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Because Water Matters.

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Media advisory: Oil and gas industry takes another swing at convincing Water Quality Control Commission to allow risky wastewater discharge to NM waters

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Next week, on April 14, the New Mexico Water Quality Control Commission (WQCC) will consider a motion from an industry-backed group to start yet another rulemaking to allow the discharge of “treated” toxic oil and gas wastewater to state waters. In November 2025, the WQCC voted 7-4 to vacate its decision to undertake industry’s previously proposed rulemaking. Now industry has repackaged its proposal and is petitioning for yet another rulemaking which, as written, would be one of the most permissive rules on oil and gas wastewater discharge nationwide.

Water Quality Control Commission [Meeting Details:](#)

WHAT: Considering industry-backed motion to restart rulemaking to allow discharge of “treated” oil and gas wastewater to state waters

WHEN: April 14, 2026, 9:00am

WHERE: State Capitol, Room 307, or online at [this link](#) (more details [here](#)).

Background

The WQCC’s decision to hear a 2025 industry petition came under intense scrutiny when it was [revealed](#) that the governor gamed the system to advance the dangerous proposal.

The governor’s meddling on behalf of the oil and gas industry in what is supposed to be an independent process caused major outcry among New Mexico leaders and experts. A torrent of opposition and resistance pieces ensued:

- The Santa Fe New Mexican wrote a scathing [editorial](#).
- Western Environmental Law Center Executive Director Erik Schlenker-Goodrich wrote an [op-ed](#) detailing the governor and Environment Department Sec. Kenney’s shady dealings.
- Marcy Leavitt, an expert state hydrologist for 23 years, wrote an [op-ed](#) detailing how incredibly permissive the industry’s proposed rule would be for toxic oil and gas wastewater discharge to New Mexico waters.
- Sarah Knopp, a policy expert with Amigos Bravos wrote an [op-ed](#) delineating the deceptive tactics Big Oil is using to get its way on discharging its waste to New Mexico’s waterways.

- Sen. Harold Pope wrote passionately in an [op-ed](#) about the importance of keeping our water safe from oil and gas wastewater and maintaining the WQCC's integrity.
- New Energy Economy Executive Director Mariel Nanasi wrote an [op-ed](#) decrying the governor's coercive tactics.
- Youth activists Ennedith López and Zoey Craft from YUCCA included this issue in their [op-ed](#) about the governor's "backroom deals."
- Sterling Grogan, a water systems expert and scientist, laid out the science and the governor's corruption in an [op-ed](#), calling out Environment Department Sec. Kenney for barring agency scientists from participating in the rulemaking hearing.

In November 2025, due to the appearance of impropriety from the political meddling, the WQCC voted to vacate (dismiss) the industry's 2025 proposed rule. Industry has now repackaged their proposal and is now freshly petitioning the WQCC for yet another rulemaking process.

Statements from parties to the rulemaking:

"The governor's office tainted the Water Quality Control Commission by pressuring members to get Big Oil's petition 'over the finish line' to allow the discharge of produced water—a toxic waste—to New Mexico's precious and scarce clean water," said **Tannis Fox, senior attorney at the Western Environmental Law Center**. "In my 25 years working in this arena, I've never seen this level of political interference with the decision making of an administrative body charged with protecting human health and the environment. New Mexico leaders, experts, and the public rightly objected and the commission corrected its mistake. Reversing course – yet again – would threaten New Mexicans' health and safety."

"At a time when we are seeing institutional norms and government integrity disintegrate before our eyes at the federal level, it is devastating to see a similar lack of integrity at the state level," said **Rachel Conn, deputy director of Amigos Bravos**. "We depend on the Water Quality Control Commission to impartially make decisions based on the evidence before them. The commission must not succumb to political pressure and once again move to place our waters and communities at risk."

"New Mexicans put their trust in the commission to base its decisions, without interference, on the technical expertise and independent science from state agencies," said **Dale Doremus with the Rio Grande Chapter of the Sierra Club**. "Commissioners must not again abandon that charge and allow politically driven decision making in such a critical rulemaking that should prioritize safeguarding our precious and scarce ground and surface waters from toxic contaminants that can endanger human health and the environment."

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