

Public Comments
Received 5-25-2012

Case Numbers
14784 & 14785

Duran-Saenz, Theresa, EMNRD

From: anniemac_37@q.com
Sent: Friday, May 25, 2012 2:59 PM
To: Davidson, Florene, EMNRD
Subject: Pit Rule

Ms. Davidson, please pass my message on to the commissioners. The Pit Rule must stand. We cannot take chances with our ground water and what little environmental purity we have left in New Mexico. Thank you, Ann McCullough, Las Cruces (575-524-2601)

Duran-Saenz, Theresa, EMNRD

From: Duke Ellington [duke_ellington@hotmail.com]
Sent: Friday, May 25, 2012 5:10 PM
To: Davidson, Florene, EMNRD
Subject: Keep New Mexico Pit Rule

Dear Ms. Davidson,

I wish to tell commissioners Bailey, Balch, and Bloom that doing away with the pit rule would be a travesty for all who reside here in New Mexico. A reliable source has made it clear to me that the oil and gas 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.

I hope the commissioners will do the right thing here and uphold the pit rule.

Sincerely,

Anton Lo

Duran-Saenz, Theresa, EMNRD

From: carolyn gressitt [canton49@hotmail.com]
Sent: Friday, May 25, 2012 5:00 PM
To: Davidson, Florene, EMNRD
Subject: Pit Rule

Dear Ms. Davidson,

I want to express my firm opposition to proposed changes to the Pit Rule. Water is scarce in New Mexico, especially in the current drought, and we need to ensure that our precious groundwater is not contaminated by oil or gas development--which is precisely why we have the Pit Rule. Indeed, since the Pit Rule was put in place, there have been NO cases of groundwater contamination from oil or gas drilling. However, prior to this rule being implemented, there were **400** incidents of contaminated ground water as a result of oil/gas development.

It is inconceivable that these proposed changes have been put forward. There is no justification for these changes. In fact, there is no evidence coming from the oil/gas industry that the Pit Rule is impossible to comply with, overly burdensome, or that it does not protect the environment.

I hope the Commission will take my views into account when deciding on this issue.

Respectfully submitted,

Carolyn Gressitt
734 N. Reymond St.
Las Cruces, NM 88005

Duran-Saenz, Theresa, EMNRD

From: Chuck Noble [c-m-k@msn.com]
Sent: Friday, May 25, 2012 4:12 PM
To: Davidson, Florene, EMNRD
Subject: Comments on Pit Rule Amendments

Dear Ms Davidson:

I would like to express my opposition to the Pit Rule Amendments being proposed to 19.15.17 NMAC proposed by the New Mexico Oil and Gas Association and the New Mexico Independent Producers Association. While the rule amendments will result in reduced economic costs to the oil and gas industry, it will result in increase risk to the groundwater of New Mexico. The economic cost of compliance with the current rule is far less than the cost and consequences that will result from the pollution caused by amending the rule. I urge the Oil Conservation Commission to deny the proposed amendments.

Please add my comment to the record in the proceeding.

Thank you,

Charles F. Noble
1616 Salvador Place
Santa Fe, NM 87501

Duran-Saenz, Theresa, EMNRD

From: Don [donaldhsmith@vzw.blackberry.net]
Sent: Friday, May 25, 2012 8:58 PM
To: Davidson, Florene, EMNRD
Subject: Open Pit 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. Please tell the commission not to cave to industry pressure and to continue ensuring a high standard for our beautiful state's land and water.

The New Mexico Pit Rule was enacted to prevent unlined drilling pits. The commission heard testimony during the week of May 14-18 from the oil and gas industry regarding their petition to roll back the requirements of the Pit Rule. If the petition is granted, the regulations of oil and gas development in New Mexico will shift from being among the most strict in the country to being among the least strict. Some of the changes 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 rulemaking 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. Donald H Smith

Duran-Saenz, Theresa, EMNRD

From: Dick Thomas [thomasff@msu.edu]
Sent: Friday, May 25, 2012 4:05 PM
To: Davidson, Florene, EMNRD
Subject: PIT Rule Decision

Dear Commissioners Bailey, Balch, and Bloom:

Please do not consider rolling back the regulations of the PIT rule, which has helped ensure a cleaner and more healthy New Mexico environment. It would be an entirely political decision--and a poor one at that---to change what has proven to be effective.

Thank you,

Dr. F. R. Thomas

Duran-Saenz, Theresa, EMNRD

From: Dinah Jentgen [dinahj@zianet.com]
Sent: Friday, May 25, 2012 4:28 PM
To: Davidson, Florene, EMNRD
Subject: Pit Rule

Please share my comments with Ms. Bailey, Mr. Balch, and Mr. Bloom.

As a New Mexican, I am concerned about the attempt by the extractive industries to roll back pit rule requirements. Our groundwater is relatively scarce and very precious, and any increase in pollution is unacceptable. The industry failed to prove the present rules are burdensome or onerous, and simply wants to maximize profits at the expense of residents.

I will be watching your decision with great interest.

Thank you.

