

Wyoming Outdoor Council

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FRONTLINE



Working to protect public lands and wildlife since 1967

Leveling the Playing Field:

The Equality State's Unequal
Approach to Air Pollution and
How We Can Fix It

47
Years

We Should Protect Everyone, Regardless of Zip Code



BY CHRIS MERRILL,
ASSOCIATE DIRECTOR

If you live in Wyoming, you might be surprised to learn that the quality of your protections from air pollution depends entirely on your zip code.

Residents of Converse, Campbell, and Laramie counties, for example, are not currently afforded the same level of protection as people living in Sublette or Sweetwater counties. There's no conspiracy or hidden agenda. It's simply the way things have worked out in recent years as Wyoming has struggled to respond to the effects of oil and gas development in different parts of the state.

While we can all agree that the residents of Converse County, for example, should receive the same kinds of protections as the people of Natrona or Sublette or Sweetwater counties, current state policies don't yet achieve this. Readers might be surprised to learn that right now, citizens of western Wyoming are more effectively protected from air pollution than are their neighbors to the east.

This is a problem—because as the state rightly has been working hard to fix the serious air pollution problems in western Wyoming's Upper Green River Basin, there has been an honest-to-goodness drilling and production boom in the eastern part of the state, which is only expected to escalate in the months and years to come.

Here are some figures to help get a sense of the new boom:

- **7,504 new oil and gas wells** have been permitted in Wyoming since January 1, 2013.
- **5,702 (or 76 %)** of those have been permitted in the eastern half of the state. These are mostly oil

wells in Campbell, Converse, and Laramie Counties. Johnson County is also seeing some significant development.

- **The remaining 1,802 (or 24 %)** have been permitted in western Wyoming.
- Since the start of 2014, **more than 80 percent** of the newly approved wells have been in the eastern half of the state—again mostly in Converse, Laramie, and Campbell counties.¹

So, although the state is in the process of drafting important new air pollution controls for the Pinedale area, which we hope will be implemented by early 2015—such as required “leak detection and repair” protocols—those controls will be limited to the Upper Green River Basin. This is despite the fact that less than a quarter of the new drilling will take place there. Meanwhile, under the state's current air pollution guidance for oil and gas development, the people living and working around the new booming fields will have fewer protections from dangerous air pollution just as production is ramping up.

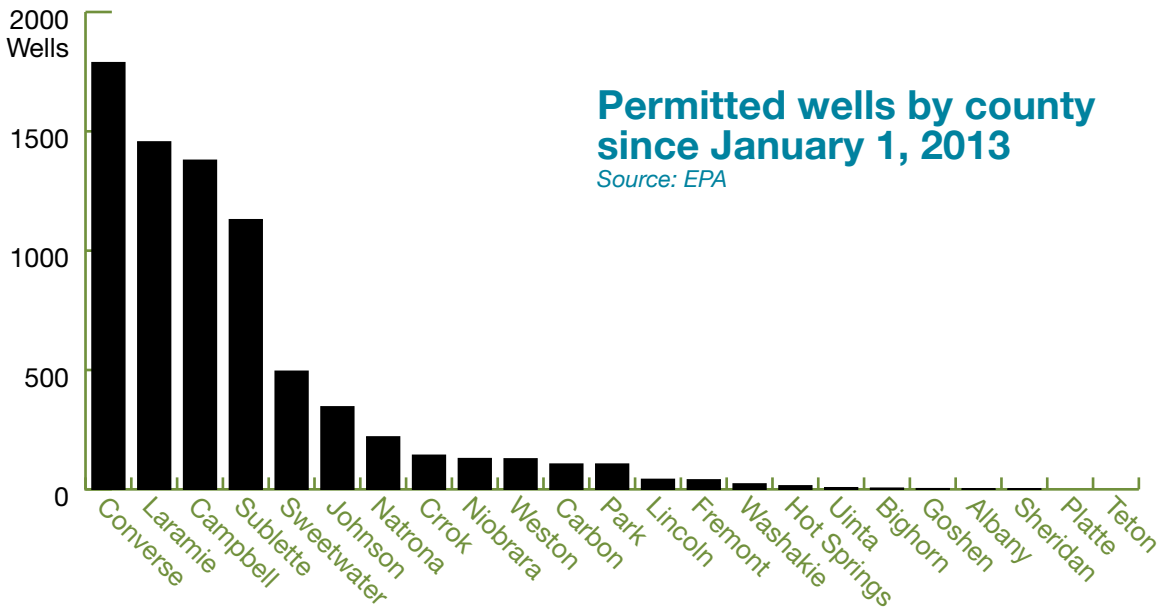
Wyoming State Representative James W. Byrd lives in Laramie County. He supports the idea of a standard, statewide approach to controlling pollution from oil and gas development.

