



CURED

Citizens United for Responsible Energy Development
P.O. Box 1123
Pinedale, Wyoming 82941

February 1, 2010

Mr. Don Simpson, Director
BLM Wyoming State Office
P.O. Box 1828
Cheyenne, WY 82003-1828

Re: Concerns regarding citizen access to information and BLM transparency regarding development of Pinedale Field Office gas fields

Dear Mr. Simpson,

I am writing on behalf of Citizens United for Responsible Energy Development (CURED). CURED is a grassroots local citizens' organization based in Sublette County and also a Wyoming nonprofit corporation, devoted to ensuring the massive energy development occurring in Sublette County does not harm the air and water quality, wildlife, and open spaces that they and many others in this area want to see maintained. Maintaining these environmental and quality of life benefits is key to the purpose of this organization and is the reason its members are affiliated with it. For well over a year CURED has been involved in monitoring the implementation of and impacts of drilling projects in the Pinedale BLM resource area

CURED has a number of concerns regarding citizen access to information and related lack of transparency regarding development of gas fields in the BLM Pinedale Field Office. Our organization has attempted to promote education within the public realm and foster cooperation with the energy producing industry. We are hopeful that you give the concerns we have listed below, which involve the health and welfare of Sublette County Citizens, and our natural resources the attention they deserve. Issues which we would like you to address and resolve at this time are:

1. Public Participation Concerns

Not knowing when meetings take place, issues not being resolved, being asked to leave meetings while other public (industry) are allowed to stay, and not being advised of key decisional opportunities, or not having access to information about impacts to public resources-all of this, is counterproductive to our common cause for a clean and healthy environment. Furthermore, conducting meetings and federal agency business in this manner promotes a lack of trust among the Public. We request that BLM take corrective action to assure appropriate public involvement.

2. Specific Requests Associated with PAPA AQ Implementation Monitoring and Transparency

- a) The PAPA ROD (p. 26) provides that Operators will annually develop a ten-year rolling forecast including the projected air emissions from all project related sources in the PAPA. CURED would like to be supplied with a copy of the 10-year forecast of PAPA emissions. To date we have been unable to get a copy of this. The quarterly meetings where this information may have been supplied have been closed to the public. Not only do we request to be supplied with this

information, if it exists, but we request that these meetings in the future be open to the public so that all data relevant to understanding impacts to our air quality will be available to the public.

- b) Concerns and questions regarding the research design of the Air Toxics study were expressed in November 2008 to DEQ-AQ and to the Study's scientific advisory committee, and a public forum was requested. No such forum occurred. CURED therefore hereby formally requests that a presentation / public forum be held to review and address questions relating to the Air Toxics study research design and also, since so much time has passed since the original request for this, to review and summarize on a very basic level the results and meaning of the Air Toxics study data gathered to date. Inasmuch as DEQ-AQ has provided administrative services for this study and served as the sole technical expertise, DEQ-AQ is the logical agency to provide this presentation. Given that the air toxics study is in response to unanticipated, unanalyzed, and undisclosed impacts of BLM undertakings, however, BLM participation is warranted.
- c) Further related to the Air Toxics study underway, scientific peer review is lacking. CURED hereby requests that BLM assure that an independent scientific review be conducted of this study this fiscal year, using PAPO money if appropriate. We would appreciate a copy of the peer-review report(s) as soon as completed.
- d) CURED also hereby formally requests an informational AQ-planning-overview forum summarizing anticipated emissions within our air shed for the next 10 years, with focus on the various BLM-administered federal undertakings, past, in progress, and proposed. A basic understanding of pollution expectations and commitments made to date is desired, along with explanation of how the concomitant anticipated impacts relate to legal requirements on visibility impairment, WAAQS and so forth. Noting that the Pinedale RMP (p. 4-8) projects the situation as follows, "Alternative 4 emissions have been estimated for the base year (2001), 2011, and 2021. Under this alternative, the total NOx emissions from BLM activities would increase over time from the base-year level of 7,724 tons per year to 23,170 tons per year by 2021", we question how standards can be met. We suggest that BLM and DEQ jointly prepare and give this presentation. We believe that BLM is accountable to the public for this reporting, as the agency has authorized these projects that impact our air and have also made promises about levels of impact. It is now time for the BLM to be accountable back to the public about their actions and promises

3. Specific Requests Associated with Jonah Implementation Monitoring and Transparency - AQ

A variety of questions have been raised over time concerning the overall status of air emissions in Jonah, and many remain unanswered. CURED would like to take this opportunity to pose some of these afresh. We would appreciate written response to these from BLM.

