

Wyoming Outdoor Council

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December 17, 2019

Governor Mark Gordon
2323 Carey Ave.
Cheyenne, WY 82002

RE: Funding for Ozone Compliance Inspectors in the Upper Green River Basin

Dear Governor Gordon,

The Wyoming Outdoor Council requests your support to fully fund the DEQ Air Quality Division's budget priority to ensure that there are three permanent air quality inspectors in the Upper Green River Basin (UGRB). Doing this will show a strong commitment to protecting public health while also helping to maximize the recovery of natural gas produced and state revenues generated.

The Wyoming Outdoor Council is the state's oldest citizen advocacy group and has been working to protect Wyoming's public lands, wildlife, air, and water since we were founded in 1967. We have been working on air quality issues affecting the UGRB since the development of the Jonah and Pinedale Anticline gas fields started in the 1990s. In 2012, we served an advisory role on Governor Mead's Ozone Task Force, which recommended ways to address the basin's seasonal ozone concerns. Today, we continue to work with our partners and local citizens to ensure that development in the UGRB is done responsibly and in a way that protects Wyoming's environmental quality and public health.

Winter ozone in the UGRB continues to be a chronic problem with health consequences for communities and additional expenses for industry. Specifically, last winter's ozone concentrations in the UGRB exceeded federal clean air standards for protecting public health a total of 10 times, with the unhealthiest air concentrated around the community of Boulder. When the DEQ presented this issue to the public last June, it cited low compliance rates (67 percent) and fugitive emissions as significant factors contributing to this problem.

As of November 2019, there were just over 4,000 facilities (from approximately 8,000 producing wells) in the UGRB airshed with air emission permits, and only two air quality inspectors responsible for monitoring these facilities. During 531 site visits made in the 2019 fiscal year, these inspectors documented 159 compliance issues — or on 30 percent of these visits. Scaling

this across the 4,000 permitted facilities in the airshed, it is possible that more than 1,000 facilities are not in compliance with their air quality permits.

The Outdoor Council appreciates the DEQ's efforts to reduce emissions and ozone precursors in the UGRB, but looking at the trends from the last several winters, it is clear that more must be done to increase compliance rates and avoid another bad ozone winter.¹

We also understand that our state's current economic reality requires thoughtful consideration of every line item in the budget, but we also believe that it is in Wyoming's best interest to comply with national air quality standards and avoid the possibility of escalating regulatory requirements in this region of the state. Sublette County, which lies entirely in the UGRB ozone nonattainment area boundary, was responsible for more than 50 percent of Wyoming's natural gas production in 2019.² The potential tax revenue increase from capturing fugitive emissions could help Wyoming communities meet needs for education, roads and bridges, and allow companies to create future Wyoming jobs in clean, efficient energy production.

We ask that you support the department's request through the legislative process and at the upcoming Budget Session to bring the overall number of permanent air quality inspectors for the UGRB to three. Doing so will improve the health of surrounding communities and encourage responsible industry practices that can help Wyoming operators differentiate themselves in the future.

Thank you for your consideration,



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CC'd

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¹ Clean Air Act standards require an ozone 'design value' (3-year average of the 4th highest 8-hr average) of less than 70 ppb ozone. However, having had multiple daily ozone exceedances during the winters of 2017 and 2019, the UGRB now has a design value of 72 ppb.

² Wyoming Oil and Gas Commission Website. County Production Statistics. Dec. 2019