

**UPPER GREEN RIVER BASIN AIR QUALITY  
CITIZENS ADVISORY TASK FORCE**

**SITUATION ASSESSMENT AND PROCESS  
RECOMMENDATIONS**

**February 21, 2012**

**Prepared by**

**The Ruckelshaus Institute of Environment and Natural Resources  
The University of Wyoming**

For further information contact  
The Ruckelshaus Institute for Environment and Natural Resources  
804 E. Fremont Street  
Laramie, WY 82072  
(307)766-5080  
[www.uwyo.edu/enr/ienr](http://www.uwyo.edu/enr/ienr)





# **Upper Green River Basin Air Quality Citizens Advisory Task Force Situation Assessment and Process Recommendations**

## **Background and Purpose**

The Wyoming Department of Environmental Quality (WDEQ) recognizes that ozone levels in Sublette County are elevated and has recommended to the Environmental Protection Agency an “Ozone Nonattainment Area” in Sublette County. This designation requires federally mandated actions be taken.

During episodic winter ozone conditions, ozone levels are reported to be high enough to pose potential risks to human health. Along with efforts to reduce emissions, measures have been taken to increase and improve monitoring, research and public information. The WDEQ is continuing to work on plans to lower ozone precursor levels, as well as engage the public on solving critical air quality issues.

WDEQ has a number of regulatory, technical and voluntary efforts underway to work toward a resolution on ozone issues. There still remains a gap: citizen efforts to recommend creative and innovative solutions for reducing ozone levels in the Upper Green River Basin. Thus the WDEQ is convening a task force that includes local citizens, industry representatives, environmental conservation organizations, and local, state, and federal government.

The purpose of the task force is to advise and recommend to WDEQ approaches for resolving air quality issues and increase public engagement in the proposed Ozone Nonattainment Area of Sublette County and parts of Sweetwater and Lincoln counties. The task force will also conduct a coordinated review of WDEQ proposed initiatives. Lastly, the task force will assist in improving communication channels between the public and WDEQ.

Prior to convening the task force, the Ruckelshaus Institute at the University of Wyoming interviewed potential task force members. The purpose of the interviews was to assess the priorities and expectations, information needs, and logistical needs and constraints of the potential members and determine their willingness to serve on the task force. In addition to helping us structure the task force, Institute staff will use this information to design meeting formats and deliberative processes that are appropriate and effective, and meet the needs and expectations of task force members and WDEQ.

Interviews were conducted with 20 potential task force participants identified as being interested or involved in air quality issues in the Upper Green River Basin area. Not all potential task force members could be reached for interviews. The

potential participants we interviewed included individuals from local communities, industry, municipal and county government, state and federal agencies, the Wyoming Governor's office, and environmental conservation organizations. During the course of each interview, participants were asked a number of questions ranging from their involvement in air quality issues, their views on what the most pressing issues needing addressed are, and their ideas on what potential solutions and barriers exist.

### **Stakeholders Interviewed**

John Anderson, Pinedale Citizen  
Craig Brown, QEP Resources  
Kent Connelly, Lincoln County Commissioner  
Elaine Crumpley, Pinedale Citizen  
Shane Deforest, Bureau of Land Management  
David Hohl, Pinedale Councilman  
Wally Johnson, Sweetwater County Commissioner  
Thomas Johnston, Sublette County Health Officer  
Carmel Kail, Pinedale Citizen  
Stephanie Kessler, The Wilderness Society  
Cally McKee, Ultra Petroleum  
Tom Monahan, Exxon Mobil  
Cortnie Morrell, Williams Company  
Bruce Pendery, Wyoming Outdoor Council  
Jeremiah Rieman, Office of the Governor  
Isabel Rucker, Pinedale Citizen  
Mike Shaffron, EnCana Oil and Gas  
Terry Svalberg, United States Forest Service  
Hank Williams, Pinedale Citizen  
Angela Zivkovich, Shell Energy

### **Findings and Analysis**

The following is a summation of the concerns and ideas of the interviewees, including their varying perspectives on collaborative processes and the desired outcomes of the task force.

