



November 6, 2015

John Blevins, Director
Compliance Assurance and Enforcement Division
U.S. EPA Region 6
Mail Code: 6EN
Fountain Place 12th Floor, Suite 1200
1445 Ross Avenue
Dallas, TX 75202-2733

Re: Request for EPA Investigation into Unauthorized Releases of Air Pollution from Oil and Gas Facilities in the Means Field, Andrews County, Texas

Dear Director Blevins:

We are writing to call your attention to excessive and unauthorized self-reported releases of hydrogen sulfide and other pollutants from ExxonMobil's ("Exxon")¹ oil and gas facilities in the Means field, located approximately 8.5 miles north of the town of Andrews, in Andrews County, Texas. *See*, Exhibit A, attached.

Exxon and its subsidiaries have a long history of oil production in the Means field. The company started drilling in the 1930s, and since then, Exxon has extracted more than 300 million barrels of oil from the field.² In 2011, Exxon announced constructed a major new project to

¹ Based on a review of publicly available air permit information, it appears that Exxon and its subsidiary, XTO, own, operate, or control the Means field facilities, including the CO₂ discharge/injection lines, which are located at and operated as part of the Means Gas Conditioning facilities. The site is or was operating under Title V Permit No. O-3133, for a plant "designed to support enhanced oil recovery from the Means reservoir." *See*, Source Analysis and Technical Review for Permit No. O-3133, and related permitting documents, obtained from the TCEQ's publicly accessible remote document server, attached as Exhibit B. We are providing these technical documents for informational purposes only; we do not necessarily agree with any of the regulatory or legal positions in these TCEQ documents. In addition, the lack of publicly available permit and compliance information for this site makes it almost impossible for members of the public to gain a clear picture of either the operations or the permit authorizations covering sources in the Means field. Therefore, we ask EPA to conduct the inquiries and investigate the issues raised in this letter no matter who, ultimately, is deemed to be the current owner or operator of the facilities in question.

² <http://news.exxonmobil.com/press-release/exxonmobil-extract-additional-oil-west-texas-field> (2011 ExxonMobil Press Release.)

expand production in the Means using carbon dioxide injection.³ These construction projects and new facilities have greatly expanded oil production in the Means, making it among the most active oil fields out of the 7,000 Texas Railroad Commission fields that comprise the oil, gas, and condensate rich Permian Basin.⁴ However, along with this major new construction and expansion of Exxon's Means operations, the company is also reporting excessive releases of unauthorized air pollution. In addition, Exxon and its subsidiaries lack the air permits required by law to release dangerous contaminants into the air.

Hydrogen sulfide is a flammable, colorless gas that smells like rotten eggs. More than a nuisance, at low levels it can cause eye, nose, and throat irritation. At moderate and higher levels, H₂S can cause respiratory arrest and death. Unlike methane, H₂S gas plumes hug the ground and low lying areas when released during low wind conditions. Hydrogen sulfide in low or high concentrations will instantly deaden the nose of even the best trained experts, which makes it difficult and dangerous to rely only on olfactory detection.⁵ These characteristics also make H₂S releases very dangerous. The area has seen its share of hydrogen sulfide releases, like the February 1975 Denver City tragedy. This, the deadliest reported H₂S release in Texas history, killed eight people in a home near a sour gas/sour crude production well, not far from Exxon's Means field site.⁶

We request that EPA investigate the ongoing releases of hydrogen sulfide from facilities in the Means field, in order to ensure that the oil and gas facilities comply with Clean Air Act requirements, and to safeguard public health.

In addition, we urge EPA to investigate whether oil and gas facilities in the Means field are operating without the required permits. After reviewing all available TCEQ permit files for the Means filed that are publicly available through TCEQ's web-based permitting databases, it appears that facilities are circumventing Clean Air Act permitting rules requiring clear and enforceable air permits, best available control technologies, and monitoring to assure compliance with emission limits. For example, the Means CO₂ discharge/injection lines claim to be

³ *Id.*

⁴ <http://www.rrc.state.tx.us/oil-gas/major-oil-gas-formations/permian-basin/> The oil and gas producing Permian Basin is located in West Texas and southeastern New Mexico. According to the Railroad Commission, the Means field is the 12th highest producing oil field out of 7,000 Texas Permian Basin fields. http://www.rrc.state.tx.us/media/1474/top_50_current_fields_graph.pdf In addition, Means ranks 18th out of 7,000 Permian Basin fields for the number of injection/disposal wells. http://www.rrc.state.tx.us/media/1477/top_50_fields_graph_by_injdisp.pdf

