

Revisions may limit oil, gas water discharge

By *RUFFIN PREVOST*
Billings Gazette

CODY -- Ranchers, environmentalists and oil and gas industry representatives are expected to comment Friday on proposed changes to state rules governing the quality of discharged water and its effect on crops and animals.

The Wyoming Water and Waste Advisory Board will meet in Thermopolis to discuss revisions to the Department of Environmental Quality's water quality rules and regulations.

Under review is the "agricultural use protection" rule, which includes standards for how water discharged by energy development may affect crops and livestock.

The proposed changes are the result of a triennial review of state water standards by the rule-making Environmental Quality Council, as required by the Environmental Protection Agency under the federal Safe Water Act.

Marvin Blakesley, an environmental, health and safety specialist with Marathon Oil, told Park County commissioners this week that he's concerned about potential federal or environmental group oversight from proposed rule changes.

"I don't believe the DEQ, the EQC or the governor have any intent of taking (discharged) water off the landscape," he said.

"But when it gets into EPA and the court system, who knows? I feel we're going down a dangerous path for no reason, and we're requesting no changes from the old policy rule that has served Wyoming well" for decades, Blakesley said.

New rules aimed at regulating discharge from the coal-bed methane industry in the Powder River Basin were likely to bring about few changes there, but could have an effect on small oil and gas producers in the Big Horn Basin, he said.

"It's not going to cause Oregon Basin to be shut in, but it will shorten the economic life of some wells, because it costs more to re-inject water" than to release it on the surface, Blakesley said.

Disposal wells for discharged water can cost \$1 million or more, he said.

"There's not likely to be much effect on the coal-bed methane industry, but some oil treaters could potentially be affected," said David Waterstreet, watershed program coordinator for DEQ.

Provisions in the proposed rules would allow exemptions for qualified producers discharging water before 1998.

But new producers would have to meet new standards for sodium and sulfate under a section of the proposed rules drawing the most comment, he said.

Blakesley said many ranchers and farmers in the Big Horn Basin welcome water discharged by oil and gas wells, finding it beneficial for watering crops and as drinking water for livestock.

Park County Commissioner Marie Fontaine said proposed rule changes were "too extreme."

"I think farmers and ranchers know best how to raise livestock and crops, and they're not going to do anything to harm it. That's their livelihood," she said.

But some landowners in the Powder River Basin have said crops and livestock are harmed by too much discharged water.

"We hear both sides of that story, and it depends on where you are in watershed," Waterstreet said, adding that DEQ recognized the different effects of discharged water based on differing geology around the state.

The proposed rule offers tiered approaches, including specific site studies, by which landowners can require effluent limits to be included in a discharge permit.

"The argument forever has been that some want as much as they can get, but if they had our quality of water, they wouldn't want a drop," said Bob LeResche, a Sheridan rancher and chairman of the Powder River Basin Resource Council, a group that has been pushing to tighten standards for coal-bed methane discharge water.

"We're arguing about what the quality of the water should be, and there are some who don't think the water should be dumped on the landowner in any event," he said.

Proposed standards in the new rule also poorly define and address bottomlands, where cattle and wildlife gather, LeResche said.

Waterstreet said the board will hold at least one more public meeting after this week on the proposed rules before forwarding comments and recommendations to the EQC for consideration and final rule-making.