#### Air Quality Issues

When asked about the issues pertaining to air quality that are most important to them, a majority of participants stated the elevated ozone levels and their impact on

public health as their primary concern. Many participants had questions and concerns about sources and amounts of ozone precursors. Impacts to class I and class II wilderness areas, particularly from regional haze, were also a prominent concern for many. Several participants are very concerned with the impacts that modified regulations may have on industry's ability to continue to operate in the region. Subsidiary concerns included the impact that energy development has had on the local communities in general.

### Solutions to Air Quality Issues

Proposed solutions to the ozone issue were quite varied and ranged from reducing the pace and amount of energy development in the region to encouraging residents of the area to modify individual behaviors that could reduce their emissions. For example, one recommendation was that residents fill their gas tanks in the morning and refrain from idling their vehicles on high ozone days. Many participants mentioned that they would like to see existing regulations be better enforced, while others stated that regulations need to be modified to improve oversight of emissions. The majority of participants believe that more research needs to be done in order to gain a more thorough understanding of what causes this rare winter ozone problem. Existing information also needs to be better disseminated to all stakeholders. Opening and improving channels of communication among government agencies, industry, and the public was an often repeated suggestion. Several participants expressed that improved monitoring of facilities and implementation of best available technology on the rigs could also greatly reduce emissions.

### Barriers to Solving Air Quality Issues

A lack of scientific understanding of the causes of high ozone days and a lack of resources to improve and increase necessary research were identified by a resounding number of participants as the most significant barriers to improving air quality. Some individuals expressed a level of distrust among entities involved in air quality issues in the region. Several participants have a perception that politics and bureaucracy are playing a large and negative role in the creation and enforcement of the regulatory scheme. Strong beliefs about other constituencies' motives were also voiced. Another large hurdle recognized by most is the economic dependence of the counties, and Wyoming as a whole, on energy development. While emission reduction is important, many do not want regulations to stifle industry so much that it cannot continue to operate in the region.

### Resources Available

Available resources identified for addressing air quality issues were primarily those that the participants could provide – constituencies' expertise on relevant subject matter, education and outreach opportunities with the public, and personal

investments in preserving the health and environment of the community. Other resources identified included results from ongoing studies, evolving technology, industry and state funding, and experience drawn from other projects. However, while a number of resources were indeed identified, many participants were pessimistic that new resources (funding, personnel, etc.) would be made available in sufficient amounts to really affect the problem.

#### Barriers to Collaboration on Air Quality Issues

Barriers to collaboration mirrored many of the same barriers identified for solving air quality issues in general. Economic dependence of the community on energy development, both through employment opportunities and tax revenues, was seen as a significant barrier to true collaboration. Many felt that individuals who worked in the oil fields would be reticent to participate on air quality issues for fear of jeopardizing their jobs. There was also a concern that overly stringent regulations would prevent industry from continuing to develop, thus limiting tax revenues coming into counties. Deeply rooted opinions and position-taking was another repeatedly identified barrier. Distrust of other's motives, lack of public understanding of the issues, and pre-existing frustration about how the situation has been dealt with thus far were all listed. Governance barriers were also identified, such as the difficulty in reconciling national public land management agendas with local land use agendas, and the struggle to sustainably meet the objectives of the National Energy Policy Act to reduce the nation's dependence on foreign oil.

#### How Barriers to Collaboration can be Overcome

Dialogue between stakeholders, relationship building, and public education were repeatedly stated as necessary tools for overcoming the aforementioned barriers to collaboration. Continued research on emission sources and ozone levels is seen as crucial for supporting the education and outreach that many believe is necessary. Many participants believe that full consensus may be hard to achieve, but that compromise and modified, realistic expectations will allow for progress nonetheless. While a long list of potential barriers was generated, there was still a fair amount of optimism that this task force would be able to achieve progress toward improved air quality.

#### Desired Outcomes of the Task Force

When asked what they would consider to be a successful outcome from the task force, participants stated that a more informed public, stakeholder cohesion, and creation of shared goals would be ideal. Others want more concrete outcomes, such as a State Implementation Plan that lowers emissions 30- 60 percent. Many participants would like to see the use of improved technology on the rigs that could

significantly reduce emissions while still allowing for a steady revenue stream into the county. Several participants expressed hope that the ideas and recommendations of the local citizens be acknowledged and implemented.

