

No to Toxic Produced Water Reuse

We support a rule that prohibits
any discharge, disposal or reuse
of treated or untreated
produced water off the oil field
in New Mexico.



Click me to see a video:
How to Use this Toolkit

WATER IS SACRED! WATER IS LIFE!

OUR WATER, OUR FARMS, OUR LIVESTOCK, OUR SOIL, AND OUR CULTURE IS AT RISK!

Please provide a public comment to **OPPOSE** the reuse of toxic oil and gas waste water outside of the oilfield. NMED is proposing a new regulation titled, *Ground and Surface Water Protection - Supplemental Requirements For Water Reuse*. This regulation will allow the reuse of toxic oil and gas waste water in industrial and demonstration projects outside of the oil field. Industry wants to experiment with using this toxic waste for agriculture, irrigation, livestock, hydrogen production, groundwater aquifer recharge, potable uses and more.

During the governor's trip to Dubai for COP28, she made the announcement to "establish first-of-its-kind Strategic Water Supply (SWS)" and make a **\$500 million dollar investment in desalination and wastewater treatment plants** to use toxic oil and gas waste, which the industry refers to with the greenwashed term "produced water," as feedstock to produce hydrogen energy.

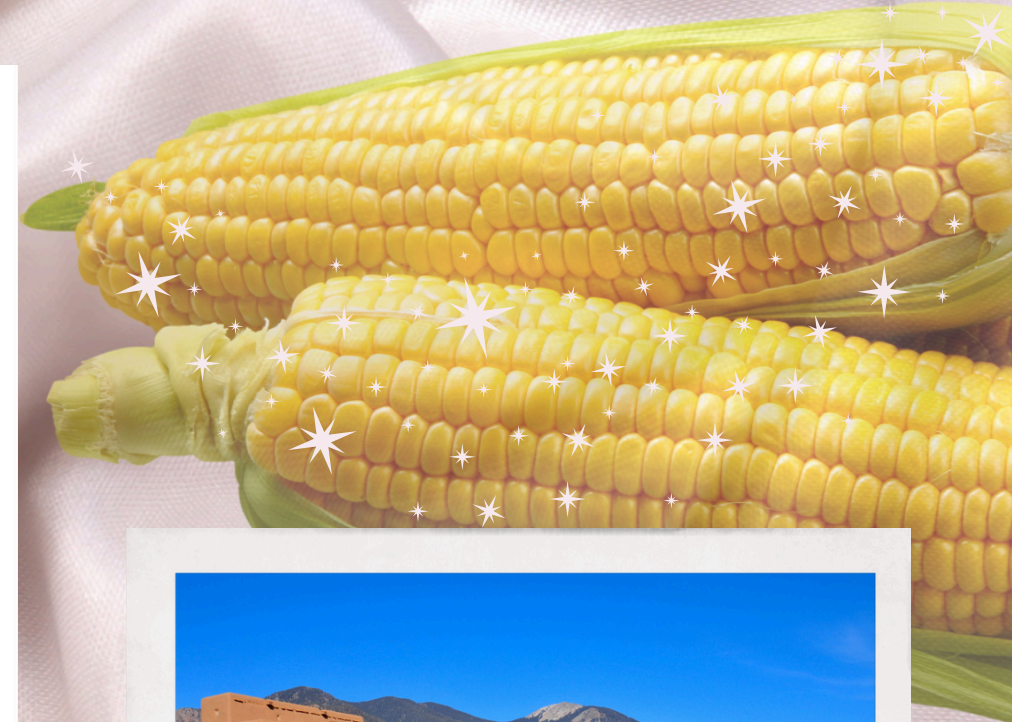
The proposed rule defines reuse water as "a treated wastewater originating from domestic, industrial, or produced water sources, that has undergone a level of treatment appropriate for an application such as agriculture, irrigation, potable water supplies, aquifer recharge, industrial processes, or environmental restoration." See proposed 20.6.8.7(R)(4)

The vast majority of spills have been met with no penalty enforcement by state agencies. The transportation and waste disposal associated with large-scale demonstration and industrial projects contemplated in the Rule pose significant additional threats to New Mexico's waterways, land, and human health. Oil and gas companies must not be allowed to experiment with this toxic waste on their own terms, without any safeguards or science-based standards.