“Wyoming must have the will to control fugitive emissions,” Mr. Byrd said in an email to the Outdoor Council. “The technology is there and it is affordable. A basic set of rules for the entire state is a good thing; it levels the playing field and protects everyone, regardless of zip code.”

The good news from our perspective is that we as a

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¹These numbers are according to the Wyoming Oil and Gas Conservation Commission as of November 6, 2014.



Oil and gas air pollution types and why they are bad for you:

HAPs: Hazardous Air Pollutants are pollutants known or suspected to cause cancer or other serious health problems, such as reproductive effects or birth defects, or adverse environmental effects. Examples of HAPs associated with oil and gas development include benzene, toluene, ethyl benzene, mixed xylenes, and n-hexane.

Ozone: Ground-level ozone is not emitted directly into the air, but is created by chemical reactions between oxides of nitrogen (NOx) and VOCs in the presence of sunlight. In Wyoming, oil and gas development is one of the most significant sources of emissions of both NOx and VOCs. Breathing ozone can trigger a variety of health problems including chest pain, coughing, and throat irritation. It can worsen bronchitis, emphysema, and asthma. Ground-level ozone also can reduce lung function and inflame the linings of the lungs.

Methane: Methane (CH₄) is the primary component of natural gas; natural gas and petroleum systems are the largest source of CH₄ emissions from industry in the United States. Methane is the second most prevalent greenhouse gas (carbon dioxide or CO₂ is number one) emitted in the United States from human activities, but CH₄ is more than 80 times more potent than CO₂ as a greenhouse gas in the short term.

VOCs: Volatile Organic Compounds include a variety of hydrocarbon chemicals emitted by the oil and gas industry, some of which may have short- and long-term adverse health effects. These include eye, nose, and throat irritation; headaches; loss of coordination; nausea; and damage to the liver, the kidney, and the central nervous system.

If anyone doubts that the ozone problem that came with industrial scale oil and gas development in the Pinedale area can happen again, look no further than Vernal, Utah, where ozone levels exceeded national health standards 39 times last winter. The boom in oil and gas development around Vernal largely came after that of the Upper Green River Basin. Early on, Utah didn't pay attention to the lessons of Pinedale; we hope Wyoming will.

— Richard Garrett,
Energy Policy Analyst and
Legislative Advocate



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statewide community can fix this. We believe that clean air is a fundamental right. And these days industry, state regulators, and decision makers have the know-how and the responsibility to ensure that this right is protected for everyone, everywhere in the state.

We need to take a strong, uniform, commonsense approach that incorporates lessons learned from the Pinedale area and applies them equally to everyone in Wyoming.

Former Wyoming Governors Ed Herschler and Dave Freudenthal both used to emphasize the idea that development in this state should be done “on Wyoming’s terms.” And they each put that idea into practice. Governor Matt Mead has stated, repeatedly, “Wyoming needs a balance between the environment and energy development.” We believe this continues to be the right way to think about the state’s regulatory policies. There is an imbalance at work when rules that are known to protect people, our economy, and our environment are available to only a small part of our state’s population. **With development coming to some of Wyoming’s most densely populated counties, it only makes sense to learn from our collective experience, and to use that knowledge to get out in front of this new boom.**

It also makes good economic sense to apply the pollution control protections statewide that have been developed for Pinedale because, as it turns out, these controls are often also good for the state’s and the companies’ bottom lines. The reason is simple: if companies detect leaks, and subsequently repair them, then not only is the air cleaner, but more product gets to market and less waste goes up into the atmosphere where it can become a very real threat to human health.

