

**From:** [justshaina.clitso](#)  
**To:** [Jones, Pamela, ENV](#)  
**Subject:** [EXTERNAL] Urgent!!!  
**Date:** Saturday, May 18, 2024 9:31:59 AM

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Greetings,

I hope you are reading this in good health and of sound mind. My name is Justshaina Clitso and I am from the Navajo Nation.

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

Please consider the following:

- “Produce water” is highly toxic and radioactive.
- No scientific research supports the treatment of produced water reuse to standards that make it safe for humans or the environment.
- Extensive research points to the toxicity and hazardous nature of this waste to environmental and human health.
- 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.
- Rules that prohibit all produced water reuse off the oil field.
- As written, the rule will lead to contamination through waste generation, spills and accidents.
- The toxic waste, even more highly concentrated after separation and treatment, from demonstration and industrial projects, poses significant threats to New Mexicans health and safety

I am demanding that the Water Quality Control Commission act in its full capacity to denounce the rule making.

Thank you for taking the time to read and for your consideration.

In earnest,

Justshaina Clitso

As community members affiliated with Albuquerque Showing Up for Racial Justice, we add our voices in opposition to the NMED's proposed Wastewater Reuse Rule 23-84. Repackaging toxic oil and gas waste as usable water is neither aligned with community safety nor environmental sustainability, as highlighted by the New Mexico No False Solutions Coalition and the Defend NM Water Campaign.

We are invested in the well-being of the waters and lands we inhabit, in environmental justice and true solutions for addressing climate change. This does not include the release of wastewater that does not meet scientific-based standards for the treatment and handling of toxic and radioactive substances. Directing fracked water towards fossil-fueled Hydrogen industry or other big industry efforts is sure to yield similar contamination of local communities that we have already seen with the fossil fuel industry. The fact that 38,741 instances of oil and gas spills and 616 instances of produced water spills took place in 2022 alone in the Permian demonstrates that safety is not a priority for these industries or our state's politicians. The transportation and waste disposal of fracked water will pose a huge risk to the waterways, land, aquifers and human health of communities across New Mexico.

Research by groups, including the New Mexico Produced Water Research Consortium, demonstrate that scientific standards and safety standards have not been created for the kind of project Governor Lujan Grisham and the NMED wish to force onto our communities. Directing \$500 million towards alleged clean up of toxic waste encourages the extractive industry to continue and expand its operations. These funds could be redirected towards actual solutions for an alternative energy future and the reduction of greenhouse gas emissions. This could look many ways including investing in renewable energy sources like solar and wind (not nuclear or fossil-fueled hydrogen), supporting Indigenous land management practices and restoration, as well as expanding public transportation, public health and affordable housing.

We call on the Water Quality Control Commission to follow the protections that will keep our communities, water, land and environment safe and healthy for years to come. We call on the WQCC to oppose giving the green light for industry to poison the land through Rule 23-84.

Name	zip code
A Jo Christian	87501
abigail bleuehr	87106
Abigail Ropp	87106
Barbara Schroder	87507
Barbara Singer	87110
Brook Bernini	87106
Cameron Earl	87107
Catherine Page Harris	87110
Charles Winant	87114
cynthia martin	87506
D Scott	87106
Dalilah Naranjo	87107
Diane Remer-Thamert	87110
Donna Detweiler	87106
Donna Roxey	87113
Dorothy Holland	87505
Elizabeth Buckley	87105
Elizabeth Christine	87507
Elizabeth Sandlin	87104
Eric Bright	87105
Harimander Khalsa	87532
Helen Baldwin	87107
Ilsa Garduño	87106
iusti remer-thamert	87104
Jami Shaver	87108
Jasper Heyward	87004
Jaymie Sawyer	87114
Jennifer Tucker	87102
John D Edwards	87043
Julianna Massa	87104
Kathleen Burke	87108

Katrina G.	87106
Leigh Durham	87104
Liz Gallagher	87105
Lynn Huxtable	87120
Maddie Foy	87104
Mara Taub	87504
Maria McCullough	87105
Michael Lawler	87111
Miriam Bennett	87111
Miryam Levy	87105
Myra Maher	87025
NS Khalsa	87552
O. Bradstreet	87110
Olivia Thomas	87106
Osa arkin	87043
Raye Myers	87107
Rebecca Roberts-Wolfe	87560
Renee Wolters	87104
Rev. Erica Lea-Simka	87106
Rev. Glen Thamert	87025
Ricki Kain	87102
row sarkela	87102
Sara Lowry	87110
Sarah Grant	87505
Sayrah Namaste	87110
Surya Pierce	87106
Tara Hackel	87108
Tiska Blankenship	87110
Wendy Volkmann	87502
William Bright	87301

