

# Eyes on Spills:

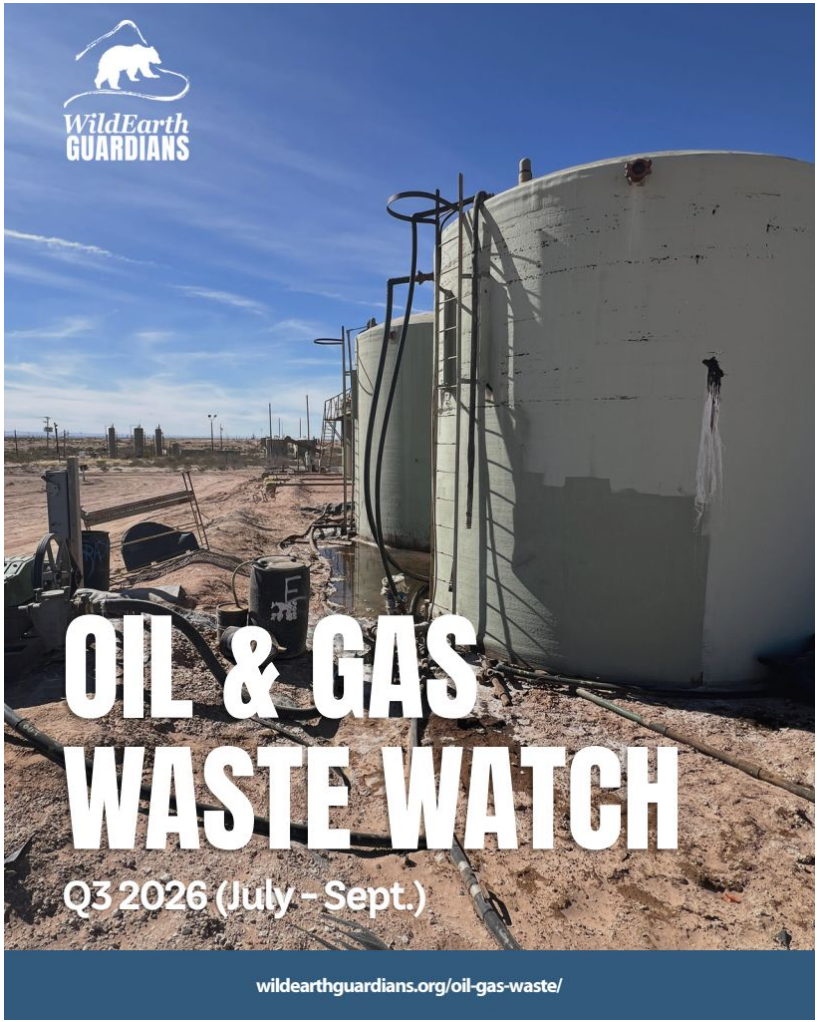
## *Produced Water*

*November 5, 2026*


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**WildEarth Guardians**
A FORCE FOR NATURE


*WildEarth Guardians protects and restores the wildlife, wild places, wild rivers, and health of the American West.*




- Toxic liquid spills jumped 29% from this time last year, and 76% of spills occurred on public lands. 453 liquid spills this quarter, up from 350 in Q3 2025.

- Oil and gas companies reported more than 1.6 million gallons of toxic liquid spilled during Q3, including nearly 1.5 million gallons of produced-water.

- Largest liquid spill occurred on September 19th near Carlsbad – Select Water Solutions, a produced-water management company, spilled 104,286 gallons of produced-water on federal public land following a flowline (pipeline) failure. 90,426 gallons (about 87%) was “lost” to the surrounding landscape.




- Produced water reuse infrastructure was also cause of the biggest spill of this time (Q3) last year; became biggest spill of 2025.
- Federal public land in Lea County – wall of a produced water pit collapsed, polluting the landscape with 1,543,374 gallons of produced-water + 121,422 gallons of crude oil.
- Facility (Mesa Verde East, OXY USA) was equipped with a leak detection system and constructed to prevent “overtopping” according to a remediation plan submitted to the state. Infrastructure still failed.

# THE 2025 NEW MEXICO SPILL REPORT




- 2025 saw 38,153 (lowest # spills in years) but highest amount of land & water pollution (9,442,230 gal)
- Produced-water reuse facilities drove larger, more damaging spills
- Produced-water is the most common liquid spilled & polluting land, water; Public lands are the most impacted
- 12 violations issued in 2023-2024 companies reported 96,826 spills; OCD issued 12 violations with civil penalties.

