

April 1st, 2009
faxed

RECEIVED

Att: Florene Davidson
Oil Conservation Division
1220 South St. Francis Drive,
Santa Fe, New Mexico 87505,

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Re: Input related to OCD Hearing to commence April 2nd, 2009; comments on Governor Richardson's proposed reconsideration of the NM Pit Rule

Dear Ms. Davidson,

With the recent State Supreme Court ruling that undermines the authority of the OCD to fine entities who have polluted, it becomes all the more important for the OCD to retain the current Pit Rule and recognize the long process that led to the development of the Rule.

The testimony during that developmental process, from the beginning, included considerable industry representation and cross examination.

The public supported strong regulation of this industry and the reasonable advances for the protection of the waters and lands of New Mexico.

The outcome of a fair process was the formation of a progressive environmentally-protective petroleum Pit Rule. This is nothing to be ashamed of, especially during this period of human history fraught with troubling global environmental dangers. These dangers are often the result of undue influence from the very industry that has apparently made our governor shy from his, otherwise commendable environmental record.

IN REGARD to this rather inexplicable attempt to undermine the Pit Rule, we wish to emphasize the following items.

--As drilling muds can be extremely toxic with cancer inducing substances (such as benzene and xylene, to name just 2 of many) these long-lived chemicals must be permanently curbed from the waters of New Mexico. Other states are attempting to provide such protections for their waters and lands. In those states, industry has adapted. New Mexico has such protections in the current Pit Rule. Local industry is inflicted with the blinders of fear and greed and so resist the requirements needed to secure the health of the environment they have previously polluted.

--The loosening of the chloride standard by a factor of twelve above the current standard is a severe threat, as salts of those concentrations often found within the drilling wastes will ultimately find their way to the groundwater.

--Keep this Rule strong and protective of our state's waters and land.

Apparently our Governor has fallen to industry pressure by ordering a short-noticed hearing on the New Mexico Pit Rule. We think this is not a fair balance to the proposed oil/gas industry-led changes that had little input other than from the industry.

Sincerely,

Ross Lockridge
Ann Murray
P.O. Box 22
Cerrillos, NM 87010
Phone/FAX 471-9182

Cc. Governor Bill Richardson, Rural Conservation Alliance