

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.”

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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, science-based technology and treatment.

Supporters of SB-86 include:

- Amigos Bravos
- Arroyo Hondo Land Trust
- Center for Social Sustainable Systems
- Citizens Caring for the Future
- Climate Advocates Voces Unidas (CAVU)
- Common Ground Community Trust
- Concerned Citizens for Nuclear Safety
- Earthcare
- Earthworks Oil and Gas Accountability Project
- Food and Water Watch
- Health Action NM
- Interfaith Worker Justice
- Indivisible Nob Hill
- League of Women Voters of NM
- Moms Clean Air Force
- Middle Rio Grande Water Advocates
- Mountain View Neighborhood Association
- Multicultural Alliance for a Safe Environment (MASE)
- National Parks Conservation Assoc.
- NAVA Education Project
- Native Women Lead
- New Energy Economy
- NM Acequia Association
- New Mexico Environmental Law Center
- NM Interfaith Power and Light
- New Mexico Social Justice and Equity Institute
- NM Public Health Association
- New Mexico Sportsmen
- Physicians for Social Responsibility, NM Chapter
- Progress Now New Mexico
- Pueblo Action Alliance
- Retake Our Democracy
- Rio Arriba Concerned Citizens
- Rio Grande Chapter, Sierra Club
- Rio Grande Indivisible
- River Source Inc.
- Rocky Mountain Farmers Union
- San Juan Citizens Alliance
- South Valley Regional Association of Acequias
- Southwest Native Cultures
- Tewa Women United
- Western Environmental Law Center
- WildEarth Guardians
- Youth United for Climate Action (YUCCA)

This fact sheet was prepared by the NM Environmental Law Center and the Rio Grande Chapter, Sierra Club
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