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EMNRD's Oil Conservation Division issues civil penalties for illegal dumping of produced water

Santa Fe, NM – Today the Energy, Minerals and Natural Resources Department's (EMNRD) Oil Conservation Division (OCD) announces the issuance of administrative civil penalties for illegal dumping of produced water on state trust lands and a road in Lea County. Windmill Trucking of Lovington, New Mexico, and Advanced Energy Partners Hat Mesa, LLC of Houston, Texas, received penalties for transporting produced water without the proper license, dumping produced water on public land, and failing to report the release to the OCD.

On February 25, 2020 the Oil Conservation Commission adopted a new rule in accordance with House Bill 546 passed in the 2020 legislative session allowing the OCD to assess administrative civil penalties for violations of New Mexico's Oil and Gas Act. Violations start at \$2,500 per day for each violation, with a higher cap of \$10,000 per day for a violation that poses a risk to health or safety of the public or may cause significant environmental harm. The move was motivated in part by the illegal dumping of produced water, drilling fluids, and oilfield waste, which has become a serious problem in the southeastern part of the state.

"Illegal dumping is an obvious violation of the law, a major threat to public health and the environment, and a serious concern to communities throughout Lea and Eddy counties, and will not be tolerated," said Oil Conservation Division Director Adrienne Sandoval. "Thanks to the civil penalties rule, we are now better equipped to hold illegal dumpers accountable and ensure that public health and the environment is protected."

The public is encouraged to document and report illegal dumping to the OCD. Send reports, including the location, date, time, name and license plate of transporter, and other information, including photographs and videos, to ocd.enviro@state.nm.us.

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