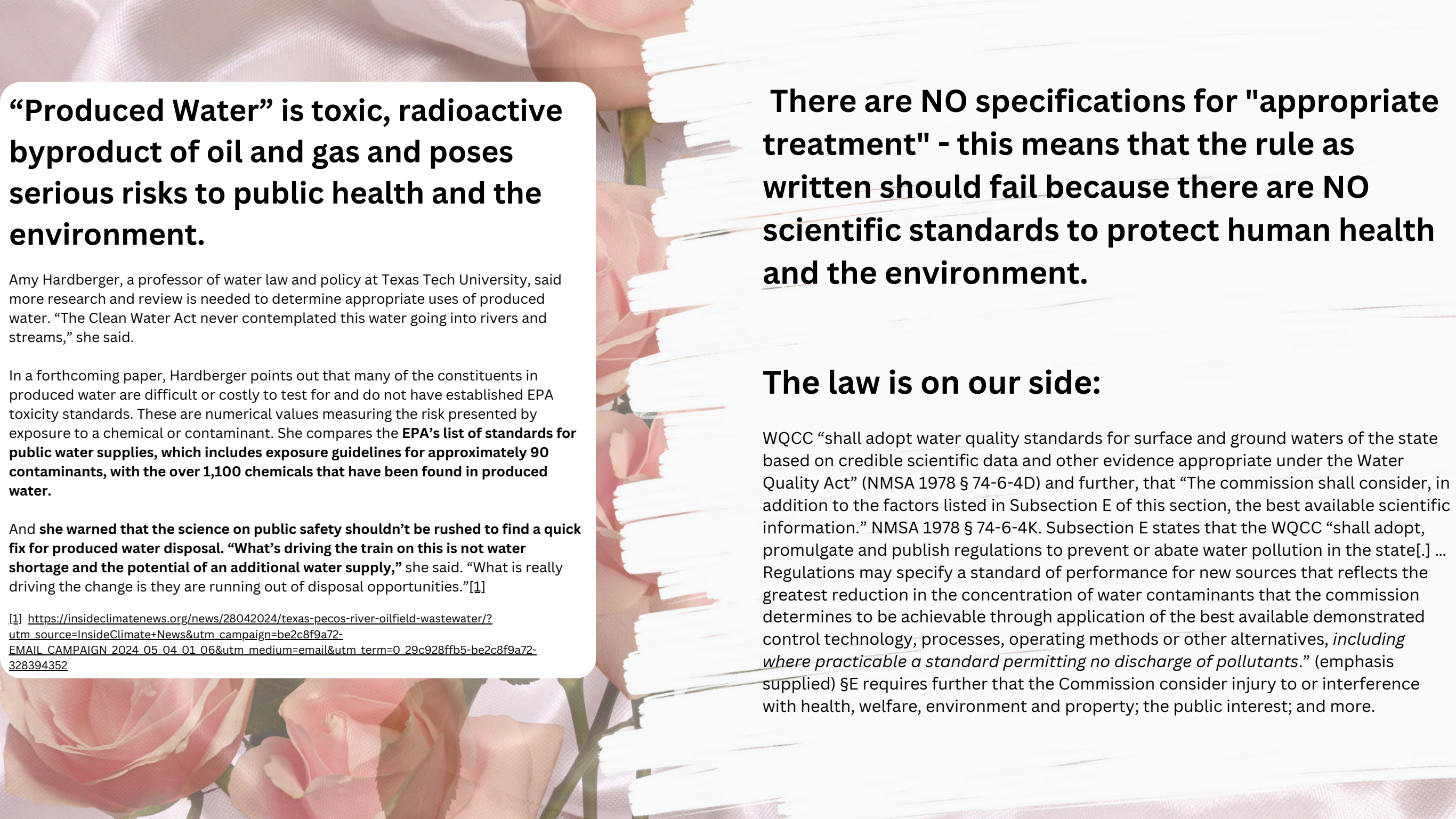


MAY 6, 2024 | Rally Opposing
Produce Water Reuse Rule making

- Source NM Article: [State regulators to consider 'produced water' reuse rule next week](#)
- [Press Release | No False Solutions](#)



Our Culture



“Produced Water” is toxic, radioactive byproduct of oil and gas and poses serious risks to public health and the environment.

Amy Hardberger, a professor of water law and policy at Texas Tech University, said more research and review is needed to determine appropriate uses of produced water. “The Clean Water Act never contemplated this water going into rivers and streams,” she said.

