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2025 ECOS Fall Meeting: ***Environmental Inspiration in the Land of Enchantment***

ECOS Oil & Gas Caucus – *The Evolving Landscape for Oil and Natural Gas*

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#ECOSFall25



*Pathway to Risk-Based Reuse
of Treated Produced Water*

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WHAT?

- Rulemaking for the risk-based use of treated produced water outside of the oil field

WHY?

New Mexico is one of the most water-stressed states, facing a 25% reduction in available water resources over next 50 years.



Advances in treatment technology demonstrate produced water can be treated to meet standards that are protective of human health and environment.



Other states (TX, CA) already use treated produced water for safe, regulated purposes.



Reuse of non-traditional waters, like treated produced, can protect freshwater supplies.



Identify and Fill Gaps



Oil and Natural Gas Produced Water Governance
in the State of New Mexico—Draft White Paper



November 9, 2018

Produced Water Act (2019)

- Clarifies jurisdiction between, EMNRD and NMED
- Clarifies matters of ownership and control
- Encourages recycle
- **Requires NMED to adopt regulations** for the discharge, handling, transport, storage, recycling or treatment for the disposition of treated produced water



50-Year Water Action Plan: New Water Supply (One of Three Priorities in the Plan)



1

ACTION B1:
ESTABLISH THE
STATE STRATEGIC
WATER SUPPLY

2

ACTION B2: WATER
REUSE RULES
AND POLICY

3

ACTION B3:
AQUIFER
MAPPING AND
MONITORING
PROGRAM

Our Targets (aka, Return on Investment)

B1: By 2028, 100,000 acre-feet of new water for clean energy production, storage and manufacturing, etc.; By 2035, 50,000 acre feet of treated brackish water available for purposes above plus aquifer recharge and surface water augmentation.

B2: By 2026, regulatory frameworks for reuse are in place.

B3: By 2032, all major aquifers are characterized; By 2037, all major and minor aquifers are characterized.

- **Strategic Water Supply:** water that can be used for everything from community water supply to building our clean energy economy



Risk-based Use of Treated Produced Water Outside of the Oil Field

- Petition filed with the WQCC on June 20, 2025
- Petition proposes a robust reuse permitting framework:
 - Permit-specific water quality standards
 - Comprehensive water monitoring program
 - Whole effluent toxicity testing
 - Effluent & Control limits
 - Monitoring and closure plans
- Financial assurance requirements
- Class I permit: non-discharging uses
- Class II permit: stricter rules for discharging uses

□ out of scope
■ in-scope