#### Technical Information Needs

Many participants requested more information on WDEQ's air monitoring plan, as well as an explanation of what the data indicate about sources and amounts of ozone precursors. Participants also wanted a concise description of how gas development occurs, including an explanation of the various emission point sources and what types of technology are used versus currently available. Other requests included a cost index, an explanation of the intricacies of the offsets, the contingency plans being considered, and the role of emission sources other than gas production in ozone nonattainment.

#### Other Information Needs

Other information requests included:

- Record of Decision for the Jonah and PAPA fields
- Status and details of the State Implementation Plan development
- Number of rigs currently operating on the anticline
- Background on when and where ozone readings began
- Wind direction and timing
- Revenue streams and financial drivers
- Overview of the media coverage on the issue
- WDEQ's expectations
- What the follow-up process and procedures are going to entail
- Emission control strategies and techniques

#### Information Participants can Offer the Process

In general, participants stated that the main information they could provide the task force was their constituency's perspective and experience, be that of the public, industry, environmental conservationists, etc. Many who have been intimately involved in air quality issues for some time stated they could provide historical background and a technical understanding of the issues. Several individuals offered up legal and regulatory understanding, while others offered up their analytical and reasoning skills.

## Recommendations

Based on information gained from the interviews, the Ruckelshaus Institute recommends the following actions be taken by the task force:

- 1) **Engage in Joint Fact Finding.** The task force should embark on a joint fact finding mission that examines the scientific information available on ozone in the Upper Green River Basin area. The task force shall determine the data and information they will use as the basis of their recommendations, as well as the information that they will communicate to their constituency groups. The fact finding process will allow the task force to define the information they need, where they will get it, when they need it, and what they will do with it.

To facilitate the joint fact finding effort, the Ruckelshaus Institute will assemble a draft “findings document” that brings together existing data and information in a conceptual framework that both describes what is known about the problem as well as what remains uncertain. The draft document will be the initial point of departure for the fact finding effort, and the task force will change and add to the document as needed.

- 2) **Formulate a Problem-Solving Process.** The task force should engage in an effective problem-solving process that:
  - a. Focuses on what’s important.
  - b. Is logical and consistent.
  - c. Acknowledges both subjective and objective factors and blends analytical with intuitive thinking.
  - d. Requires only as much information and analysis as is necessary to resolve a particular problem.
  - e. Encourages and guides the gathering of relevant information and informed opinion.
  - f. Is straight-forward, reliable, and flexible.

The Ruckelshaus Institute will design a process to assist the task force to carry out the following steps:

- a. Identify and agree on the problem(s) to be solved;
- b. Specify task force members’ interests and the group’s objectives;
- c. Create imaginative alternatives for resolving the problems
- d. Understand the consequences of selecting any and all alternatives;
- e. Evaluate trade offs;



- f. Clarify uncertainties and tolerance of risk (e.g., making choices without full information).

- 3) **Improve Communication and Trust.** To enable a collaborative process to work, task force members must be able to engage in full, open, truthful communication, and trust that their fellow task force members will act in good faith as they wrestle with tough, critical problems. The Ruckelshaus Institute will facilitate open and balanced participation among task force members, and seek opportunities for informal exchange where participants can get to know one another.
  
- 4) **Generate Creative Ideas.** The task force should engage in activities and dialogue that will engender new and innovative ideas on how to address air quality issues in the Upper Green River Basin. The Ruckelshaus Institute will facilitate this activity by helping the task force to challenge constraints, set high aspirations, learn from others, and use the groups' objectives as the basis for a search for good alternatives.
  
- 5) **Communicate with Constituents.** A process for communicating science and task force developments with constituency groups should be developed in order to achieve the public outreach and education objectives voiced in the charter. Opening multi-directional channels of communication in order to receive constituent ideas and concerns will also be important. The Ruckelshaus Institute will facilitate constituent communication by structuring open meetings, providing easy access to task force information, and establishing an expectation of communication. For example, task force meetings may begin with a discussion of the communication activities they engaged in since the last meeting, and end with talking points that task force members can use in communicating information going forward. The task force may also decide to initiate community information and dialogue sessions as one of its functions.