



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Wyoming State Office
P.O. Box 1828
Cheyenne, Wyoming 82003-1828



In Reply Refer To:
1610 (930)
7300

MAR 19 2010

Ms. Elaine Crumpley
Chair
CURED
P.O. Box 1123
Pinedale, WY 82941

Dear Ms. Crumpley:

Thank you for your letter of February 1, 2010, in which you express concerns about citizen access to information related to gas development in the Bureau of Land Management (BLM) Pinedale Field Office area. We will respond to your concerns in the same order as presented in your letter.

1. Public Participation Concerns: BLM actively works with the public through the National Environmental Policy Act (NEPA) process. This process includes public meetings and posting information related to specific actions to the BLM website. Meetings and information postings are designed to inform and encourage public comments and participation in the NEPA process. BLM provides every prescribed opportunity for public involvement and goes beyond what is required by law to provide additional public opportunities where planning progress and the planning process are discussed. At times, when a meeting involves pre-decisional information and/or cooperating agencies are present, the meeting is not open to the public in the interest of maintaining BLM's decision-making space. BLM takes seriously our obligation to involve the public and solicit input in accordance with established NEPA procedures.

2. Specific Requests Associated with Pinedale Anticline Project Area (PAPA) Air Quality (AQ) Implementation Monitoring and Transparency

(a) The 10-year rolling forecast was presented at the annual planning meeting on February 24, 2010, however, it did not include the projected emissions data, which is still in development. The Pinedale Field Office is addressing deficiencies in the report, and when completed, the forecast will be posted at <http://www.wy.blm.gov/jio-papo> and http://www.blm.gov/wy/st/en/field_offices/Pinedale/anticline.html.

The air quality analysis was conducted by an inter-agency team including the BLM, U.S. Forest Service (USFS), National Park Service (NPS), Wyoming Department of Environmental Quality

(DEQ) and the Environmental Protection Agency (EPA). This AQ modeling analysis is ongoing and was discussed at the recent PAPA annual planning meeting (February 23 and 24, 2010). Progress has been somewhat slow but the project is moving forward. Pre-processing of meteorological and emissions inventory data is complete and at the current time, BLM, DEQ and EPA are waiting for information and results from other projects which will help inform our next steps. The ambient air quality monitoring results are maintained by the DEQ. Monitoring AQ information in Sublette County (and the rest of Wyoming) and data may be obtained at:

<http://deq.state.wy.us/aqd/Monitoring%20Data.asp>

Information and data for the **Upper Green Winter Ozone Study** may be obtained at:

<http://deq.state.wy.us/aqd/Upper%20Green%20Winter%20Ozone%20Study.asp>

Information, annual data summaries and **WYDEQ Network Plans** may be obtained at:

<http://deq.state.wy.us/aqd/Annual%20Network%20Plans.asp>

Additional air quality data from across the nation, including Sublette County, may be obtained at the EPA's AirExplorer website (<http://www.epa.gov/mxplorer/index.htm>). Data can be downloaded in many different formats such as maps, graphs, tables, monitoring site locations.

(b) The formal name/title of this study is: *Sublette County Human Health Risk Assessment Air Toxics Inhalation Study*. The work is being managed and funded by a partnership consisting of WDEQ, Wyoming Department of Health (WDH) and the Sublette County Commissioners. The study began in February 2009 and includes the monitoring of Hazardous Air Pollutants (HAPS) (for a full list, see quarterly reports) and at some sites, ozone as well.

A formal Health Risk Assessment is also being prepared. A full description of the project and the most recent quarterly reports may be found at:

http://deq.state.wy.us/aqd/Ozone%20Air%20Toxics_Sublette%20County.asp

A public forum is planned in mid-April in Pinedale, Wyoming, to discuss the plan for the Health Risk Assessment. Results from the Health Risk Assessment will be presented to the public sometime in late summer or early fall of 2010.

(c) The final decision concerning a scientific peer review of the *Sublette County Human Health Risk Assessment Air Toxics Inhalation Study* will be made by the partnership described in Section 2(b).