**From:** [Amy Jones](#)  
**To:** [Jones, Pamela, ENV](#)  
**Subject:** [EXTERNAL] Protect water - Keep prohibition on discharge of produced water  
**Date:** Friday, May 17, 2024 9:29:28 AM

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WQCC Administrator Pamela Jones,

Dear New Mexico Water Quality Control Commissioners,

My name is Amy Jones and I am a community member and parciante from Albuquerque and Taos. In the matter of proposed new rule 20.6.8 NMAC – Ground and Surface Water Protection - Supplemental Requirements For Water Reuse, I strongly urge that the prohibition on discharge to surface and groundwater will be retained and that other problematic and overly broad language on use for agriculture and industrial projects will be removed.

1) Prohibit the discharge of reused produced water to surface or groundwater resources. The current proposed rule contains this prohibition and also states that any federal permit that allows discharge of produced water to surface or groundwater will be denied by the state. This language in the rule must be retained. (Section 20.6.8.400.A)

2) Removal of definitions for uses such as agriculture that are not consistent with this prohibition. Any language (which appears limited to the definitions section) for use of reused water for agriculture, environmental buffers, food crop applications, and other similar language should be removed from the rule to be absolutely clear that there will be no discharges for uses on land, rivers, and acequias. (Section 20.6.8.7)

3) Remove language for use of reused produced water for industrial projects. The proposed rule would allow using reused produced water for industrial projects all over the state. There is no credible scientific data showing that current technology can reduce the toxic chemicals in produced water to safe levels. Even trace amounts of toxins can pose health risks. (Section 20.6.8.400.B)

El agua es vida! Thank you for your careful consideration of my comments.

Sincerely,  
Amy Jones  
[amy.a.m.jones@gmail.com](mailto:amy.a.m.jones@gmail.com)

Amy Jones  
[amy.a.m.jones@gmail.com](mailto:amy.a.m.jones@gmail.com)  
508 Atlantic Ave SW  
Albuquerque, New Mexico 87102



**From:** [Cathy Swedlund](#)  
**To:** [Jones, Pamela, ENV](#)  
**Subject:** [EXTERNAL] Docket #WOCC 23-84 comment  
**Date:** Thursday, May 16, 2024 4:38:18 PM

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Dear Pamela,

My name is Cathy Swedlund. I'm a resident of Sapello New Mexico. I am very concerned about what is called produced water from oil and gas fracking. This water should be called contaminated water and has known and unknown multiple chemicals that are harmful to human life, wildlife, surface water, and groundwater. We cannot continue to harm our waters. People have a multitude of sicknesses that are related to a toxic environment. We have to stop taking chances with life by contaminating our water. Every effort should be made to find other ways to produce energy for our lifestyles. We have to stop our dependence on oil and gas, especially due to the climate crisis that is evidenced by wildfires, flooding, drought, and extremes of temperatures. And now oil and gas companies want to reuse produced water (Contaminated water). Please do not let this happen. Protect your citizens from this devastating proposal. Keep our water, clean and safe. water is life.

Cathy Swedlund  
New Mexico citizen

[Sent from Yahoo Mail for iPhone](#)





State of New Mexico  
**House of Representatives**  
STATE CAPITOL  
Santa Fe

May 17, 2024

Water Quality Control Commission  
Harold Runnels Building  
Suite S-2102  
1190 S. Saint Francis Drive  
Santa Fe, New Mexico, 87505

Dear Water Quality Commissioners:

As New Mexicans, we value our environment and work hard to conserve our most precious natural resource - our limited supply of fresh water. As state lawmakers, we are committed to utilizing our budget and policy avenues to safeguard our water supply.