When talking about this new drilling boom in eastern Wyoming, it’s important to be clear about one point. The Wyoming Oil and Gas Conservation Commission this year announced the state’s intentions to update its policies for well setbacks from houses, for gas flaring, and for bonding—all of which is essential and needs to happen. But it’s not going to be enough. The statewide approach to air pollution that we’re advocating is separate from what the state is currently pursuing, and it’s equally important.

We know more this time around

The last drilling boom in Wyoming caused the well-documented problem of dangerous ozone pollution in the Pinedale area—a serious public health issue that regulators are only now, years later, getting a handle on.

While the Wyoming Outdoor Council anticipated serious public health risks due to the pace and scale of the development, the truth is nobody saw Pinedale's wintertime ozone problem coming. It was a scientifically unknown and undocumented phenomenon. Worse, once the problem was identified, many officials were slow to acknowledge it, and we as a state were slow to begin work on finding solutions.

But we know better now. And we are in a position to apply an important lesson from the last boom in order to avoid making the same mistakes again. State officials, for example, have come a long way in terms of their understanding of the underlying causes of the ozone problem in the Upper Green River Basin, and they have been working for several years now—with the help of groups like ours, local citizens, and industry—to fix the problem. And at long last we're closing in on a solution: **the state's proposed pollution controls for the Pinedale area will, if implemented, unquestionably help protect the people who live and work there.**

This would be a real success. Wyoming Outdoor Council members know that we've worked long and hard, along with many others, to get the word out about ozone pollution, and that we've helped provide the state with a broad range of important technical and practical input—advocating key pollution controls that will help protect the public health.

It has been an important effort, and one that we're proud of. We won't get everything we've asked for but if the draft rule is adopted, we'll have gotten a lot. By working with others we were able to tip the scales in the right direction. We can do the same thing again, this time for the entire state.

Let's take these innovations and look east

Many of the good policies and practices that have been developed for gas production in the Upper Green River Basin can be applied with good results statewide—including to oil and gas production in the eastern part of the state.

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“Strong, statewide air rules for both new and existing oil and gas sources just make good sense.”



ICF, a leading industry consulting firm with more than 30 years of experience in the energy sector, recently analyzed the economics of emission reduction opportunities

throughout the natural gas industry. What they found was remarkable. Using sensible, off-the-shelf technologies, the oil and gas industry could cut methane emissions by 40 percent at an average net cost of only one cent per thousand cubic feet of produced natural gas.

Industry could accomplish a dramatic decrease in harmful pollution by adopting available emissions-control technologies and operating practices of the sort that are already being put in place in Wyoming's Upper Green River Basin.

Sensible statewide actions would help ensure that the state's resources are not wasted, that state, local landowners, and communities would receive revenues from it, and that oil and gas companies would ultimately benefit by keeping their product in the pipeline rather than wasting it by burning it off or leaking it to the atmosphere.

—Jon Goldstein,
Environmental Defense Fund

Growing Our Network and Our Influence



BY AMY RATHKE,
COMMUNITY
ENGAGEMENT
DIRECTOR

The Wyoming Outdoor Council is on an exciting threshold. We have a proven track record of grassroots advocacy in a state whose political landscape can be as rugged as its geography. Now, with the creation of a new position—Community Engagement Director—we’re increasing our investment in an approach that will help us be even more influential and effective in the years to come. I am thrilled to play a role in this process.

Environmental advocacy, in general, continues to evolve. The era of sweeping legislation is over, at least for the time being. Gone are the days of near-universal support for landscape and resource conservation. And while we are unlikely to see protections and safeguards on the scale of the Wilderness Act or the National Environmental Policy Act again (at least in the short run), there are still important conservation successes to be had.