In a forthcoming paper, Hardberger points out that many of the constituents in produced water are difficult or costly to test for and do not have established EPA toxicity standards. These are numerical values measuring the risk presented by exposure to a chemical or contaminant. She compares the **EPA’s list of standards for public water supplies, which includes exposure guidelines for approximately 90 contaminants, with the over 1,100 chemicals that have been found in produced water.**

And **she warned that the science on public safety shouldn’t be rushed to find a quick fix for produced water disposal. “What’s driving the train on this is not water shortage and the potential of an additional water supply,”** she said. “What is really driving the change is they are running out of disposal opportunities.”^[1]

[1] https://insideclimatenews.org/news/28042024/texas-pecos-river-oilfield-wastewater/?utm_source=InsideClimate+News&utm_campaign=be2c8f9a72-EMAIL_CAMPAIGN_2024_05_04_01_06&utm_medium=email&utm_term=0_29c928ffb5-be2c8f9a72-328394352

There are NO specifications for "appropriate treatment" - this means that the rule as written should fail because there are NO scientific standards to protect human health and the environment.

The law is on our side:

WQCC “shall adopt water quality standards for surface and ground waters of the state based on credible scientific data and other evidence appropriate under the Water Quality Act” (NMSA 1978 § 74-6-4D) and further, that “The commission shall consider, in addition to the factors listed in Subsection E of this section, the best available scientific information.” NMSA 1978 § 74-6-4K. Subsection E states that the WQCC “shall adopt, promulgate and publish regulations to prevent or abate water pollution in the state[.] ... Regulations may specify a standard of performance for new sources that reflects the greatest reduction in the concentration of water contaminants that the commission determines to be achievable through application of the best available demonstrated control technology, processes, operating methods or other alternatives, *including where practicable a standard permitting no discharge of pollutants.*” (emphasis supplied) §E requires further that the Commission consider injury to or interference with health, welfare, environment and property; the public interest; and more.

Produced Water FAQ

Talking Points

FACTS ABOUT OIL AND GAS WASTE WATER:

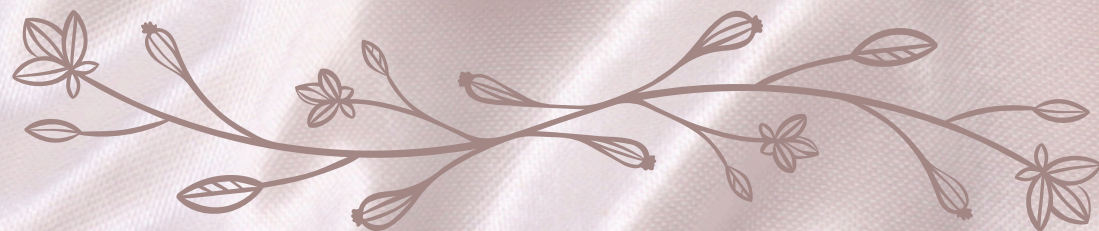
- This is **toxic wastewater from oil and gas extraction**; also known as “produced water,” “flowback,” or fluid oil and gas waste.
- Oil and gas waste water is radioactive and can contain numerous radioactive compounds, including uranium, plutonium, radium, thorium, and polonium.
 - Exposure to these radioactive compounds can cause bone, liver, and breast cancers.
- Oil and gas wastewater has been known **to have contaminants and heavy metals** like arsenic and lead
 - Contaminants like arsenic and lead can have **associated health risks, including rashes & neurological disorders.**
- Oil and gas waste water can contain carcinogens like benzene, toluene, and xylene.
 - There is no safe level of exposure to benzene. Exposure to benzene **can cause cancer and other diseases, harm bone marrow, and damage your immune system.**

