet stringent standards to guard against contamination.

Industry tried mightily to drown out the voices of these real New Mexicans. At first, industry leaders indignantly threatened to leave the state if the measure was passed. Recently, perhaps sensing defeat, they've changed their tune. Now they claim the rule is "industry friendly." Regardless of industry's spin, the facts speak plainly -- New Mexico's water and public health are the real winners.

Between the mid-1980s and 2003, the New Mexico Environmental Bureau recorded nearly 7,000 cases of pits causing soil and water contamination. The New Mexico Oil Conservation Division released data in 2005 showing that close to 400 incidents of groundwater contamination had been documented from oil and gas pits. Most recently, as part of the Pit Rule Task Force process, state sampling showed carcinogens in all pit samples and heavy metals in two-thirds of the pit samples. Citizen groups, ranchers and landowners from throughout New Mexico are understandably quite concerned about water quality, exposure to unknown levels of toxic chemicals, stock and wildlife deaths, and a broad range of other issues facing residents who live near oil and gas sites.

For three years, Dr. Theo Colborn, an environmental health analyst and president of The Endocrine Disruption Exchange has been analyzing the chemicals used and disposed of in the production and delivery of natural gas in New Mexico. She found that many of the chemicals used by industry have toxic effects on human nervous, respiratory and digestive systems as well as on the endocrine system that controls

many of the body's most basic functions. Dr. Colborn testified that even low levels of exposure are potentially hazardous – and that preventing exposure was extremely important.

Her analysis of pit contents that the oil and gas industry provided to the Oil Conservation Division last May was disturbing, to say the least. “The 51 chemicals that were detected in this particular sampling produced a health pattern even more toxic than anything we have discovered thus far,” she said. “Many of the chemicals were at concentrations well above state and federal safety levels.”

The Oil & Gas Accountability Project maintains that the industry will end up saving money in the long run by moving to closed-loop systems. Mary Ellen Denomy, Petroleum Accountant, told the Oil Conservation Commission that closed-loop systems saved 3% per well. Denomy stated that companies were able to cut costs on construction, water, drilling muds and waste disposal when utilizing closed-loop systems.

Despite record profits, New Mexico's oil and gas industry resists better oil and gas protections at every turn. The industry claims that it's just a matter of enforcement and that the state just needs to enforce existing rules. But then they turned around and tried to gut the OCD's enforcement budget this year. Why?

We're pleased New Mexico has adopted these common sense public health protections that will also save companies and taxpayers money. Mark Fesmire, director of the Oil Conservation Division, should take a bow for overseeing the rulemaking process and weathering such fierce opposition from the oil and gas industry.

Gwen Lachelt is the founder and director of the Oil & Gas Accountability Project. OGAP was founded in 1999 to work with communities to prevent and reduce the impacts caused by oil and gas development. OGAP, a program of EARTHWORKS, has 5,000 members with offices in Santa Fe, Durango, Bozeman and Washington, DC.

###