

*Public Comments*  
*Received 5-28-2012*

*Case Numbers*  
*14784 & 14785*

**Duran-Saenz, Theresa, EMNRD**

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**From:** Jacqueline Wasilewski [jwashi@aol.com]  
**Sent:** Monday, May 28, 2012 3:39 PM  
**To:** Davidson, Florene, EMNRD  
**Subject:** Maintaining the present New Mexico Pit Rule

Dear Commissioners Bailey, Balch and Bloom:

Since the present Pit Rule is very effective, there is absolutely no reason to change it.

Before the present Rule was enacted there had been approximately 400 cases of groundwater contamination. Since the Rule's enactment, there have been zero cases of ground water contamination.

Water is our most precious resource. We MUST protect it from damage.

We cannot trust ANY extractive industry to regulate itself. It has NEVER worked in the past. It will not work now.

Therefore, the present Pit Rule needs to be maintained.

Sincerely,

Jacqueline Wasilewski, Ph.D.  
Jemez, New Mexico

**Duran-Saenz, Theresa, EMNRD**

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**From:** janet gabriel [jgabriel@taosnet.com]  
**Sent:** Monday, May 28, 2012 8:13 PM  
**To:** Davidson, Florene, EMNRD  
**Subject:** pit rule

Dear Mr. Florene,

Please protect our water table. It is incredible to me that these industries are willing to contaminate the water that we all need. I suppose they imagine that they are saving money. Please don't let them weaken the regulations.

Janet Gabriel  
PO Box 295  
Arroyo Hondo, NM 87513

**Duran-Saenz, Theresa, EMNRD**

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**From:** philip@drincao.com  
**Sent:** Monday, May 28, 2012 2:03 PM  
**To:** Davidson, Florene, EMNRD  
**Subject:** Don't roll back the requirements of the Pit Rule

5/29/2012

Dear Ms. Davidson and the Oil Conservation Commission,

Please do not roll back the requirements of the Pit Rule. It is a necessary safeguard to public health and safety and to the conservation of New Mexico's clean land and water.

Prior to the enactment of this rule, New Mexico had at least 400 cases of groundwater contamination from oil and gas development. Since this rule, there have been zero. There is no logical reason to overturn this rule. The industry did not present any evidence that the Pit Rule is impossible to comply with, overly burdensome, or that it does not protect the environment.

This is an opportunistic political ploy by the oil and gas industry since the change in the administration. It is up to you, the Oil Conservation Commission, to protect New Mexico's water and land and preserve its natural resources for future generations. Please don't allow the oil and gas industry to pressure you into rolling back the requirements for the Pit Rule. Your children and grandchildren for seven generations and beyond will thank you.

Sincerely,  
Philip Incao

Philip F. Incao, MD  
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## **Duran-Saenz, Theresa, EMNRD**

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**From:** Sarah J.Hall [earthsmile@earthlink.net]  
**Sent:** Monday, May 28, 2012 4:56 AM  
**To:** Davidson, Florene, EMNRD  
**Subject:** Maintain the Current Pit Rule

Dear Ms. Bailey, Mr. Balch, and Mr. Bloom:

Please do not cave to industry pressure and instead continue to set a high standard for beautiful New Mexico's land and water. All too often these days, profit takes precedence over environmental and human health. I urge you in the strongest possible terms not to let that happen in this instance. Maintain the Pit Rule and its proven record of protecting ground water from contamination, as opposed to the hundreds of contamination incidents that occurred before its adoption. Thank you.

Sincerely,

Sarajane Hall

## Duran-Saenz, Theresa, EMNRD

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**From:** susan selbin [sselbin@hotmail.com]  
**Sent:** Monday, May 28, 2012 12:37 PM  
**To:** Davidson, Florene, EMNRD  
**Subject:** I Support the Pit Rule: Protect NM groundwater/soil from contamination

I appreciate the opportunity to present my views on the Pit Rule.

I am proud that NM has one of the most strict strict rules in the country; that rule must be maintained.

Some of the changes proposed to our current Pit Rule would include allowing the use of temporary disposal pits for up to a year (twice as long as the current rule), allowing the companies to "log" their pits within their own records rather than requiring a permit for each pit from OCD, and the allowance of a much higher level of poisonous chlorides in the pit waste. The industry did not present ANY evidence that the Pit Rule is impossible to comply with, overly burdensome, or that it does not protect the environment.

The Pit Rule was developed in a collaborative process during the Richardson Administration, which included heavy input from the oil and gas industry. This attempt at rule making is largely a political one, brought about by the change in administration and therefore the makeup of the commission. The companies see an opportunity to assert their power over the political process, even when there is no logical reason to overturn the rule.

**Prior to the rule's implementation four years ago, New Mexico had at least 400 cases of groundwater contamination from oil and gas development. Since the Pit Rule, there have been zero.** This fact supports maintaining the Pit Rule as is.

I would appreciate acknowledgement of receipt of this message so that I know my input will be considered.

Thank you.  
Susan Selbin  
2431 Northwest Circle NW  
Albuquerque, NM 87104  
505-242-6058