



SIERRA CLUB

LONE STAR CHAPTER

Testimony on House Bill 2757

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Contact: Alex Ortiz, alex.ortz@sierraclub.org

Dear Chairman King, Vice Chairman Thompson, and members of the committee,

The Sierra Club Lone Star Chapter is neutral on HB 2757. The Sierra Club is the nation's oldest conservation organization, and the Lone Star Chapter of the Sierra Club has been actively engaged in Texas water and wildlife issues since its inception.

Our position on HB 2757 recognizes that produced water may play an important role in our water supply in the coming years — but it is important that in that progress we center protecting Texans, our wildlife and our environment.

As the Texas Produced Water Consortium (TXPWC) Report points out, there is a split among consortium membership as to what types of projects should be considered. The report clearly outlines two distinct phases, where Phase 1 includes risk assessment, constituent chemical categorization, and establishment of *potential* treatment standards in conjunction with feasibility of proposed technologies; and Phase 2: the actual attempted beneficial reuse of produced water, whether by land application or other means.

We strongly believe that these projects need to occur in two distinct phases, rather than simultaneously, as performing risk assessment and constituent categorization while at the same time applying the treated wastewater runs an incredibly high risk of the introduction of unwanted contaminants into the environment — threatening human health and the environment. P. 83 of the consortium's report very clearly states: "There is still a need for continued and advanced testing and analysis of treated produced water samples utilizing various treatment technologies before verifying or recommending their application for beneficial use outside of the oil & gas industry."

The report as presented also acknowledges that the consortium does not indicate standards for treatment or end-use-water quality, but rather aims to provide the legislature a level of baseline knowledge on the existence of creating standards for produced water. This is crucial, as human health and the environment must be the primary driver of creating standards, *followed by* a fitness-for-purpose, like construction or irrigation.

To that end, HB 2757 should instead instruct the Texas Produced Water Consortium to fund and establish several Phase 1 pilot projects in different locations to gather breadth of site-specific data on produced water quality; and then subsequently instruct the consortium to begin Phase 2 pilot projects after reporting Phase 1 to the legislature.

This distinction would make clear that the TXPWC is to proceed in two phases rather than attempt to conduct such research simultaneously.

Sierra Club sincerely appreciates the opportunity to make comments.

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