⁵ See, <http://www.atsdr.cdc.gov/phs/phs.asp?id=387&tid=67>

⁶ <http://lubbockonline.com/local-news/2010-09-15/denver-city-remembers-h2s-tragedy#.VjpXTGSrRmA>

authorized by TCEQ Permit-by-Rule 30 TAC 106.352, even though the rule may not be invoked by a facility or a group of facilities that constitute a “major source” under the Clean Air Act, or that emit more than 25 tons per year of certain pollutants. See, e.g., 30 TAC 106.4. In addition, it appears that both Clean Air Act New Source Review and Title V permits have been, or are being, voided. We urge EPA to ensure that Means sources obtain the required Clean Air Act permits. This includes, but is not limited to, a permit that complies with Title V of the Clean Air Act, which is supposed to ensure transparency and accountability. EPA should ensure that air pollution sources at the site are listed, along with their emission limits and monitoring requirements, in a single, comprehensive permit.

Almost as soon as Exxon publicly announced that it would be investing in enhanced oil production from the Means field using CO₂ injection, in 2011, the company started reporting releases of dangerous hydrogen sulfide gas from its CO₂ Discharge-Injection Lines. See, *Exhibit A (TCEQ Air Emission Event Reports)*.

On September 24, 2013, Exxon reported a release of 396 pounds of H₂S due to a “line blowdown” as part of a planned maintenance activity. On August 11, 2014, Exxon reported a release of 805,916 pounds of H₂S over a period of several days, stating that the release was the result of “Blowdown of CO₂ injection laterals to tie them in to new truckline... We are planning on blowdown of 2 lines every 1 to 2 days, possibly taking 14 days to accomplish.”

In recent months, Exxon has reported similarly absurdly high releases of H₂S, as part of its ongoing and planned “blowdown of CO₂ injection laterals.”

- On 8/26/2015, Exxon reported a release of 91,800 pounds, stating, “We are planning on blowdown of 2 lines every 1 to 2 days, possibly taking 10 days to accomplish.”
- On 9/28/2015, Exxon reported releasing more than 1.1 million pounds, stating, “We are planning on blowdown of 2 lines every 1 to 2 days, possibly taking 10 days to accomplish.”
- On 10/26/2015, Exxon reported releasing more than 1.4 million pounds, stating the same cause, and that the activities would take “possibly taking 2-3 weeks to accomplish.”

We urge EPA to investigate these self-reported unauthorized releases. These reports are evidence of Clean Air Act violations, since they are, by definition, reports of unauthorized releases of dangerous air pollution. Exxon’s reported releases raise a host of additional questions as well. First, Exxon reported some line blowdown to tie in to new truckline as an “emission event,” and we urge EPA to investigate whether the releases were upsets or whether they are part of routine operations, a modification, or a construction project for which a permit was required. Second, the facilities in the Means field are operating without the required Clean Air Act New Source Review and Title V permits; most sources claim to be covered by multiple Permits-by-

Rule, but it is unclear which sources are supposedly authorized and how much air pollution is being authorized. We urge EPA to use its authority under Clean Air Act Section 114 to get to the bottom of this.

Exxon cites TCEQ rule 30 TAC 106.352 as the authorization under which the Means CO₂ Discharge-Injection Lines are authorized. However, that Permit-by-Rule is not available to groups of facilities that, among other things, emit more than 25 tons per year of any sulfur compound, nor to facilities that emit sulfur compounds at a rate of more than 4 pounds per hour. 30 TAC 106.352(1)(2), (4).

We have made a good faith effort to obtain from TCEQ's publicly available web-based records all permit(s) authorizing projects and emissions from Exxon's Means field facilities. However, we have been unable to locate a current valid Clean Air Act permit that coherently lists the emissions sources and emission limits for the Means field site. We understand that the site contains, among other facilities, the CO₂ discharge-injection lines mentioned above, as well as multiple tank batteries, compressors, conditioning facilities, and other emission points. We are aware of dozens of Permit-by-Rule registrations that Exxon and its subsidiaries, including XTO, have claimed as authorizing their Means operations. However, these registrations – many of which have been voided or superseded – provide no information on what facilities or activities are authorized, how much pollution is allowed, and how compliance is to be determined. Therefore, we ask EPA to provide a list of all the air pollution sources in the Means field, and explain (a) how much air pollution these facilities are allowed to emit into the air, and (b) how compliance with these emission limits is to be determined.

Should you have any questions, or for follow-up, please contact:

Ilan Levin
707 Rio Grande, Suite 200
Austin, Texas 78704
(512) 637-9479
ilevin@environmentalintegrity.org.

Thank you for your attention to this matter.

Sincerely,



Ilan Levin
Associate Director
Environmental Integrity Project

Sara E. Smith
Staff Attorney
Environment Texas

Neil Carman,
Clean Air Director
Sierra Club Lone Star Chapter