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James C. Kenney, Cabinet Secretary

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The Environment Department's mission is to protect and restore the environment and to foster a healthy and prosperous New Mexico for present and future generations.

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New Mexico Environment Department asks the Water Quality Control Commission to consider Water Reuse Rule

Rule safeguards surface and groundwater while defining how produced water can be reused outside the oil and gas industry

SANTA FE — The New Mexico Environment Department's (NMED) Water Protection Division petitioned the Water Quality Control Commission (WQCC) yesterday to consider the [proposed rule 20.6.8 NMAC Ground and Surface Water Protection – Supplemental Requirements for Water Reuse](#). This proposed rule ensures the protection of the state's surface and groundwater while encouraging innovative water reuse and resiliency in the face of a changing climate. This is the first of several upcoming rules intended to guide the future of water reuse in New Mexico – paving the way for expanded use of water treatment technologies that can ease the strain on limited water sources.

The proposed rule creates a framework for future reuse rules and focuses on regulating projects using produced water from the oil and gas industry. The rule outlines how produced water can be used in projects within the state so long as there is no discharge to surface or ground water. The rule provides clarity to organizations interested in testing produced water treatment technologies on how projects may be conducted and how to contribute their findings to the Department to further evidence on treatment technologies.

“The reality of water in New Mexico is changing in light of extreme drought,” said **Water Protection Division Director John Rhoderick**. “Taking steps now to safely encourage new projects to recycle our water supply is vital as we build a more resilient water system for generations to come.”

The proposed rule is an outcome of the Produced Water Act, passed in 2019, which prompted NMED to develop regulations on reuse of treated produced water in New Mexico. The proposed rule is the result of collaboration between the Department and stakeholders including the Produced Water Consortium (facilitated by New Mexico State University), environmental advocates, and industry partners.

A draft proposed rule was released for public comment on November 1st for 30 days and NMED received over 400 unique public comments. NMED reviewed all public comments in an effort to shape the proposed rule submitted to the WQCC.

Following the submission of the petition, the WQCC will set a hearing for the proposed rule to hear testimony from Department staff and interested parties. Draft rules, timelines, and updates on the rulemaking process are available at <https://www.env.nm.gov/water-reuse/>.

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