

Concerned Residents and Organizations in Northern New Mexico

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RE: WPX Energy Tank Fire Industrial Accident near Counselor, New Mexico 7-11-16

The concerned residents and organizations of northern New Mexico and residents of the Tri-Chapter area of the Navajo Nation who live in the Counselor, Ojo Encino and Torreon-Star Lake communities request that the Bureau of Land Management, the New Mexico Oil Conservation Division, U.S. Chemical Safety Board and U.S. Environmental Protection Agency record and respond to the following concerns caused by WPX Energy's 36 chemical tank explosion and fire at Highway 550 at Mile Marker 114 on the evening of July 11, 2016.

Public Safety

1. WPX Energy has not shared nor publicly posted an evacuation plan or emergency response plan in case of such an explosion or fire as has just occurred.
2. There was no communication with the Chapters when the accident first occurred. Emergency responders came from San Juan County and NM State Police and the primary action taken was to "let it burn" and a partial evacuation. At least one local resident informed police of residents living very close (1/4 mile) to the fire who had not been notified to evacuate.
3. 55 individuals were told to leave their homes and offered hotel accommodations an hour away.
4. Livestock (chickens, sheep and a goat) and pets located a few hundred yards from the accident site were killed as a result of the explosion.
5. No medical assessment or treatment was made available to evacuees who had been exposed to possible chemical emissions.
6. WPX apologized for "the rude awakening" from the explosions and road closures and reported the air quality was "fine" and it would be looking into what caused the fire. No mention was made of chemical exposure.

7. Highway 550 was closed for several hours after the explosion, and reopened to traffic at slower speeds on July 12, 2016. No road notice of possible chemical exposure was provided to the public living in or traveling through the area.

Lack of Communication with Public

1. In the four days following the fire, there has been no official health agency or media announcement concerning results from the air monitoring WPX said it was conducting and would report on.
2. The NM Office of Emergency Preparedness requests that operators that store dangerous chemicals onsite are required to communicate the contents to Hazmat responders who make a plume model and evacuate residents within the estimated impact area as well as people further downwind of an explosion and fire. No mention of chemical exposure was made to those evacuated and almost all people returned to their homes within ten hours of evacuating.
3. At least one resident has been transported to San Juan Medical Center in Farmington with respiratory problems as a result of the fire. No mention had been made as to the types of chemicals that were involved in the fire and what correlations there are between that type of emission and public health impacts.
4. WPX Energy scored near the bottom of the industry in a recent scorecard report published by investors benchmarking 35 companies on their disclosed efforts to mitigate key impacts, and WPX Energy has faced controversy in the past over allegations that it irreparably contaminated local drinking water in Pennsylvania (Report to investors: Green Century Capitol Management)

Likelihood of a Future and More Serious Accident

1. The WPX accident occurred at a brand new facility that includes 6 well pads and 6 laterals. According to WPX Energy, "roughly half" of the minerals at this site are federal minerals, the rest are allotment and tribal trust minerals.
2. There has never been an assessment of the safety or feasibility of using hydraulic fracturing in the tight Mancos Shale formation at this site or any of the BLM managed leased lands in San Juan County. An RMP-A has been promised, but more than 200 wells have already been drilled and thousands of acres leased by BLM for oil production without any new analysis for 13 years and counting.
3. There is no local emergency response team or fire station and the closest medical facility and fire station is in Cuba, NM, more than 35 miles away.
4. NM Oil Conservation Division has approved a total of 62 laterals as part of a large oil reservoir at this site in the future.

5. The location of this proposed facility, within less than a mile of many residences and within 5 miles of dozens more, is an ongoing concern for the Tri-Chapter communities.