(d) Your letter asks BLM to host an air quality planning overview forum summarizing anticipated emissions within the regional airshed for the next ten years. The annual planning meeting is identified in the Supplemental Environmental Impact Statement (SEIS) as the forum to present this information. The figures quoted from the SEIS are not representative of actual numbers, because they do not reflect the use of control technology, liquid gathering, and electrification, which are ongoing efforts. The emission values presented in the SEIS were extrapolated forward, as if none of these mitigations would be used. The actual emissions

inventory and monitoring data being supplied to DEQ are used to assess current, on-the-ground, data values and are presented during the annual planning meetings. The most recent presentation was held February 23 and 24, 2010, in Pinedale, and all of this information is available online as earlier noted.

3. Specific Requests Associated with Jonah Implementation Monitoring and Transparency – Air Quality

(a) Exceedances of the 8-hour ozone standard have been observed at three air monitors in the Upper Green River area. In response, WY DEQ submitted a request to EPA to designate the Upper Green River basin as a non-attainment area. In addition, WY DEQ has initiated an interim permitting policy that includes offsets for NOx and VOC which has resulted in significant decreases in both NOx and VOC emissions in the region. Oil and gas production facilities within the Jonah Infill and Pinedale Anticline are subject to additional presumptive BACT requirements. Oil and gas operators have developed contingency plans for short term reductions in VOC and NOx emissions during episodic winter ozone conditions. These plans are very detailed and include severely limiting field operations during high ozone episodes. BLM has been actively engaged with WY DEQ, EPA, NPS, USFS and other agencies in the development of plans and policies with regard to ozone in the region. BLM supports WY DEQ's request for designation as a nonattainment area in the Upper Green River basin and will work to ensure that all federal actions in the area conform with the State Implementation Plan when it is enacted.

(b) The Jonah Infill ROD states that, in the absence of Best Available Technology (BAT) standards, "operators will be required to demonstrate that the impact levels from the proposed project will be less than the impact levels of the 80 percent emission reduction scenario." For this scenario, 641.2 tons per year of NOx was modeled for the Jonah Infill ROD. The 641.2 tons of NOx is not an emissions cap or a regulatory trigger and should not be considered as such. This amount represented potential emissions from drill rigs and other sources in the proposed Jonah Infill project only and was used in one of several modeling scenarios performed for this project. The 1,000 tons that your letter refers to includes actual emissions from several sources not included in the modeling. Now that DEQ has established BAT standards in a recent drill rig permit for Encana, future operators must comply with these standards rather than the 80 percent emissions reduction scenario. Additional information on the actual emissions from drill rig engines in the Jonah Infill may be obtained from DEQ. The BAT standards are part of the mitigation actions being taken to address NOx emissions in the Jonah Infill. The following points highlight the BAT standards established by DEQ in the Encana drill rig permit:

-Total actual annual NOx emissions from all drill rig engines and boilers associated with the EnCana Oil and Gas (USA) Inc. Drill Rig Fleet shall not exceed 282.0 tons per year (tpy) NOx.

-Total actual annual NOx emissions from engines on any diesel-fired drill rig in the EnCana Oil and Gas (USA), Inc. Drill Rig Fleet shall not exceed 10 tons per year per drill rig. This requirement shall be effective January 1, 2010.

-The control technology used by the natural gas engines and the in-use limits for the diesel engines represent Best Available Control Technology (BACT) as well as BAT.

In addition, the DEQ has required emission control technologies and strategies for other sources in addition to drill rig engines in the Jonah Infill area. We refer you to DEQ for further information.

(c) The Jonah Infill ROD, as indicated in your letter, requires the operators to submit an annual report that specifies the amount of emissions from all emitting units and have asked for a copy of those reports. The plans you are referring to only report emissions from the drill rigs because, at the time of the ROD, they were not permitted sources; hence, the wording "in absence of BAT." Additionally, these drill rig emission reports are submitted within 10 days of completing each well. We would be happy to provide copies of these reports to you, but ask that you submit this request under the Freedom of Information Act (FOIA). There are numerous reports and copying them will be a large workload that can be better accounted for under a FOIA.

Once BAT's were established (September 2009) drill rig emissions became a permitted source subject to the WYDEQ emissions inventory reporting requirements. As such, BLM does not maintain this data and is unable to answer your question(s) with hard numbers at this time due to various factors including but not limited to: changes in reporting requirements making the data hard to interpret across years as well as collection and summation issues. However, based on conversations with DEQ, the Jonah Infill operations are in full compliance with all State and National air quality standards, including visibility. Once we receive updated information from DEQ, estimated August 2010 for 2009 operations, we will be happy to supply you with a copy.