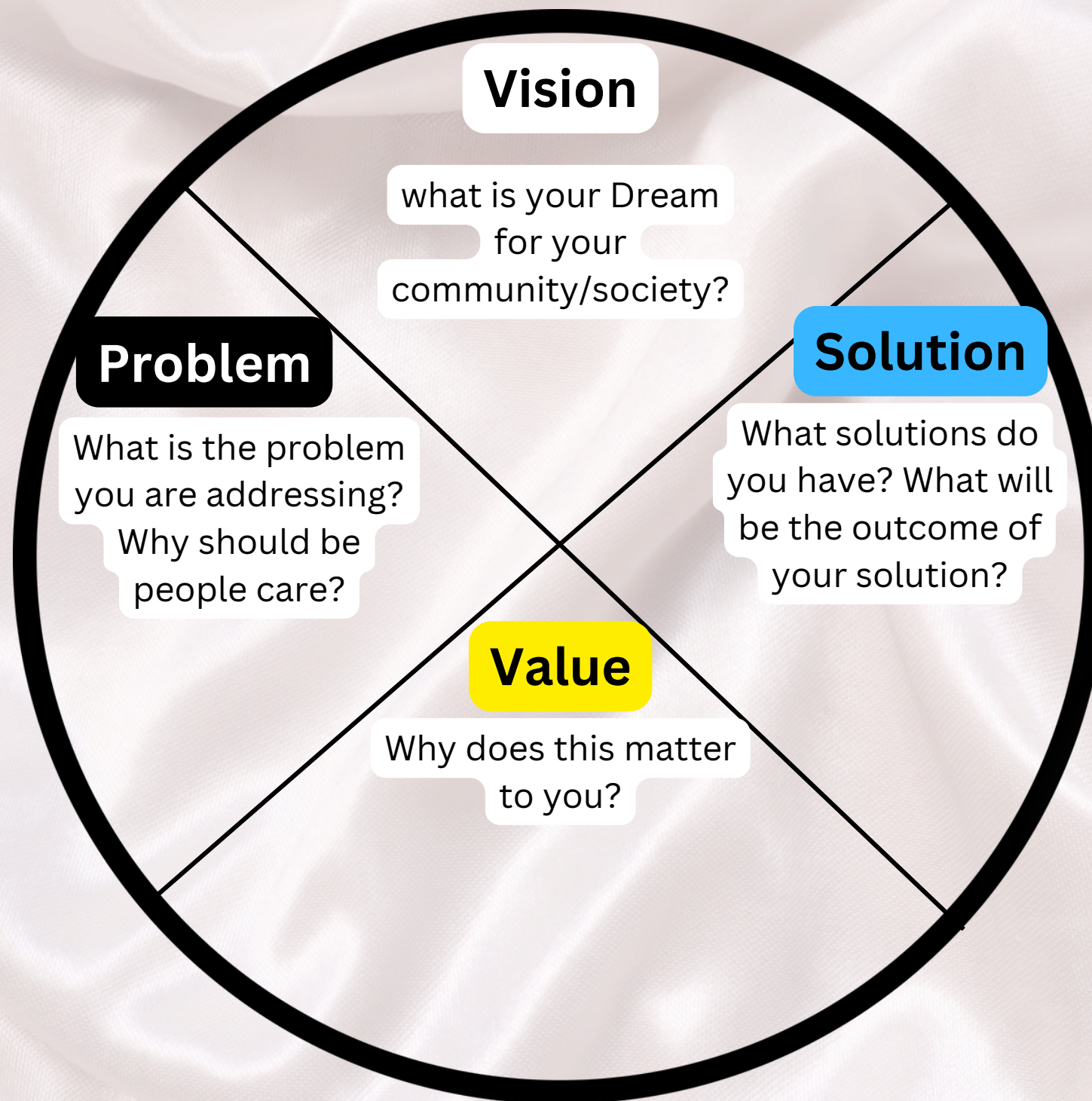
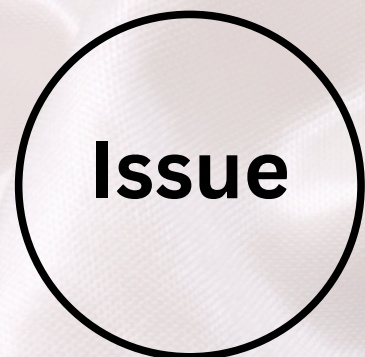


