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**House Natural Resources Field Hearing  
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Santa Fe, NM**

**Testimony of Barbara Webber, Executive Director, Health Action New Mexico**

First and foremost, I would like to thank Mr. Chairman and the members of this committee for coming to New Mexico today to seek input from those of us in states that are living with the decisions made by the Trump administration that are undermining public health protections in New Mexico and throughout the West.

My name is Barbara Webber, and I am the executive director of the Health Action New Mexico based in Albuquerque. I began my career working on rural health and development issues internationally and have worked in various capacities to advocate for women's health including managing teams for hospice care and women's reproductive health. Prior to joining Health Action New Mexico in 2009, I was an analyst for the New Mexico Health Policy Commission.

Since 1995, Health Action New Mexico has worked to empower consumers to build healthy communities and secure better health care for their families. We care deeply about protecting the health and future of New Mexico families, and one of the best ways to do that is to cut pollution now and avoid future health care costs later.

I would like to also acknowledge our good friends from the Interfaith Worker Justice and the Tularosa Basin Downwinders Consortium who know all too well the consequences of what happens when public health and safety are ignored. For decades, this community has had to live with the after-effects of the Trinity atomic bomb test and, to this day, are still excluded from the Radiation Exposure Compensation Act.<sup>1</sup> In addition to the documented after-the-fact-disastrous health consequences to the lives of its citizens, New Mexico has paid for decades the burden of resulting health care costs and lost human productivity. Let's make it a lesson well learned.

In my testimony today, I will provide an overview of the public health threats posed by oil and gas development to New Mexicans including ozone pollution, hazardous air pollutants (HAPs),

and climate change. I will also highlight key policy issues that this committee, the federal government, and the state should address.

It is critically important that the federal government change course and stop efforts to rollback commonsense rules. We also strongly believe that the federal, state, and local governments should conduct and require health impact assessments when making oil and gas planning and leasing decisions. We cannot make informed and responsible decisions without critical knowledge of the health impact on our citizens and too often, we the consumers do not have this data.

Ozone pollution poses a serious threat to the health of New Mexicans, especially those living in poor, rural communities.

According to analysis released this past week by the Environmental Defense Fund, oil and gas is responsible for 300,000 metric tons of volatile organic compound pollution, a precursor to ozone pollution every year.<sup>ii</sup> These emissions have contributed to high levels of ozone pollution that are dangerously close to exceeding federal clean air standards of 70 parts per million in three counties including San Juan in northwest New Mexico and Lea and Eddy in the southeast. Almost 73 percent of the state's oil and gas wells and more than 83 percent of the state's production are located in those three counties. These counties are the top oil and gas producing counties in the state.

Rio Arriba and Chaves counties are expected to join that list when new air quality data is released in 2019. Should that prove to be true, 97 percent of the state's wells and 95 the state's production would be located in counties nearing ozone nonattainment status.

An extensive body of scientific research, including research by the U.S. Environmental Protection Agency (EPA), demonstrates a causal or likely causal relationship between ozone exposure and respiratory distress, cardiovascular problems, premature death, strokes, and neurological effects.<sup>iii</sup> Children and the elderly are most at-risk to ozone pollutions.

Asthma is now the most common non-communicable disease in children in the US and in New Mexico our asthma rate is higher than the national rate. Children with asthma face higher risks from ozone exposure such as decreased lung function and increased respiratory symptoms.<sup>iv</sup> And children may miss school due to ozone exposure<sup>v</sup> or even suffer a permanent disability.<sup>vi</sup> Longitudinal studies have demonstrated that "long-term [ozone] exposure influences the risk of asthma development in children."<sup>vii</sup>

New Mexico has a rapidly aging population so that by 2030, we will have the third highest older adult population in the country. For older adults, elevated ozone levels can literally make the difference between life and death. A 2017 study of almost 61 million Medicare patients conducted nationwide found a significant association between ozone exposure and all-cause mortality, with effects strongest in minorities and populations of low socio-economic status,

especially of note for our state since New Mexico is a minority/majority state with the second highest poverty rate in the country. These effects were seen at ozone concentrations well below the current National Ambient Air Quality Standards level of 70 ppb.<sup>viii</sup> Note, there are at least five oil and gas-producing counties in New Mexico that I mentioned earlier that are nearing federal health standards.