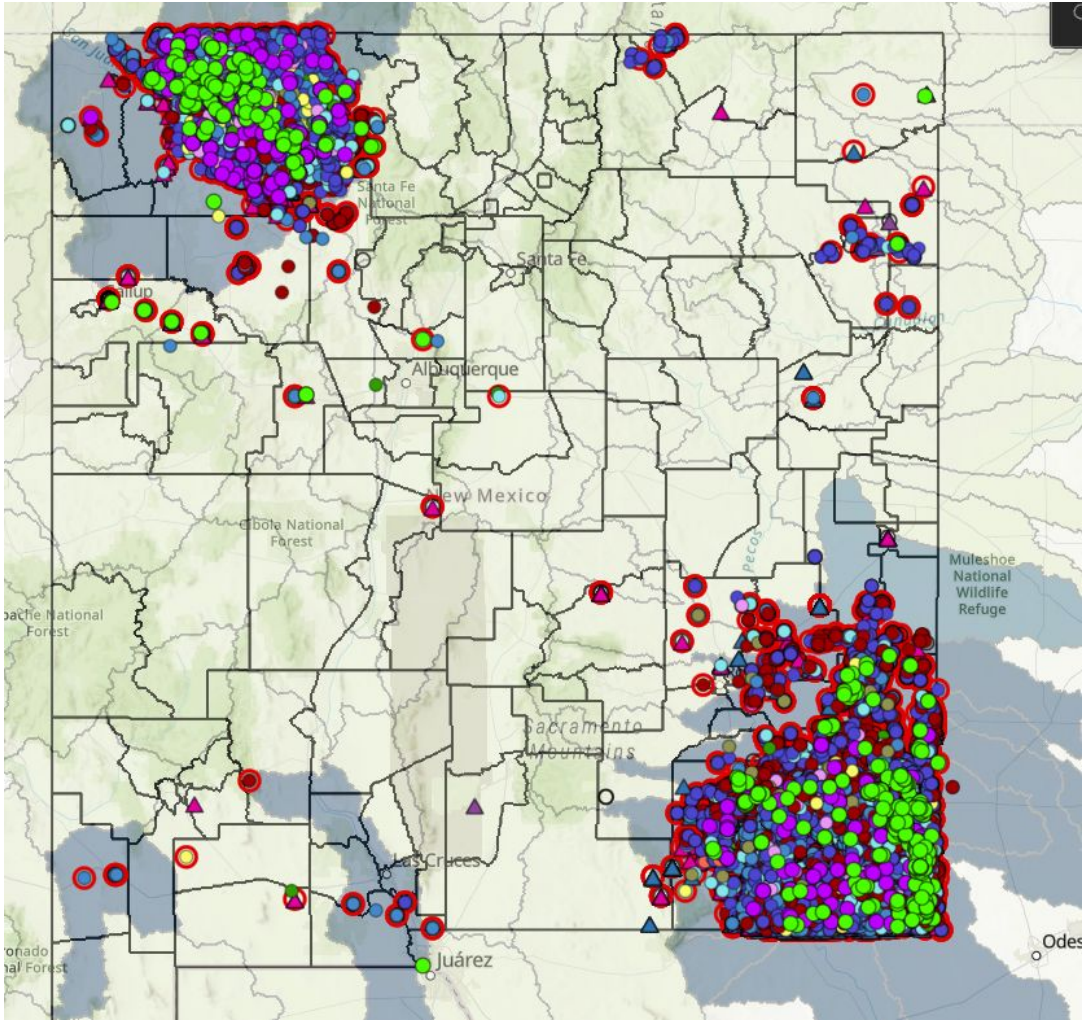
In less than 3 years (1/1/23 - 11/4/26) 82 waterways have been affected by spills:

2023 – 14 waterways

2024 – 13 waterways

2025 – 15 waterways

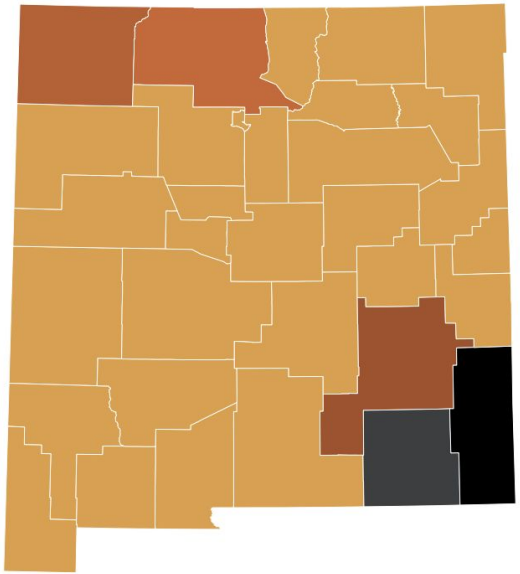
**2026 (11/4) – 40 waterways**




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# What is Produced Water Pollution?



In addition to salts, heavy metals, hydrocarbons, and radioactive materials, produced water can also contain over 1,400 different chemicals – including PFAS, known chemicals with no toxicity data, and undisclosed “trade secret” chemicals.

As of Nov. 4th, 2026, industry has reported that over 2.1 million gallons of produced water has polluted the state this year out of 6.4 million gallons spilled. Over half of that pollution occurs on public and tribal lands, and we don’t know what’s in it.

# Produced Water Exposures

After a produced water treatment company went belly up and workers became ill, U.S. EPA and U.S. taxpayers are now cleaning up the site: Fairmont Brine by Clearwater LLC (WV)

So far:

- Over 1,000 tons of radioactive solids
- Over 72,000 gallons of radioactive liquids
- Over 46,000 gallons of hazardous liquids
- Contributed $3.1 million in federal (taxpayer) funding to eliminate risks (Total cost is higher.)

U.S. EPA: EPA and Partners Reach Major Emergency Response Milestone at Fairmont Brine Site (August 11, 2026)




Workers collect samples from frac tanks at the Fairmont Brine Site, April 2025. (EPA)

# Produced Water Exposures

## New charges filed against defunct Pa. firm that processed fracking waste from gas wells

Published: Aug. 04, 2026, 8:52 p.m.

By John Beauge | Special to PennLive

WILLIAMSPORT — New criminal charges have been filed against the defunct company that allowed wastewater from gas well fracking operations to flow from a Williamsport facility, some of which reached the Susquehanna River.




### DEP orders Eureka Resources to remove waste after Susquehanna spill

Williamsport, Pa. — The Pennsylvania Department of Environmental Protection (DEP) has issued an administrative order against Eureka Resources.

# Produced Water Liability

HB 49 - TX (passed)

THE TEXAS TRIBUNE

DONATE Social Studies Lessons Tropical Storm Edouard Medicaid Funding U.S. Senate Polls TribFest 2026

## Oil companies win protections from Texas Legislature ahead of selling fracking water

At least four companies say they are prepared to treat the water well enough to be released into rivers in West Texas. Environmental groups say the state is moving too fast.

BY CARLOS NOGUERAS RAMOS REPUBLISH SHARE

MAY 28, 2025, 12:14 P.M. CENTRAL UPDATED MAY 28, 2025, 12:14 P.M. CENTRAL



HB 326 - NM (introduced)

HOUSE BILL 326

57TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2026

INTRODUCED BY

Debra M. Sariñana

AN ACT

RELATING TO PRODUCED WATER; REQUIRING THE OWNER OR OPERATOR OF A PRODUCED WATER FACILITY SEEKING AUTHORIZATION FOR THE TREATMENT, REUSE, DISCHARGE OR TRANSPORT OF PRODUCED WATER TO ACQUIRE INSURANCE; PROVIDING FOR JOINT AND SEVERAL LIABILITY.

# Liabilities ⟶ Solutions

**HAZARDOUS CONTAMINANTS**

***Problem**: Industry exemption.* ***Solution**: Remove the exemption.*

**RADIOACTIVE CONTAMINANTS**

***Problem**: Industry exemption.* ***Solution**: Remove the exemption.*

**PFAS CONTAMINANTS**

***Problem**: PFAS use permitted downhole.* ***Solution**: Prohibit in all downhole operations.*

*(HB222, 1st Session 2025, Andrea Romero and Jeff Steinborn and G. Andrés Romero)*

**UNKNOWN CHEMICAL CONTAMINANTS**

***Problem**: Unknown pollutants / risks.* ***Solution**: Prohibit undisclosed chemicals.*

*(HB222, 1st Session 2025, Andrea Romero and Jeff Steinborn and G. Andrés Romero)*



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