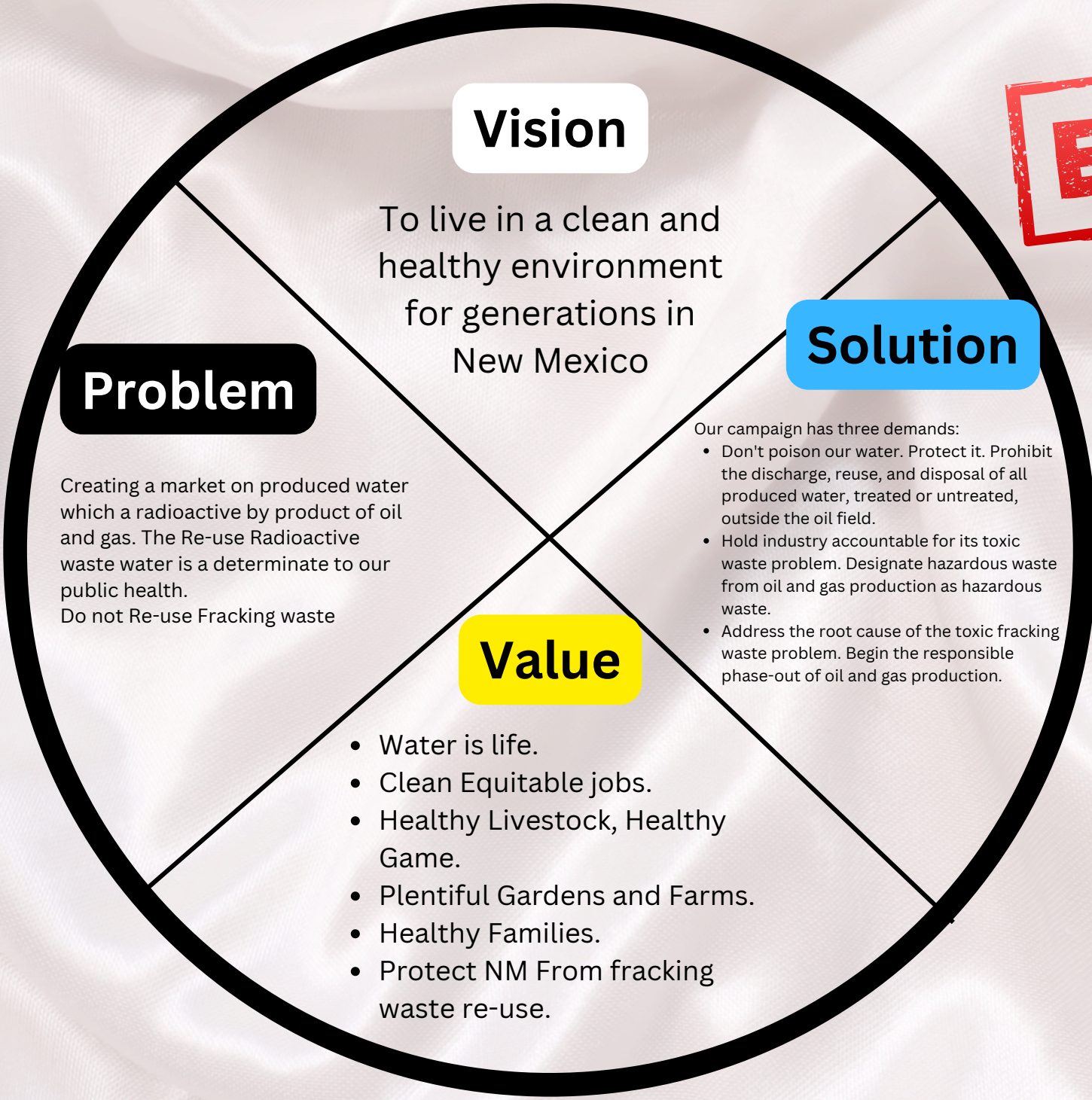
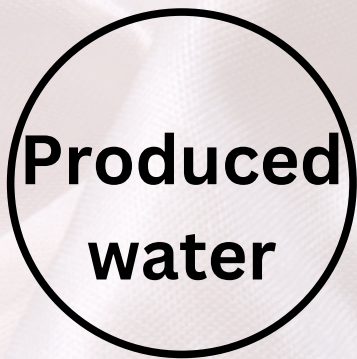
This rule as written WILL lead to contamination through accidents, spills, and waste generation; workers at treatment plants are especially vulnerable.