And as the American Lung Association has noted, breathing ozone can affect the heart as well as the lungs. There is strong evidence of an association between out-of-hospital cardiac arrests and just a short-term exposure to ozone.<sup>ix</sup> ALA also noted a 2006 study that linked exposures to high ozone levels for as little as one hour to a particular type of cardiac arrhythmia that itself increases the risk of premature death and stroke.<sup>x</sup>

The science is clear. Both short-term (hours, weeks, or days) and long-term (months or years) exposure to ozone come with real and serious risks to our health.<sup>xi</sup>

Oil and gas development also releases hazardous air pollutants (“HAPs”), such as benzene, a known carcinogen. Exposure to HAPs can cause cancer and seriously impair the human neurological system. Unsurprising, studies have found that those living in close proximity to oil and gas activity had higher measured exposures to HAPs and face increased risks to their health.<sup>xii</sup> Furthermore, a “number of adverse noncancer health effects including blood disorders, such as preleukemia and aplastic anemia, have also been associated with long-term exposure to benzene.”<sup>xiii</sup> In addition to the risks associated with benzene, exposure to other HAPs is also harmful to human health. For instance, the serious health effects associated with exposure to toluene range from dysfunction of the central nervous system to narcosis, with effects “frequently observed in humans acutely exposed to low or moderate levels of toluene by inhalation.”<sup>xiv</sup>

Lastly, the 1 million metric tons of methane released each year during oil and gas development and production contributes to climate change and creates a serious public health threat.

Methane is 84 times more powerful than carbon dioxide as a greenhouse gas pollutant in the near-term and responsible for more than a quarter of the climate change that we are already experiencing today.<sup>xv</sup>

As noted by the Centers for Disease Control and Prevention, climate change “will likely include more variable weather patterns, heat waves, heavy precipitation events, flooding, droughts, more intense storms, sea level rise, and air pollution. Each of these impacts could negatively affect public health.”<sup>xvi</sup>

Climate change contributes to air pollution in West in two important ways. First, by increasing temperatures it exacerbates ozone pollution issues, especially during the summertime. Heat is a key factor in transforming volatile organic compounds into ground-level ozone or smog. Second,

climate change has already led to longer, more intense wildfire seasons in New Mexico and throughout the West. These fires generate particulate matter. Just last summer, Albuquerque saw elevated levels of particulate pollution due to the Buzzard Fire in the Gila National Forest.<sup>xvii</sup> Public health experts warned residents to limit their outdoor activity.

Climate change will also create water insecurity and life-threatening heat waves in New Mexico. Declining water supplies due to climate change is a dangerous public health threat that will affect those who are not on municipal water supplies the most, including 30 percent of residents in the Navajo Nation.<sup>xviii</sup> Last summer, the entire state of New Mexico was in a drought. Moreover, extreme heat poses health risks, including death. This threat is especially acute for those without access to electricity, including 40 percent of residents in the Navajo Nation.<sup>xix</sup>

Instead of tackling the threat posed by ozone and methane pollution, the federal government has shirked their responsibility. In January 2018, the U.S. Bureau of Land Management rescinded the Methane and Waste Prevention Rule, putting more than 30,000 oil and gas wells in New Mexico back under the Notice to Lessee 4A (NTL-4A) framework that is more than 30 years old and lead to the San Juan Basin methane hotspot, massive amount of emissions emanating in the Permian Basin, and more than \$111 million-worth of natural gas wasted annually on New Mexico's federal lands alone.

And in the fall of 2018, the EPA proposed to weaken leak detection and repair standards despite the fact that the agency found that such measures had even bigger benefits and were even more cost effective than originally estimated by the agency. This will lead to more than 480,000 tons of methane nationwide.<sup>xx</sup> Most importantly, the EPA is expected to release a second rollback that would remove the agency's authority to regulate methane. This proposal is wrongheaded, especially in light of several major oil and gas producers – including companies with operations in New Mexico – that have come out in favor of federal methane regulation.

This stands in stark contrast to actions by New Mexico leaders. In January 2019, Gov. Michelle Lujan Grisham issued an executive order that created a cross-agency effort between the Energy, Minerals and Natural Resources Department and the Environment Department to develop an enforceable regulatory framework that will cut ozone and methane emissions from new and existing oil and gas sources.<sup>xxi</sup>

Health Action New Mexico commends Gov. Lujan Grisham for her bold leadership at the state level, and we call on her and her agencies to move forward on these rulemakings without delay. We also thank members of the House Natural Resources Committee for their tireless efforts to defend the health and future of New Mexico's families.

The simple truth is that even after New Mexico has acted at the state level to cut emissions, we need strong action at the federal level. Public health considerations and the scientific evidence behind such considerations must be at the forefront of these actions. Air pollution does not stop at state or international borders, and we need the United States to once again lead on this issue.

Thank you again for the opportunity to testify.

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