4. Ambient Air Quality Control Monitoring Station

You request the BLM and DEQ jointly install an air quality monitoring station in the Upper Green River Valley. The DEQ has performed an assessment of the current monitoring network in southwest Wyoming. If the results of these assessments indicate that an air quality monitoring station is necessary, we would certainly support such an action.

5. BLM Air Quality Employee

You recommend BLM give high priority to hiring an air quality specialist in the Pinedale Field Office (FO). Air Quality expertise within the BLM Wyoming is a function of the State Office in Cheyenne; the Pinedale FO is in regular and frequent contact with these specialists at the State Office. The Jonah Interagency Office (JIO)/Pinedale Anticline Project Office (PAPO) organization is staffed with a DEQ Air Quality employee. Two additional air resource positions have been funded by the PAPO Mitigation Fund. I understand these positions have been advertised and would be dedicated to monitoring air quality conditions in the Pinedale Field Office.

6. Water Quality

(a) You also expressed concerns about groundwater quality near the Pinedale Anticline and requested the names of a least two toxic chemicals that can be used to detect contamination or assure the landowners that there is no evidence of frac fluids contaminating their drinking water. Our position at this time is that the constituents currently being monitored are an effective means of identifying potential aquifer impacts from oil and gas development occurring in the Pinedale area. However, the DEQ is working with the U.S. EPA to develop an expanded list of constituents that could be added to the Pinedale Anticline monitoring protocol; when developed and implemented, that list could also be used to satisfy the needs of your request.

(b) Your letter requests that the BLM assure that an independent scientific review of the GeoMatrix Aquifer Characterization proposal be conducted this fiscal year. We currently have no plans to have a third-party review of the study research design and results, and we believe that adequate scientific peer review will be accomplished by the technical specialists and experts employed by the DEQ, BLM and EPA.

7. Wildlife

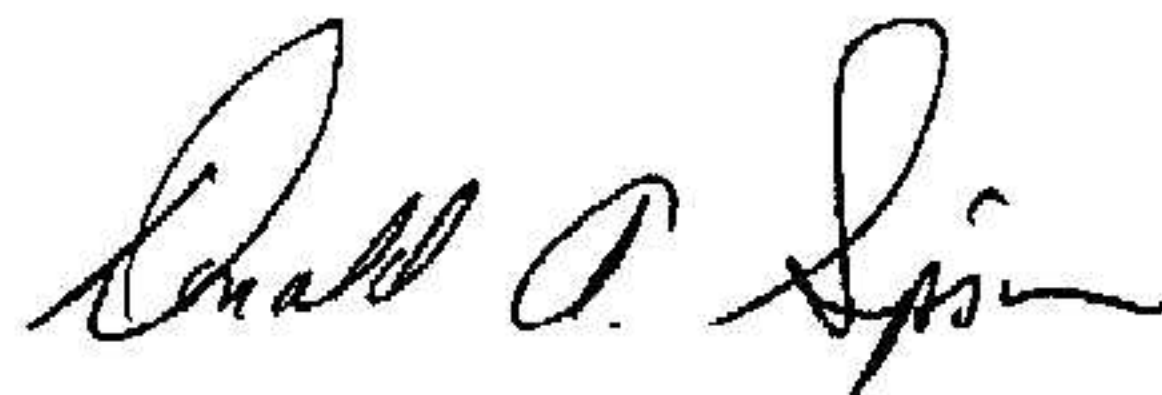
We share your concerns for wildlife and have developed a matrix to help us identify and monitor impacts to wildlife. The purpose of the matrix is to ensure appropriate mitigation is timely implemented as required in the Jonah Infill and Pinedale Anticline EISs in order to reduce and/or eliminate adverse impacts to wildlife and other resource values. The Wyoming Game and Fish Department is an active participant in development and implementation of the matrix.

8. Revolving door with acting managers

We share your concerns over the loss of continuity in management in the Pinedale office. We hope to stabilize the management situation at our Pinedale office in the very near future. The choice for a suitable Field Manager will be very carefully considered before a final decision is made. In the meantime, we have taken steps to ensure a smooth and consistent transition period.

Thank you for sharing your concerns on these very important issues. If we can be of further assistance on this matter, please do not hesitate to contact us again.

Sincerely,



Donald A. Simpson,
State Director