Dinah Jentgen
Las Cruces, New Mexico 88011

Duran-Saenz, Theresa, EMNRD

From: J. David Blagg [jdblagg@cybermesa.com]
Sent: Friday, May 25, 2012 4:58 PM
To: Davidson, Florene, EMNRD

Dear Commissioners,

My property is in an area where there might be a gas play in the near future. I'm a consumer, love to burn the stuff for heating and cooking, and think that we will need the energy far into the future. What I can't abide by is the loss of ground water quality. I farm 50 acres when we have enough snow and rain, and live off the water from my domestic well.

I'm asking you to let the pits and their existing regulations stand as they are, and not take the chance of permanently ruining our water. There's too little of it to begin with, and it is far more precious than any other resource on our planet.

Thanks for your consideration.

Respectfully,

J D Blagg

Duran-Saenz, Theresa, EMNRD

From: Jim Phillips [rechog@earthlink.net]
Sent: Friday, May 25, 2012 4:24 PM
To: Davidson, Florene, EMNRD
Subject: Pit 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. Please tell the commission not to cave to industry pressure and to continue ensuring a high standard for our beautiful state's land and water.

Do not cave to industry pressure.

Thank you,
Jim Phillips.

Duran-Saenz, Theresa, EMNRD

From: Lyssa Danehy [lyssadanehy@gmail.com]
Sent: Friday, May 25, 2012 6:00 PM
To: Davidson, Florene, EMNRD
Subject: Please do not roll back the Pit Rule

Dear Ms Florene Davidson,

I realize that we are a culture dependent on oil and gas, but what the heck will we do without water? Please explain that to me... Prior to the Pit Rule, just 4 years ago, there were 400 cases of groundwater contamination.

Water is a bipartisan issue, every person in this state needs water to live. Please do not reduce our right to clean water by rolling back the Pit Rule, it is the only thing between citizens and oil company profits at any cost.

--

Respectfully yours,
Lyssa M. Danehy

Duran-Saenz, Theresa, EMNRD

From: Robb Foster [jemezmtview@nets.com]
Sent: Friday, May 25, 2012 3:50 PM
To: Davidson, Florene, EMNRD
Subject: Contamination

Dear Florence,

Please protect New Mexico from groundwater and soil contamination. NM has been exploited long enough.

Sincerely,
Robb Foster

Duran-Saenz, Theresa, EMNRD

From: Ray Munholland [ruby.munholland@gmail.com]
Sent: Friday, May 25, 2012 4:21 PM
To: Davidson, Florene, EMNRD
Subject: pit rule

The fact that anyone would allow unlined pits is amazing to me....unless of course they have been bought off by the oil and gas industry. It will contaminate ground water, and the beauty of this state.....and for what, to save the oil and gas industry a few dollars....like they don't already get enough corporate welfare. i can't even believe unlined pits are an issue being considered, unless like i said, the oil and gas industry has bought once again, the politicians...

Ruby Munholland

Duran-Saenz, Theresa, EMNRD

From: RBlalack@comcast.net
Sent: Friday, May 25, 2012 3:45 PM
To: Davidson, Florene, EMNRD
Subject: Comment against the oil and gas industry petition to roll back the requirements of the Pit Rule

Dear Sirs,

The New Mexico Pit Rule was enacted to prevent unlined drilling pits. The commission heard testimony during the week of May 14-18 from the oil and gas industry regarding their petition to roll back the requirements of the Pit Rule. **If the petition is granted, the regulations of oil and gas development in New Mexico will shift from being among the most strict in the country to being among the least strict.** Some of the changes 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 rulemaking 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. Please do not cave to industry pressure and to continue ensuring a high standard for our beautiful state's land and water.

Sincerely,
Russell Blalack

Duran-Saenz, Theresa, EMNRD

From: Ruth [latifa.agius@gmail.com]
Sent: Friday, May 25, 2012 6:38 PM
To: Davidson, Florene, EMNRD
Subject: DO NOT GIVE OUR RESERVES TO TEH COMPANIES

PLEASE DO NOT reduce the regulations for the oil industries.
OUR LAND AND AIR MATTERS TO US!!!
keep the restrictions tight and develop GREEN ENERGY>>>> THINK!!!!!! for generations to come!

PLEASE THINK for the long term!

thank You respectfully,
Ruth Agius
Santa Fe 87501
505-699-4854

Duran-Saenz, Theresa, EMNRD

From: sandra wolf [sandywolf@hotmail.com]
Sent: Friday, May 25, 2012 4:09 PM
To: Davidson, Florene, EMNRD
Subject: Protect NM groundwater & soil

Dear Mr. Davidson,

Please protect New Mexico groundwater & soil from contamination and DO NOT grant the petition to roll back the requirements of the Pit Rule.

Sincerely,

Sandra Wolf

Duran-Saenz, Theresa, EMNRD

From: Stanley Waligora [SWaligora@edi-nm.com]
Sent: Friday, May 25, 2012 4:05 PM
To: Davidson, Florene, EMNRD
Subject: Oil Pits

I have worked on cases where unlined oil pit wastes have contaminated water – in KY, AL, LA, TX, AR, and MS. There is every reason to deny the use of unlined pits.

