

OCC Hearing Exhibit 15

From: [Davidson, Florene, EMNRD](#)
To: [Salvidrez, Marlene, EMNRD](#)
Subject: FW: [EXT] Produced water comment
Date: Monday, July 27, 2020 2:55:01 PM

Case 21281

From: Mike Neas <mikneas@aol.com>
Sent: Monday, July 27, 2020 2:44 PM
To: Davidson, Florene, EMNRD <florene.davidson@state.nm.us>
Subject: [EXT] Produced water comment

STATE OF NEW MEXICO^[1] ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT OIL CONSERVATION COMMISSION IN THE MATTER OF PROPOSED AMENDMENTS TO THE COMMISSION'S RULES ON PRODUCED WATER^[2] 19.15.2, 19.15.16, and 19.15.34 NMAC CASE NO. 21281 PRE-HEARING STATEMENT OF Michael Neas

"NMED is partnering with research and academic institutions to fill critical science and technology gaps related to the safe treatment and use of produced water". This is clearly stated on the NMED website. The need to fill critical science and technology gaps should have been a heads up to our Legislature. It doesn't get any plainer than we are not there yet. We do not have current science and technology available that would allow or support a permitting for produced water usage for any purpose on the surface in New Mexico. The only underground permitted usage of produced water should be for fracking. And any underground fracking permit should require 100% produced water with zero clean water. It seems only logical that going into the produced water rule making processes for both the Oil Conservation Commission and the Water Quality Control Commission, the first rule and maybe the only rule for any purpose other than the development and production related to fracking wells should be that until science and technology exist and all proper testing is completed and analyzed, verified and certified, No Other Rules Shall Be Developed regarding the use of produced water outside of the oil and gas industry.

The PW Act contains a musical chairs of a liability situation that a continually passes liability to the last company holding. This is likely to be the least responsible party in every way. The bigs pull the toxic waste out and the littles spread it out. The bigs walk and the littles can't cover the consequences of their actions. The OCC should require the highest form of bonding and insurance from those handling the produced water and keep a clear trail as to the responsible parties.

The Albuquerque Bernalillo County Water Utility Authority gets 66% of its drinking water for more than 600,000 New Mexicans from surface water. Some of what it does not use is water banked, by injecting surface water into the Albuquerque Basin aquifer. Any rule that might allow the use of produced water on the surface of New Mexico's land and or into New Mexico's waters could have serious consequences. The science and technology does not exist that would prove no harm to the land, the water, and the future of New Mexico.

Mike Neas

Placitas New Mexico