- a) The Jonah Infill ROD (p. A-4) provides that if post-ROD ozone exceedences occur, BLM will consult with the USFS, EPA and others to determine whether adaptive management action is needed. Has this been done? If so we would appreciate seeing related documentation.
- b) The BLM's March 2006 Jonah Infill Record of Decision, regarding air quality, specified selection of the '80% emissions reduction' scenario which modeling involved NOx emissions of 641 tons per year (AQ TSD Table G-B.1.1). However, for 2007 and 2008, DEQ-AQ emissions inventories report that 1,000 tons of NOx were emitted from 'JIDP' sources. Given the above, it appears that 'Jonah' emissions may have already exceeded modeled amounts associated with the Decision Record. If not 641 tons, then what is the total maximum modeled NOx emissions for BLM-approved facilities in the Jonah Field? We realize that this may include NOx emissions approved in prior decisions and included in the cumulative and RFD estimates of the Jonah Infill and so, would appreciate a breakout of these. If the total maximum modeled amount is reached, what mitigation action has the agency taken if any?
- c) The Jonah Infill ROD (p.A-4) specifies that "*...the Operators will submit annual operating plans that report the emissions from all emitting units in order to demonstrate that the potential visibility impact from the proposed project will be less than the potential visibility impact levels of the 80% emission reduction scenario described in the FEIS Section 4.1.2.5 and AQTSD Appendix G,*

Section G-2, at a minimum....." What is the most recent amount of NOx (and other pollutants) emission reported in these plans? May we receive copies of these plans? Please explain whether and how this amount 'demonstrates' that project visibility impact is less than the modeled result of the '80% reduction' scenario ?

4. Ambient Air Quality Control Monitoring Station

The Upper Green River Valley is an area that has not seen industrial development to date. The information gathered from air quality monitoring in this area would provide baseline data for ambient air measurements. CURED requests that BLM and DEQ jointly install a monitoring station to provide baseline data as soon as possible.

5. BLM Air Quality Employee

Given the on-going air impact studies, ozone exceedences and air pollution planning issues stemming principally from BLM undertakings, CURED recommends that hiring of an AQ specialist for the BLM-PFO be given high priority. (It is clear that no-one among the BLM-PFO staff of 50+ has AQ technical expertise, or even much knowledge of PFO NEPA docs as relates to AQ.)

6. Water Quality

- a) Landowners adjacent to the PAPA who rely on groundwater for their drinking water have expressed various concerns and have formally asked for the names of at least 2 toxic chemicals that can be detected to indicate either contamination or assure the owners that there is no evidence of fracking fluids contaminating their drinking water. This request was made known to the PAWG. The response to the landowners association to look for increased salinity as an indicator of contamination is not sufficient. CURED hereby requests that BLM and DEQ jointly review chemical products used down-hole in the Pinedale Anticline, identify chemicals which would be suitable for monitoring, and provide a list of these chemicals to CURED and the New Fork Social Club by April 1, 2010.
- b) The GeoMatrix Aquifer Characterization proposal does not indicate that there will be a scientific review of the study research design and results. CURED hereby requests that BLM assure that an independent scientific review be conducted this fiscal year, using PAPO money if appropriate. We would appreciate a copy of the per-review report(s) as soon as completed.

7. Wildlife

The wildlife corridors have been fragmented, causing a documented decline in the overall wildlife population to date. The PAPA is critical winter habitat for the mule deer. Winter conditions are harsh enough, without adding stressors that are inevitable with this energy development and adds to the burden on wintering wildlife. We can't afford to allow further declines in population numbers, and so, wildlife monitoring and appropriate mitigation is critical to provide the public accountability for this protection that we were promised. We support a process here which is publicly transparent and shown to be scientifically credible.

8. Revolving door with ACTING managers

Since Chuck Otto left last year as Pinedale Field Office manager, we have had a series of acting managers. This lack of consistent and knowledgeable leadership in the office perpetuates many of the mismanagement issues raised above, and overall weakens public trust in the agency as well as the internal staff morale. We request that the BLM move quickly to fill this position permanently and also be forthcoming to the public about the timeline for filling this important position.

In conclusion, CURED believes that the successful implementation of these large drilling projects in the Pinedale area depends upon having an engaged and well-informed local public. These massive projects

can generate huge impacts to our local air quality, water resources, wildlife and public health. These projects impact the public's resources as well as the public's welfare directly. Thus, we should be considered as a key stakeholder in processes to monitor and mitigate these impacts. We appreciate your collective consideration for our concerns and look forward corrective action as well as responses to each of the above questions.

Respectfully,

Elaine Crumpley, Chair
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CURED

Cc:

Ned Farquhar, DOI Deputy Assistant Secretary
Robert Abbey, Director Bureau of Land Management
Brian Davis, ACTING BLM-PFO Field Office Manager
Larry Jensen, ACTING BLM-PFO Minerals Lead
John Corra, Director, Wyoming Department of Environmental Quality