In 2024, we invested a record \$7.6 million in the Surface Water Protection Fund, as well as \$100 million toward water project grants for the second year in a row, including a \$50 million increase dedicated specifically to the Water Trust Board. We have also recently significantly increased recurring funding for our Environment Department, Energy, Minerals and Natural Resources Department and the Office of State Engineer with a \$12.2 million increase this year alone. In each of these departments, we have significantly increased FY 19-FY 25 funding levels: 100% (EMNRD), 190% (NMED), and 79% (OSE).

These investments are paying dividends. Just last week, our House investments from 2022 helped spur an additional \$60 million federal investment. Enforcement actions have jumped dramatically, leading to record settlements to protect New Mexico's land, air, and water.

We have also been proud to lead with innovative policy, including House Bill 546, the Produced Water Act, which passed with unanimous support in the House of Representatives in 2019. This critical legislation closed loopholes, strengthened protections, and created clear processes governing the reuse of treated produced water inside and outside of oilfields. By encouraging produced water from oil production to be recycled and reused in safe, regulated ways, HB 546 has conservatively helped save over 8 billion gallons of freshwater since 2020.

Additionally, in 2023, we passed Senate Bill 1 to strengthen water infrastructure in our state by allowing public water services to consolidate, helping them reach economies of scale, professionalize, and improve resiliency.

Today, we write to ask that you consider the potential of technological advancement in WQCC 23-84 (R) to help further these efforts. It is crucial for New Mexico to fully consider all viable and safe options to address our declining water supply.

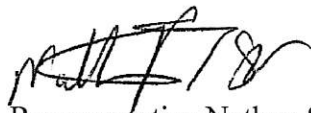
With stringent, standards-based regulation and strong guardrails, we see the benefit to researching the potential for produced water to be utilized safely beyond its current re-use by the oil and gas industry and eventual disposal in deep wells that cause seismicity challenges. Properly recycled produced water could yield critical minerals vital to a net-zero economy and economic diversification and displace fresh water needs in various industrial applications. We emphasize the need for industrial, closed loop and non-discharge opportunities.

Our state is well positioned to explore these possibilities. New Mexico institutions, including New Mexico State University, San Juan College, New Mexico Tech, and the New Mexico Produced Water Research Consortium, are leading the charge to further advance the research and filtering techniques that allow us to safely explore reuse options for produced water.

We encourage the Water Quality Control Commission to create rules that protect our surface and groundwater and make evidence-based decisions regarding appropriate reuse with robust safeguards. Where sound science supports these applications, water reuse can be a safe and effective strategy that can help us preserve our freshwater supplies, while supporting the development of water technologies, and diversifying New Mexico's economy.

Thank you for your consideration of this important matter which will impact New Mexicans for generations to come.

Sincerely,



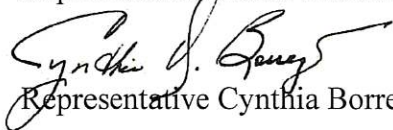
Representative Nathan Small, District 36



Representative Meredith Dixon, House District 20

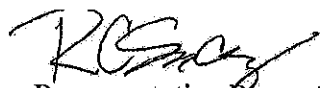


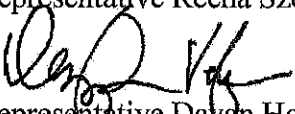
Representative Javier Martínez, House District 11



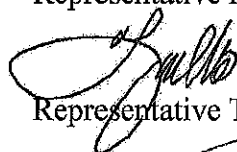
Representative Cynthia Borrego, House District 17

  
Representative Christine Chandler, District 43

  
Representative Reena Szczepanski, District 47

  
Representative Dayan Hochman-Vigil, District 15

  
Representative Doreen Gallegos, District 52

  
Representative Tara Jaramillo, District 38

  
Representative Raymundo Lara, District 34

  
Representative Linda Serrato, District 45

  
Representative Art De La Cruz, District 12

**From:** [Don Schreiber](#)  
**To:** [Jones, Pamela, ENV](#)  
**Subject:** [EXTERNAL] Pollution for Profit/Produced "Water"  
**Date:** Friday, May 17, 2024 10:15:45 AM

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Hi, Pamela - it's Don (Methane Mad Man) and Jane Schreiber writing from the San Juan Basin to say we've already lived in a world where Produced "Water" was reused in the oilfield.