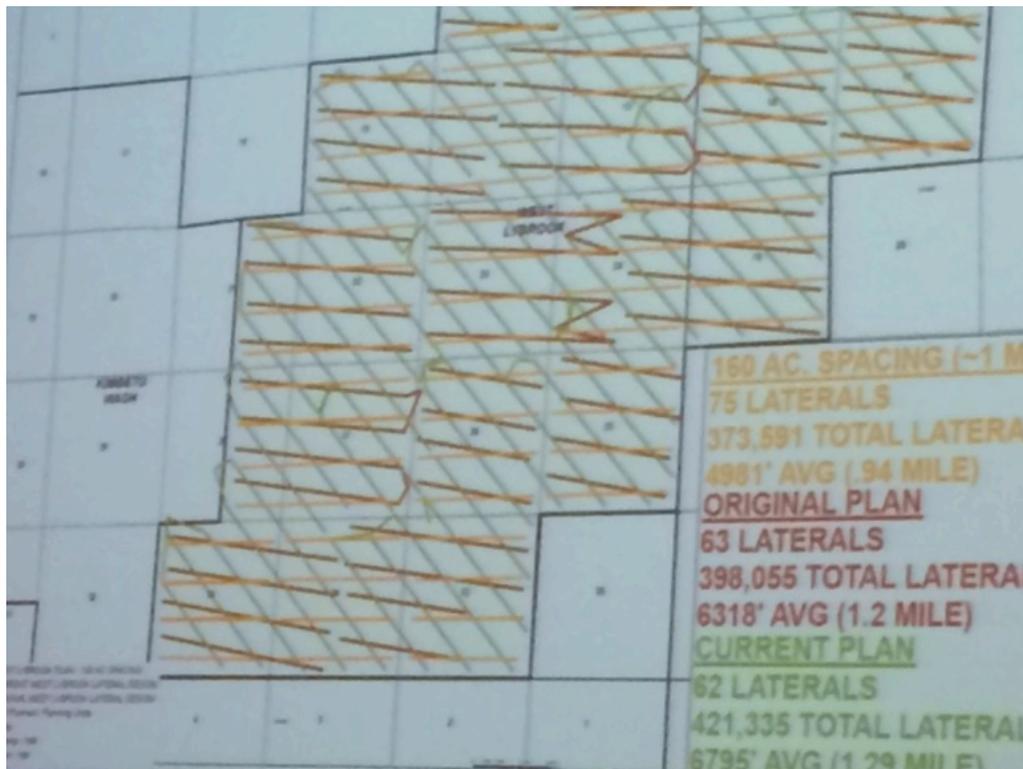


Figure 1: Approved Plan for 62 laterals

6. The Lybrook Community School on Highway 550 is downwind of the WPX accident site and many oil field operations. School staff reports pervasive fumes, smoke and odors from those sites are noticed on a daily basis.
7. These communities are located en route to the internationally known Chaco Cultural National Historical Park, a UNESCO World Heritage site, located 18 air miles from the location of the WPX explosion and fire. The Park hosts some 40,000 visitors from around the world annually.

This accident comes at a time when the residents of Counselor have already formalized their health and safety concerns in a recent Health Impact Report (HIR) submitted in June to Jonathan Hale, Chairman of the Health, Education and Human Services Committee of the Navajo Nation.

The Tri-Chapter Houses have passed similar Resolutions to declare a need for a Community Health Impact Assessment (HIA) to be conducted in the Tri-Chapter area to determine health impacts from exposure to oil wells. (Torreon-Star Lake Resolution TSL 07/2016 – [057](#) is attached)

The Tri-Chapter Houses have passed similar Emergency Declarations that state:

“The president declared an emergency titled: Declaration of Emergency due to Potentially Significant Community Health Impacts on June 12th, 2016.”
(Ojo Encino Emergency Declaration Resolution #OJOE: 06-12-16/006 is attached)

We, the undersigned concerned residents and organizations in greater northern New Mexico, request the following measures be taken to ensure greater public safety and preparedness in case of oil field caused accidents:

- An Emergency Preparedness and Evacuation Plan that addresses all risks from oil operations in the San Juan Basin region to be posted in all Chapter Houses with Emergency Contacts for fire, rescue, livestock evacuation, medical treatment and emergency shelter.
- Emergency Hotline to local radio, TV and state website (similar to weather alerts) to inform residents of emergency conditions and what actions the public should take for their own safety.
- Oil company website updates on air and water monitoring being conducted at the site of an accident (fire, spill, leak, explosion, collision) within the first 24 hours so residents and the public, including travelers, are kept informed as to air and water quality and levels of risk of exposure.
- Compensation to residents who suffer damages, livestock losses and human health and veterinary costs related to accident.
- Qualified medical assistance during and after an emergency to assess and refer for treatment any person injured or made ill as a result of the incident.
- Livestock mortality contact so landowners can report livestock killed as result of accident.

The US Chemical Safety Board has published the following recommendations that would help ensure a more appropriate response in the event of a future accident:

- Training for emergency responders, including hazardous materials training;
- Local emergency planning, and community response plans and teams;
 - Use of community notification systems;
 - Use of an incident command system and the National Incident Management System;
 - Conducting emergency response exercises;
 - Information sharing between facilities, emergency responders and the community;

Such emergency measures would provide a minimum of assistance for rural residents who have no local rescue or medical services and who are living in such close proximity to potentially dangerous extraction operations.

Respectfully,

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