

Support [SB86](#) - USE OF WATER FOR OIL & GAS OPERATIONS

Amend the Oil and Gas Act and the Water Quality Act to protect fresh water and the public from toxic oil and gas fluid waste

“Produced Water” is the oil and gas industry’s name for their toxic fluid waste. The oil and gas industry consumes billions of gallons of New Mexico’s precious fresh water every year and turns it into toxic waste requiring disposal. After the fracking process, huge volumes of so-called “Produced Water” are generated by the industry.



Currently, this waste is poisoning our water, land, and air with little regulation or oversight. Negligent spills occur daily. Thousands of massive ponds and corroded steel tanks store the highly toxic waste. Corrosion, human error, overflow, and equipment failure are the most common reasons for spills.

SB86 does two things:

- 1. Prohibits fresh water use in fracking**
- 2. Protects public health, the environment, and fresh water from oil and gas pollution:**
 - Provides defined and enforceable consequences for spills
 - Directs that fines for spills pay for public compilation of oil and gas data
 - Mandates that rules protect public health, the environment, and fresh water resources against toxic oil and gas pollution
 - Requires tracking of produced water and treated produced water
 - Sets minimum requirements based on current science and technology for rules governing reuse of treated produced water outside the oil gas industry
 - Requires public disclosure of contaminants in produced water that is spilled or offered for reuse for non-oil and gas purposes

We want Protected Water in New Mexico, not “Produced Water.”

This fact sheet was prepared by the NM Environmental Law Center and the Rio Grande Chapter, Sierra Club
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Why are these changes needed? Because the status quo is unacceptable

Changes in the law are necessary to ensure the safe handling and disposal of this toxic waste and to protect the public and preserve scarce fresh water resources:

- Fresh water protection--because the industry is despoiling huge amounts of good quality water instead of recycling their wastewater, creating even more wastewater
- Making spills illegal and punishable--because careless and negligent actions cause an average of three oil and gas wastewater spills per day
- Compiled data—because huge amounts of raw data are currently incomprehensible
- Mandatory rules to protect public health, the environment, and fresh water—because optional rules and self-reporting hasn't worked
- Tracking—because proper disposal of huge volumes of toxic waste is essential
- Disclosure—because we need to know what was spilled or offered for reuse outside the oil and gas industry
- Rules for reuse for irrigation or water supply—because we need protection from oil and gas toxins by requiring adequate treatment using current available science and technology for treated or recycled waste offered as useable and safe water.

Supporters of SB-86 include:

- Amigos Bravos
- Citizens Caring for the Future
- Earthworks
- Food and Water Watch
- Indivisible Nob Hill
- Middle Rio Grande Water Advocates
- NM Environmental Law Center
- NM Interfaith Power and Light
- Retake Our Democracy
- Rio Grande Chapter, Sierra Club
- Wild Earth Guardians