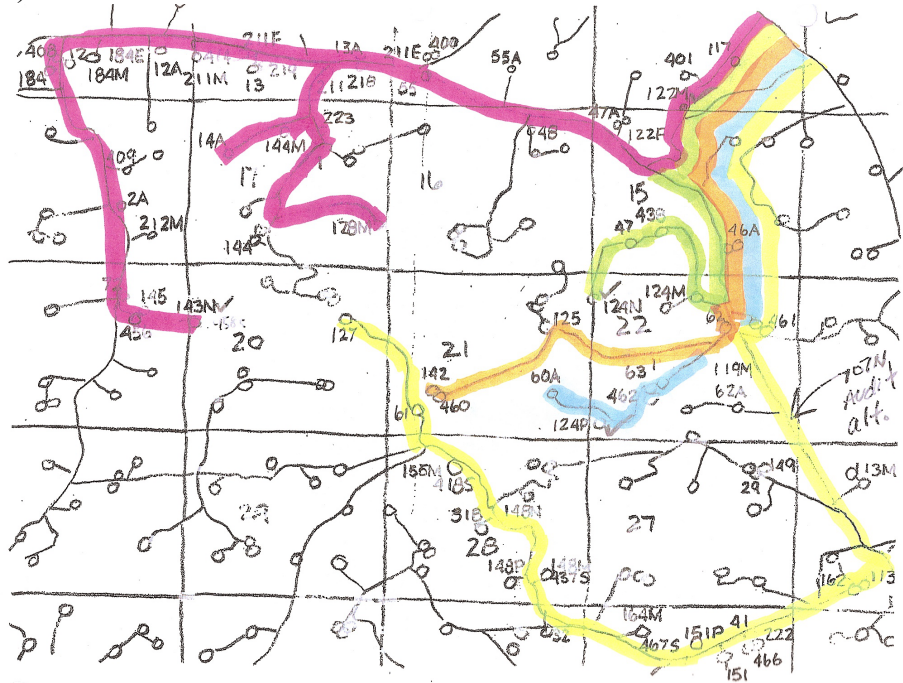
For much of our lives, oil & gas operators were allowed to spray Produced "Water" on the 1,000s of miles of oilfield roads here in the Basin as a way of getting rid of it and for "dust suppression."

We all know how that worked out and why, eventually, it was prohibited. Spraying highly contaminated drilling, fracking, and production waste on roads for "dust suppression" on an oilfield road was considered "oilfield use," but because the oilfield is always part of the larger natural world, that permitted use polluted the surface throughout the 8,000 square miles of the Basin, [https://geoinfo.nmt.edu/publications/openfile/downloads/400-499/463/OFR-463\\_SJB-RFD.pdf](https://geoinfo.nmt.edu/publications/openfile/downloads/400-499/463/OFR-463_SJB-RFD.pdf) and entered the water cycle, sometimes permanently. Exact same thing in the Permian.

Been there, done that. And evidence screams that whatever protective Rule is promulgated, the industry will pervert it - sometimes w/i the all the loopholes built into the Rules by lobbyists - but in practice as well. Witness what has happened since strong methane waste and ozone precursor Rules went into effect in New Mexico...methane emissions have gone UP, dramatically. It is impossible that industry will be faithful to any Rule.  
<https://prospect.org/environment/2024-05-16-new-mexico-loophole-may-allow-record-methane-releases/>

No industry in the US is allowed as much latitude in their waste disposal as oil and gas. Of the 30,000+ wells drilled here, the vast majority of them have their solid and liquid drilling waste buried right at the drill site. Most of those same wells vented their dirty methane, or just lit it on fire, straight to the atmosphere. These are the practices industry followed for decades. They are polluters and their center of gravity will always be grounded in pollution for profit.

Force operators to dispose of their waste without polluting our surface or our water. Don't let them sucker you into oil lobby language that makes it impossible for you to protect our clean air and water. As Oil Conservation Director Adrienne Sandoval said when the Governor's first





**From:** [Jay Levine](#)  
**To:** [Jones, Pamela, ENV](#)  
**Subject:** [EXTERNAL] My Public Comment from today, for the record  
**Date:** Friday, May 17, 2024 1:34:19 PM

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Thanks, Pamela.

Jay

Thanks for this opportunity to provide public comment. Meaningful public engagement and consultation is a critical part of this process.

Hello,

My name is Jay Levine, I live in Taos New Mexico, I am a board member of Renewable Taos.