Stanley J. Waligora, Jr.
Principal Health Physicist
ENVIRONMENTAL DIMENSIONS, inc.
1901 Candelaria Road, NW • Albuquerque, NM 87107
P.O. Box 6250 • Albuquerque, NM 87197
office • 505.341.3578 | fax • 505.341.3579 | cell • 505.307.2289
e • swaligora@edi-nm.com | w • www.edi-nm.com

Duran-Saenz, Theresa, EMNRD

From: Susan Pearson [speardav@unm.edu]
Sent: Friday, May 25, 2012 3:17 PM
To: Davidson, Florene, EMNRD
Subject: Public comment on the Pit Rule

Dear Ms. Davidson,

Please do not to cave to industry pressure to lower standards or do away with the Pit 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. There has been a history of extractive industry polluting New Mexico land and water for far too long. Once damage is done to the land and water upon which all of us depend, it takes decades or more to fix it. Current and future generations depend on you doing the right thing to protect our precious land and limited water resources.

Thank you.

Susan Pearson
Professor Emeritus
University of New Mexico
speardav@unm.edu

Duran-Saenz, Theresa, EMNRD

From: Sydney Walter [sydmusai@swcp.com]
Sent: Friday, May 25, 2012 3:09 PM
To: Davidson, Florene, EMNRD
Subject: pit rules

I believe that the current pit rules, worked out in collaboration with the extraction industry, are necessary to protect our environment, especially our groundwater. Relaxing these rules would put the health of the environment and the health of New Mexicans at risk.

Sydney Walter

Duran-Saenz, Theresa, EMNRD

From: tita berger [tberger@unm.edu]
Sent: Friday, May 25, 2012 4:26 PM
To: Davidson, Florene, EMNRD
Subject: pit ruling

Hello Florene Davidson,

I am writing as a student, community scholar, historic preservationist, mom, former fundraiser for the democratic party, and as a resident, since birth, of New Mexico. I just returned from a trip to Italy with Chris Wilson and the UNM Landscape Architecture and Historic Preservation program. I spent an inordinate amount of money. The programs for recycling are stupendous. Italy is where the slow cities and slow foods movements started. Out young activists with the NM Acequia Association have close ties with the slow foods movements. We all have close ties with suburban sprawl. With a background in political science and economics, I am constantly amazed at the short shortsightedness of our decisions, especially in energy exploration and use. The future of our energy industry in New Mexico will be clean energy. I am not blind to the money that oil and gas bring into our economy, but this is a not a sustainable model. It seems like we all know this, but are so glamoured by the huge sums that oil and gas concentrate in their stockholders and in the hands of government that we forget what our present decisions will cost us in terms of tourists dollars, shared resource use and smart oil and gas programs that we do not choose. Letting industry thwart the concerns of small communities and larger watersheds is wrong: morally, environmentally and, most importantly, economically.

Thanks,

Tita Berger, PhD Candidate UNM American Studies Department

Duran-Saenz, Theresa, EMNRD

From: tom hester [tcc@patriot.net]
Sent: Friday, May 25, 2012 10:59 PM
To: Davidson, Florene, EMNRD
Subject: Proposed changes in the pit rule

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

I write to urge you to ratify the enormous amount of work in the development and implementation of New Mexico's pit rule for those drilling for oil and gas. The rule was put into place to protect the most precious resource we have in New Mexico: our water. The rule has accomplished that goal and will continue to do so. Generations after us will not view a landscape devastated by careless greed and ask why intelligent people like us, who know the issues and who understand the effects of contamination of the earth, failed to follow the science.

Residents of towns and cities, ranchers and farmers, sportsmen and those who use and appreciate our outdoors depend on you to represent us all in making this decision.

Tom Hester
201 W. 19th St.
Silver City, NM 88061
tcc@patriot.net
575 388-4856

Duran-Saenz, Theresa, EMNRD

From: William Buss [bbuss@salud.unm.edu]
Sent: Friday, May 25, 2012 4:47 PM.
To: Davidson, Florene, EMNRD
Subject: Keep the Pit Rule!

Dear Florene Davidson,

We need the Pit Rule to stay in place to protect our land and water. The health of the environment is an invaluable resource for future generations. We should be concerned with stewardship, not exploitation. Don't squander our state for political expediency.

Sincerely,

William C. Buss
PO Box 1185,
Corrales, NM 87048

Duran-Saenz, Theresa, EMNRD

From: William Nobles [paonia@att.net]
Sent: Friday, May 25, 2012 3:37 PM
To: Davidson, Florene, EMNRD
Subject: Comments on the New Mexico Pit Rule

As a citizen of New Mexico, I feel strongly that the Pit Rule should be retained in its present form in order to assure us all that our ground water will not be contaminated, and that wildlife will be protected. Prior to the implementation of the existing rule, we had over 400 cases of groundwater contamination from oil and gas development. Since the Pit Rule, there have been none. Please tell the commissioners not to cave on maintaining the rule as it now exists.

Sincerely,
William Nobles
3504 Newcastle Dr. SE
Rio Rancho, NM 87124-3670