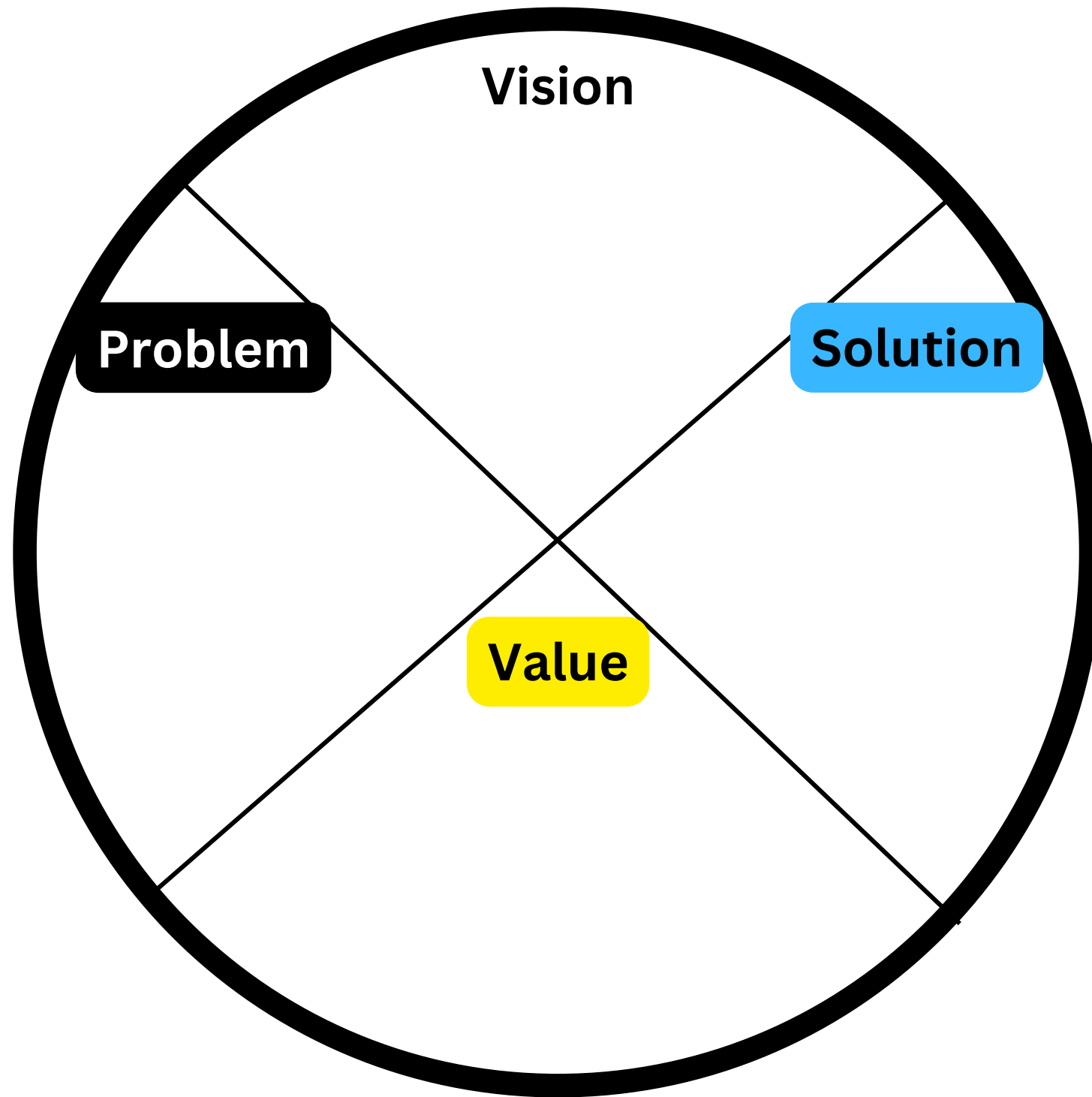
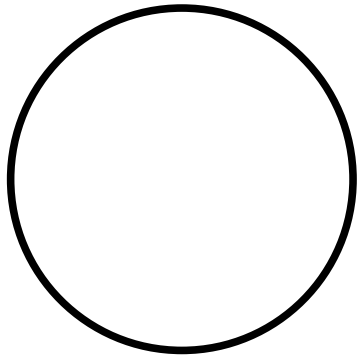
Crafting your story







EXAMPLE



Template

Template for Public Comment

Template to use: 3 Minutes for Public Comment

Good Morning/Afternoon Commission Members,

My name is __ (Insert name) _____ and I'm from __ (County, State, Tribe) _____

I urge the members of the Water Quality Control Commission to oppose the proposed rule making on water reuse regulations, as outlined as the Ground and Surface Water Protections-Supplemental requirements for Water Reuse.