1.

**It's fracking waste, not "produced water" and it is toxic**, it is composed of a litany of chemicals and it is frequently radioactive.

2.

We simply don't know all of the chemicals and whatnot the industry is pumping into the ground, the industry isn't required to disclose. And without significant study, we can't know what happens to the chemicals being pumped in and what changes they might undergo which results in the toxic fracking waste that comes out.

3.

And of what we do know, it's my understanding that for much of it, we do not have adequate (or any) ways to test if a given chemical is in the fracking waste, and again, for much of it, we don't know what a safe level might even be.

4.

There is currently no known process to rehabilitate fracking waste

so that it is safe to come in contact with.

5.

Disposing of this fracking waste has become a significant problem for the oil and gas industry. That's why we are here today, the industry is looking for uses for fracking waste.

We must study fracking waste to determine what is a safe way to handle it, manage it, mitigate it, and dispose of it. It is insane that we have so much toxic waste that we do not understand. In a sane world, we would require understanding all this before we allowed any more fracking waste.

**It is not “produced water” it is fracking waste and it is toxic.**

We need to look at this differently. We are not asking the right questions. We all know that because of climate crisis, we are already seeing less available water, and this will only get worse. Water is a scarce resource!

It is well past time that we prioritized water use, for real. There are many brilliant people in New Mexico working on this, water advocates, we must listen to them, and fund those projects.

We have to make the hard decisions NOW. We must prioritize our health over greed. We must end the use of groundwater and surface water for oil and gas production. We must prioritize the survival of life on Earth above all else. If we continue to burn fossil fuels the way we are now, there is, **likely**, no future for life on this planet.

We can not push this off to the future anymore, we have done that for far too long and we are already seeing the consequences. We will see Climate Apocalypse in most of our lifetimes. How bad it gets is up to us.

Be BRAVE, stand up for our rights, for our children, and grandchildren, and future generations, so they may enjoy life in a world that is **hospitable to them**.





**From:** [Jeanette Iskat](#)  
**To:** [Jones, Pamela, ENV](#)  
**Subject:** [EXTERNAL] "Reused water" in NM  
**Date:** Friday, May 17, 2024 6:24:51 PM

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Dear Miss Jones ,

I just want to go on record of stating I am against the governors proposal to use reused water for any purposes in the state. I live in northern New Mexico. I am a farmer. I live in an area where water is valued. There is no way for us to un-poison waters. I ask your agencies support for not taking the governor suggestion that oil and gas water can be reused.

I would also like to say I want the state to stop selling our water to the gas industry. It takes 4 gallons of water to produce 1 gallon of gas. If this continues, we will drain our already threatened aquifers beyond redemption.

Thank you, Jeanette Iskat .

**From:** [John K](#)  
**To:** [Jones, Pamela, ENV](#)  
**Subject:** [EXTERNAL] No to release of produced water!  
**Date:** Friday, May 17, 2024 8:10:56 AM

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I am opposed to the release of produced water. It would poison our water sources and poison the people and animals. Clean water is life. Think of the big picture. Keep our environment free of the toxins that would be in that tainted water.

I am John Kincheloe and I am a resident of Rio Arriba County.

John Kincheloe  
PO Box 1240  
Alcalde NM 87511

**From:** [Meg Hachmann](#)  
**To:** [Jones, Pamela, ENV](#)  
**Subject:** [EXTERNAL] WQCC 23-84(R)  
**Date:** Friday, May 17, 2024 8:14:03 AM

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It is important to reiterate that produced water is fracking waste water. Using the term *produced* is a misnomer. This water is filled with carcinogenic chemicals and is unfit for human consumption. The oil and gas industries must own what they have created and not dissemble, making it sound like they are offering us a gift. It is a poisoned gift and I, along with many others see this and WE DO NOT ACCEPT THIS GIFT.

Fracking waste water must not be used in agriculture or returned to the soil. Doing so, will poison the earth and our food chain, creating an ever increasing concentration of toxicity. Fracking waste water can't be "disappeared" by passing it off as water for irrigation. Do not create more trauma for the earth and human beings by ignoring the extreme dangers from fracking waste water.

The oil and gas industries need to put their energies into purifying the water they have polluted. Stop the cycle of pollution and return our social consciousness to taking care and nurturing the earth and the people and animals that live on it. Pure water is our life source. Protect it from avaricious predators that only think of their self-interests' and profits and not the Common Good.