New technologies are changing the way we interact with each other and how decisions are made. More than ever, individual voices and interconnected communities are helping to drive the public discourse. The flow of ideas and information through social networks has already proven powerful enough to change and shape the course of history.

Recognizing this, the Wyoming Outdoor Council is working hard to build and strengthen our network of friends, allies, and supporters.

By having a larger, well-engaged network, we can be more effective as we work to reach our membership and achieve our mission.

We are right now in the process of rolling out a new internal database that will allow us to keep better track of the causes and issues our members care most

about—and to reach out when it matters, about what matters most. We are committed to using sophisticated techniques to engage you—our friends and allies—at the right time on issues that you care about.

It means a lot when our staff shows up to meet with state legislators, or attends meetings pertaining to our public lands—and it can mean significantly more when our members reach out personally to elected officials, or meet with agency staffers, or write letters to the editors of their local papers. Research shows that these individualized outreach techniques truly do influence decision makers, and our membership is well poised to make a difference in this way.

Beyond that, we seek to do a better job of sharing our successes with you. There are many achievements to toast, and our members make all of them possible.

So, how can you help?

- Connect with us on Facebook, comment, and share our posts with your friends.
- Sign up for electronic communications. You can do this on our website or by contacting me personally.
- Make sure we have your correct contact information. As data becomes more important, so too does its accuracy.

Finally, feel free to write me or call me and let me know your preferred methods of communication. Would you like text alerts letting you know about public meetings? Is Facebook your daily download of pertinent news and information? Do personal e-mails galvanize you to action? I’m all ears, and excited to implement new practices if that is what our members want. Get in touch at amy@wyomingoutdoorcouncil.org or (307) 332-7031 x16.

Our community has the potential to help shape the future of Wyoming. I look forward to working with you in the coming months and years to grow our community and our impact to a scale worthy of this state we call home.

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This kind of foresight is crucial to help prevent dangerous air pollution from plaguing the cities and towns around the newly booming oil fields in eastern Wyoming.

The types of controls we're talking about, which are also cost-effective for oil and gas producers, include the following: (1) Pneumatic controllers and pumps that pollute less, (2) regular instrument-based leak inspections at wells and compressor stations, and (3) prompt repairs of leaks upon detection.

This approach of "leak detection and repair" has proven especially effective in controlling the fugitive emissions that can cause serious air pollution problems including ground-level ozone. It also helps to significantly reduce the level of greenhouse gases in the atmosphere, especially methane. And, of course, fixing leaks captures a marketable—and taxable—product that would otherwise be wasted.

You can help

We hope you agree that a statewide approach to air pollution is called for, practical, and achievable. It is our position that a statewide approach will best protect the people of Wyoming. If you would like more specific or technical details on the statewide controls we're advocating, please feel free to contact our staff.

The best thing you can do—right now—is reach out to your friends, neighbors, and especially elected officials. Share this information with them and let them know you believe everyone in Wyoming deserves equal protections. You can make the point that there are sound economic reasons to adopt these policies statewide. And you can work to remind them that development on Wyoming's terms is good for our environment, good for our economy, and good for people.

Thanks in advance to our members, friends, and allies for helping us get there.

Wyoming Outdoor Council

Established in 1967, the Wyoming Outdoor Council is the state's oldest statewide conservation organization. Our mission is to protect Wyoming's environment and quality of life for future generations.

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Please connect with us on facebook and go to our website to sign up for electronic communications if you haven't already. It's the best way to stay informed about this effort and the rest of our work!



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“Donna and I are longtime donors to the Wyoming Outdoor Council. I grew up in Wyoming and get back home whenever I can—in fact I’m heading up to Ten Sleep soon for elk season. One reason I’ve long supported WOC is that you take a balanced approach to addressing serious issues. I’m sure you get pushed a lot to take a harder line one way or the other. But I’ve found that inflexible groups usually don’t get much done. We support WOC because you do get things done.

—Gregg Sutherland,
Wyoming Outdoor Council member since 1989