Water Quality Control Commission should consider the following:

- We need a rule that ***not only*** prohibits discharge of untreated or treated produced water into ground/surface water, ***but also prohibits all produced water reuse off the oil field.***
- **“Produced Water” is toxic, radioactive and poses serious risks to public health and the environment.**

Again, I demand the Water Quality Control Commission to act in its full capacity to denounce the rule making.

Thank you Commission Members for your time and consideration.

Public Comment

In Person Public Comment

Sign up for the Public Comment by emailing pamela.jones@env.nm.gov

COMING SOON!!

Each person has 3 minutes.

NM State Capitol
411 South Capitol St.,
Room 317
Santa Fe, New Mexico 87501

[Sign up Sheet with Defend NM Water](#)

Join Virtual Hearing on Webex:

[Click to join the hearing on 5/13 and 5/14](#)
[Use the following link:](#)

[Bit.ly/WQCC23-84-Hearing](https://bit.ly/WQCC23-84-Hearing)

Scan QR Code



Written Comments

Water Quality Control Commission
ATT: Pamela Jones, WQCC
Administrator

Harold Runnels Building
1190 St. Francis Dr.
Suite N4050
Santa Fe, NM 87505

Docket Number: WQCC 23-84(R).
Pursuant to 20.1.6.203 NMAC

Call or Email

Water Quality Control Commission

Ask for Pamela Jones, WQCC
Administrator

Telephone: (505) 660-4305
Email: pamela.jones@env.nm.gov

Docket Number: WQCC 23-84(R).
Pursuant to 20.1.6.203 NMAC

Ways to Participate

Social Media

Copy this message and tag
[@nmenvironmentdepartment](#)

We need a prohibition of the discharge, reuse, and disposal of all produced water, treated or untreated, outside the oil field.

#noproducedwaterreusenm
#nmed #waterislife #notoxicjobsnm

Sign the Petition

[Click here to sign the Petition](#)

Use this link
bit.ly/defend-nm-water

Scan QR Code



Letter to Editors

Click the link below to submit your Letter to Editor:

Santa Fe New Mexican
bit.ly/SFNM

Albuquerque Journal
bit.ly/ABQJ

Navajo Times: Email: editor@ntpc.biz

Gallup Independent
bit.ly/gallupindependent

The Toas News
bit.ly/TaosNewsLTE



Farmington Daily Times
bit.ly/FarmingtonDailyLTE

Indigenous Women Words of Wisdom

Quotes are from the Hearing & Links are underline. How are you supporting Indigenous voices?

Christina Castro, Founder of Three Sisters Collective, talked about how, as an Indigenous Matriarch, she is tired of speaking out again and again at hearings, trying to protect our water from contamination. This impacts not only Indigenous people, but everyone in our state.

Radioactive fracking waste is not “water” and it cannot be reused. **Beata Tsosie-Peña and Eyndia Omega with Breath of my Heart Birthplace** spoke on the potential impacts of toxins on mothers and their babies. Elder **Kathy Sanchez, Tewa Women United** shared a cautionary story on extractive greed.

Reyes DeVore, Program Director of Pueblo Action Alliance stated, “When I think about water, I think about its sacredness, the way it is included in our cultural practices that my Hemish relatives and other Pueblo Indigenous peoples have been living with for centuries now. Over the span of defense to protect it from settler colonialism we continue to remain as people who are fighting to protect it and keep the sustainability of our culture alive.” While **Julia Bernal, Pueblo Action Alliance**, brought up research on radioactive fracking waste harming workers and contaminating watersheds in Pennsylvania.

As **Anna Rondon, Executive Director of New Mexico Social Justice**, told the commissioners, “May the holy people guide you to make a good decision.”

Krystal Curley, Executive Director of Indigenous Lifeways, voiced “we are tired of being your toxic waste dump.” As we know

INDIGENOUS AND PEOPLE OF COLOR WOULD BE THE MOST AFFECTED BY THE OUTCOME OF PROPOSED PILOT PROJECTS THAT SEEK TO MOVE THIS RADIOACTIVE WATER OFF THE OIL FIELD AND INTO AGRICULTURE AND AQUIFER RECHARGE.

Resources

*click
here* →

defendnmwater.org



*click
here* →

env.nm.gov/water-reuse/



**Information provided by: Indigenous Lifeways, Pueblo Action Alliance, No False Solutions, New Energy Economy, New Mexico Climate Justice, Defend New Mexico Water
Toolkit Created by: Indigenous Lifeways**