It is simply about accountability and responsibility. The citizens of New Mexico stand together to protect ourselves from predators who believe they have a right to poison us with their trash and who are refusing to be accountable for what they have created.

Thank you for the opportunity to be heard.

Meg Hachmann  
artist

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Meg Hachmann  
PO Box 1786  
Santa Fe, NM 87504

**From:** [Noah Tp](#)  
**To:** [Jones, Pamela, ENV](#)  
**Subject:** [EXTERNAL] Comment Regarding the Water Reuse Rule  
**Date:** Friday, May 17, 2024 8:22:54 AM

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To the New Mexico Water Quality Control Commission,

I am unable to attend this morning's hearing. That said, I have serious concerns about the premise of proposed rule WQCC 23-84, also known as the water reuse rule.

The “water” that is proposed for reuse in this rule is in fact fracking waste; a highly toxic byproduct of fracking which contains cancer-causing chemicals that are not even fully known to the public since the exact concoction is considered a trade secret. There is no scientifically known way to properly treat this waste so that it is safe for humans.

Currently, there are an average of 4 spills of fracking waste each day. The industry simply has not shown that it is capable of managing its waste so that there are not a copious amount of spills which harms the health of nearby New Mexico residents, nor has the state of New Mexico shown that there is any scientific basis for the reuse of cancer-causing fracking waste in any context that is safe for the environment or humans.

The rule seems designed to simply pretend that there is a way to manage fracking waste at the cost of the health and safety of New Mexico residents, as opposed to confronting the reality that the fracking industry is poisoning more than 50 billion gallons of water a year as water becomes more and more scarce due to climate change.

Please do not approve rule WQCC 23-84. Thank you.

Sincerely,

Noah Tamas-Parris

**From:** [Therese Patton](#)  
**To:** [Jones, Pamela, ENV](#)  
**Subject:** [EXTERNAL] WQCC 23-84(R) Produced Water Use  
**Date:** Friday, May 17, 2024 8:38:02 AM

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I am completely opposed to the use of toxic produced water from fracking to be used for any other purpose or discharging it into ground water or surface waters. There should also be requirements for produced water use in demonstration projects and industrial projects including spill prevention plans and compensation to be paid in case of spills or accidents or discharges into the environment. This is setting us up for inevitable destructive uses or accidents.

David Patton ,Black Lake (Angel Fire} NM 87710  
Member of Wheeler Peak Indivisible



Virus-free. [www.avast.com](https://www.avast.com)

**From:** [William Riker](#)  
**To:** [Jones, Pamela, ENV](#)  
**Subject:** [EXTERNAL] I oppose the Wastewater Reuse rule (WQCC 23-84) as proposed because it fails to apply any scientific standards to protect our water  
**Date:** Friday, May 17, 2024 8:51:27 AM

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Dear WQCC Administrator,

Please share the below public comment on WQCc 23-84 with the Water Quality Control Commission:

Sincerely,  
William Riker  
6469 Hoochaneetsa Blvd  
Cochiti Lake, NM 87083

**From:** [Yamie Lucero](#)  
**To:** [Jones, Pamela, ENV](#)  
**Subject:** [EXTERNAL] Docket Number: WQCC 23-84(R). Pursuant to 20.1.6.203 NMAC  
**Date:** Friday, May 17, 2024 9:22:21 AM

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Greetings,

I hope you are reading this in good health and of sound mind. My name is Yamie Lucero and I am from San Felipe Pueblo in Sandoval County, NM.

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

Please consider the following:

- “Produce water” is highly toxic and radioactive.
- No scientific research supports the treatment of produced water reuse to standards that make it safe for humans or the environment.
- Extensive research points to the toxicity and hazardous nature of this waste to environmental and human health.
- 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.
- Rules that prohibit all produced water reuse off the oil field.
- As written, the rule will lead to contamination through waste generation, spills and accidents.
- The toxic waste, even more highly concentrated after separation and treatment, from demonstration and industrial projects, poses significant threats to New Mexicans health and safety

I am demanding that the Water Quality Control Commission act in its full capacity to denounce the rule making.

Thank you for taking the time to read and for your consideration.

In earnest,

Yamie Lucero