



State of New Mexico
House of Representatives
Santa Fe

Pit Rule
Comment
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December 18, 2007

The Honorable Bill Richardson, Governor
State of New Mexico
State Capitol
Santa Fe, NM 87503

Dear Governor Richardson,

You may remember me. I am the State Representative with the cowboy hat whom you introduced repeatedly as the only environmentalist in San Juan County. I cannot claim that distinction, however I am concerned about our environment and our quality of life in New Mexico. I am writing you regarding the proposed "pit rules" as they would apply to San Juan County. I am a cattle rancher and have about 300 well locations on my ranch so I am in a position to know something about the subject of oil and gas operations in our area and how they affect our environment.

First I think it is necessary to clear up an issue that has been often confused in the debate. There were two kinds of pits formerly used in our area; produced-water pits and drilling-waste pits, which are called, reserved pits. The standard practice in our area now is for produced water to be stored in tanks and removed for disposal. The proposed rules would not affect this practice, as there should not be any produced-water pits on well locations in our basin. This leaves only the handling of waste from drilling at issue for us.

The closed loop system as proposed would be useful in areas where there is a water table close to the surface and where the ground water is of good quality. In the San Juan Basin this would be mostly along the narrow river corridors which constitute perhaps 5% of the area and almost none of my ranch. The remaining area has very little shallow ground water and what there is has a high alkali content.

The current practice when making a new well location is to remove the topsoil and pile it in a place where it is safe from the heat caused by flaring when the well comes in. Then the location is constructed and a drilling waste pit dug. This pit is lined with rubber like fabric. On the completion of the well this liner is folded over on top the waste and left in place. Then the location is reshaped to conform as much as possible to the origin contours and the carefully saved topsoil is replaced on top of the ground. Finally the entire area is reseeded and in most cases mulched with straw. When completed the only area left bare is what is called the teardrop or the area where the trucks drive to access the well.

In all cases of which I am aware it is not possible to observe any difference in the vegetation growing over the reserve pit and the vegetation on rest of the location. In addition there has been a large and successful effort to improve the back county roads, which are typically dirt.

These procedures have been developed after extensive discussions sponsored by the Bureau of Land management including oil companies, ranchers, the State Land Office, the local Oil Conservation Division office, New Mexico State University, the US Forest Service and of course the BLM which controls 70% of the land in the San Juan Basin gas field. My concerns with the purposed new rules are two fold.

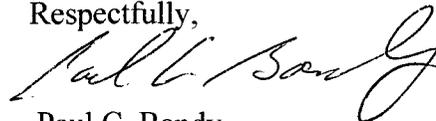
First is the process. This collaborative process has been 6 years in the making and I feel is working well. I would hate to see it break down in the wake of the conflict that could ensue after what might appear to be an expensive, arbitrary and nonscientificaly based regulatory offensive.

Second is what would be necessary in order to implement the proposed new rule. I am told it would take 40 the 60 trucks loads per well drilled to haul the waste away. This additional traffic would have significant negative impact on the secondary and backcountry roads in the San Juan Basin. There would be significant affect on the air quality (by the increased diesel emissions) and the water quality (by the increased erosion and siltation that would result from the increased truck traffic on our already over stressed back county roads).

There are also public safety concerns resulting from the increased heavy truck traffic. There are already numerous accidents involving heavy oil field trucks in our county and a large increase in this traffic would inevitably result in many more accidents.

In closing I feel that any major changes in the present rules would have a negative affect not only on the economy our San Juan basin but also on the quality of life of our citizens. Thank you for your consideration of this important issue to my constituents and myself.

Respectfully,

A handwritten signature in black ink that reads "Paul C. Bandy". The signature is written in a cursive style with a large, looping "G" at the end.

Paul C. Bandy

Cc: Secretary Joanna Prukop
Director Mark Fesmire