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**From:** Sayer, Matthias, EMNRD [MatthiasL.Sayer@state.nm.us]  
**Sent:** 4/14/2018 1:05:24 AM  
**To:** Idsal, Anne [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b1beca8121fb47a08e82b6bf2247a79b-Idsal, Anne]; Ross, David P [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=119cd8b52dd14305a84863124ad6d8a6-Ross, David]  
**CC:** Kenney, James [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ce6ff86939e44da49d88840b2353f022-Kenney, James]; McQueen, Ken, EMNRD [Ken.McQueen@state.nm.us]  
**Subject:** New Mexico produced water MOU  
**Attachments:** image001.png; ATT00001.htm; Draft NM EPA MOU.docx; ATT00002.htm

Assistant Administrator Ross and Regional Administrator Idsal,

Thank you for your ongoing efforts at EPA. Here in New Mexico we can attest to a very noticeable increase in responsiveness and cooperation from EPA over the past months and know that you and your efforts are partly responsible for these welcome developments—thank you!

I write to follow-up on discussions regarding an MOU between EPA and New Mexico pertaining to opportunities associated with produced water from oil and gas operations in New Mexico, particularly in the Permian Basin.

In 2017, operators in New Mexico produced just shy of 900,000,000 bbls of water—nearly 120,000 acre feet— most of which was reinjected. That is a lot of water, and the number will only increase. While injection certainly has its utility and place, alternatives are being developed that present new opportunities for thirsty communities in New Mexico. Private efforts have proven processes that treat produced water to secondary drinking water standards. This is new water than can be introduced into the hydrologic cycle to the benefit of communities and industry.

However, the regulatory landscape for efforts like these is not entirely clear. As we all know, regulatory certainty is critical to business development. To that end, the attached MOU is proposed as an initial effort to help characterize existing regulatory schemes and simultaneously identify potential opportunities in the produced water universe.

We are hopeful that you will both be willing to continue engaging this issue and ultimately add your signatures to the MOU.

If you have any proposed revisions to the MOU we would be happy to entertain your proposals and to the extent you deem it necessary are happy to discuss via a brief call. Otherwise, we are ready to move forward with the MOU as soon as you are ready. We have been working with Mr. Kenney in Albuquerque for some time on this issue and appreciate the insight and leadership he has provided. We can certainly continue working with him to see this through.

Thank you for your time and efforts and we look forward to hearing from you.

Matthias

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