



VALENCIA COUNTY

OPPOSING THE OZONE PRECURSOR RULE

RESOLUTION NO 2021- 57

WHEREAS, the Board of County Commissioners of Valencia County, met upon notice of a duly published Business meeting on October 6, 2021, at 5:00 P.M. in the Valencia County Administration Building, 444 Luna Avenue, Los Lunas, New Mexico 87031; and,

WHEREAS, NMSA 1978, Section 4-37-1 (1995) provides that Counties have the power to, “provide for the safety, preserve the health, promote the prosperity and improve the morals, order, comfort and convenience of any county or its inhabitants”; and

WHEREAS, NMSA, 1978, Section 4-38-18 (1976) provides that a Board of County Commissioner has the duty and authority “[t]o represent the county and have the care of the county property and the management of the interest of the county in all cases where no other provision is made by law; and,

WHEREAS, the NMED has promulgated a draft rule according to the directives in the New Mexico Air Quality Control Act that establishes emissions standards for volatile organic compounds (VOC) and oxides of nitrogen (NO_x), ozone precursor pollutants, for oil and gas production and processing sources located in areas of the state within the Environmental Improvement Board’s (EIB) jurisdiction where ozone concentrations exceed 95% of the national ambient air quality standard; and,

WHEREAS, these new rules will require at least monthly leak detection and repairs will be required within 15 days of discovery; and,

WHEREAS, oil and gas producers will also have to calculate their annual emissions, and have their calculations checked by a certified engineer; and,

WHEREAS, the rules further include emission reduction requirements for equipment and processes; and

WHEREAS, as recognized by an earlier resolution of this Board, New Mexico has been a major producer of oil and natural gas since hydrocarbons were first discovered in the state during the early 1920s; and,

WHEREAS, the oil and gas industry in New Mexico provides a significant contribution of direct economic activity through the purchases, employment and payments to the State and Local governments; and

WHEREAS, oil and gas activities, including payments to other industries, to households and to State and Local governments supported over 125,000 jobs, more than 10% of total statewide employment; and

WHEREAS, the oil and gas industry also supported over \$7 billion of Labor Income, nearly \$15 billion in total economic output, and nearly \$3 billion in State and Local tax payments, exceeding 25% of the state total; and

WHEREAS, the State of New Mexico can achieve nationally-leading rules while reducing emissions and ensuring the continued strength of oil and gas as the state's largest and most successful private industry without imposing significant expense on small, New Mexico producers; and,

WHEREAS, the oil and gas industry are proactively working to reduce the risks of climate change by taking action to limit emissions of methane and other greenhouse gases; and,

WHEREAS, producers are investing in new technology and equipment, adopting the leading best practices across their operations; and,

WHEREAS, flexibility regulatory approaches recognize and encourage the adoption and development of creative solutions to reduce emissions, and promotes creative problem-solving to develop and implement cutting-edge technologies in a continuous cycle of environmental research and innovation; and,

WHEREAS, this approach is already driving environmental progress through the adoption of new best practices and information sharing among producers and other business partners; and,

WHEREAS, the Ozone Precursor Rule is not narrowly tailored nor reasonably calculated to achieve substantial reductions in ozone levels; and,

WHEREAS, the Rule does not reflect a collaborative approach between regulators and industry, but rather reflects heavy-handed Government without a true appreciation for the impact such regulations have on the State's single-most important industry; and,

WHEREAS, the additional monitoring by the State of New Mexico will come at the increased cost and at the expense of small producers, as they are less like to absorb the increased costs of compliance; and,

WHEREAS, there are other, more sustainable, ways to address the ozone levels including focusing on decreasing nitrogen dioxide instead of on VOCs.


NOW THEREFORE, BE IT RESOLVED, the Valencia County Board of Commissioners, hereby opposes the Ozone Precursor Rule, and calls upon the State of New Mexico, and in particular the NMED, to withdraw the Rule and to work with the Oil and Gas Industry to develop a Rule that more carefully balances our environmental needs with our needs to provide for continued energy independent and to support our local producers

PASSED, APPROVED AND ADOPTED THIS 6th DAY OF OCTOBER 2021.

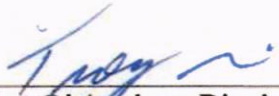
BOARD OF COUNTY COMMISSIONERS



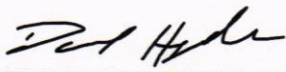
Gerard Saiz, Chair, District I



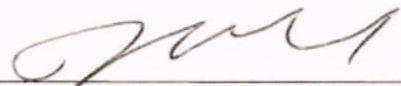
Jhonathan Aragon, Vice-Chair, District V



Troy Richardson, District II

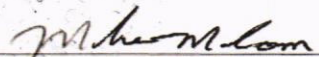


David A. Hyder, District III



Joseph Bizzell, District IV

Attest:



Mike Milam, County Clerk

