



CONSORTIUM NEWS NOTES - February 1, 2020

With the Super Bowl being on Ground Hog Day, I did not hear anything about whether Phil saw his shadow or not, and whether we will be having 6 more weeks of Winter. But since we are on a fast track, let's assume Winter is over and we are springing into Spring. With that prologue, some important updates follow.

January 2020 Membership Meeting Follow-up and Update

The Kickoff meeting of the Consortium in Albuquerque was attended by about 65 members and about 80 participants. This included about 15 Government Advisory Board members, and 50 Technical Steering Committee Members. To date we have sent out:

- The NMSU and NMED overview presentations
- The proposed 2020 general schedule of activities, Working Group participants
- The initial contact list of attendees and members. Based on input, we have added new contacts and updated contact information, which are included with the News Note Email.
- Drafts of the meeting, TSC, and GAB minutes have been completed and are under review by NMED and NMSU. The final minutes should be available by **FEBRUARY 7, 2020**.
- We will also send out the company presentations by **FEBRUARY 7, 2020** for those companies that have given us permission to release them.

Based on the meeting discussions, we identified some membership gaps. Several members have helped facilitate additional interactions that include:

- NMOGA and NGL facilitated a meeting in early February with the BLM to discuss supporting the TSC and the GAB.
- NGL facilitated discussions with the NM Game and Fish Department to identify an aquatic biologist and toxicologist to support the TSC.
- Contacted by Apache to join the Consortium and be on the TSC.
- Contacted by the TXRRC (Leslie Savage), who will participate on the GAB.
- Contacted Jonathan Brant - Wyoming Center of Excellence in Produced Water Management. They will participate with the consortium and have experience with Idaho National Lab on trace chemical analysis in high salinity produced water.
- Have been contacted by several additional companies who have joined the consortium from discussions with Consortium members. We thank you for spreading the word.

Consortium Outreach Update

The Consortium management has been requested to provide presentations on the Consortium efforts and directions, or to solicit technical information on produced water issues and challenges. Near-term meetings and efforts we will be supporting include:

- Dr. Xu attended the DOE National Association for Water Innovation roadmap effort for produced water treatment research in Denver on **JANUARY 30, 2020**.

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- Gave an interview for the Midland paper on the Consortium that came out **FEBRUARY 1, 2020**.
- 4 different presentations (technical and overview by NMSU) in Houston **FEBRUARY 11-13** at the **Produced Water Society Conference**.
- 2 presentations (one overview by NMSU Chancellor Dr. Dan Arvizu and one on university collaboration models for industry/regulatory agencies) on **FEBRUARY 19-21** in Midland at the **Permian Basin Water in Energy Conference**.
- Participation in the **Water Reuse Foundation** desalination roadmap for industrial waste waters in Las Vegas on **FEBRUARY 26, 2020**.
- Participate on panel on desalination and industrial water reuse for the **Multi-state Salinity Coalition** on **FEBRUARY 27-28, 2020** in Las Vegas.
- NMSU Chancellor Dan Arvizu will represent the NMSU/NMED MOU with EPA in Washington DC on **FEBRUARY 27, 2020**, for the announcement of EPA's new National Water Reuse Action Plan, which will identify the NM PWRC as a key coordinating entity with GWPC for produced water reuse efforts for uses outside oil and gas.

If you are attending any of these meetings, you will be seeing us there! If you have other conferences or meetings you would like us to support, please let us know.

Technical Steering Committee - Working Group Update and Meeting Schedule through April 2020.

The Consortium management met on January 29, 2020 to discuss the TSC Working Group Charters and priority efforts between now and August 2020.

As mentioned in the Kickoff Meeting, much of the background literature reviews, produced water quantity and quality data collection, collection of information on efforts in other states, compilation of other state regulations and policies, and preliminary assessment of data information, additional data needed, etc. needs to be underway and far enough along by early summer to be able to provide information to lawmakers and interim committees on progress, thoughts, insight, etc.

In New Mexico, it is these interim legislative meetings where legislation for the following legislative session, in this case January 2021, is developed and preliminary language, funding amounts, committees that will carry the bill, and support for specific bills or policies are discussed.

Therefore, we believe that the next six months are very critical to the Consortium in efficiently and effectively moving forward to meet the goals and objectives highlighted in the Consortium Kickoff meeting. To that end, we have developed the following schedule for the next three months for each of the Working groups. It includes:

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- **Monday, Feb 17, 2020** – Distribute draft Working Group Charters, associated work plans, and priority efforts required by June -August 2020 to all working group members. Draft charters have been developed for each working group and individual draft work plans and priorities are being formulated. Each member will provide their comments on draft priorities and ways to collect data, fund analyses, potential providers, etc. These will be collected and collated into final plans by March 1.
- **Monday morning (MT) March 2, 2020** – Conf. Calls for the following three working groups to summarize input and finalize charters, priorities, and RFP's as needed. The working groups include: Water Quality (8-9:30 am), Infrastructure Engineering (9:30-11:00), and Risk and Toxicology (11:00-12:30 pm)
- **Tuesday morning (MT) March 3, 2020** – Conf. Calls for the following three working groups to summarize input finalize charters, priorities, and RFP's as needed. The working groups include: Water Quantity (8-9:30 am), Treatment (9:30-11:00), and Applications (11:00-12:30 pm)

The final directions and recommendations by each Working Group will be provided to the GAB for review and comment. They might be able to provide insight on coordination of efforts, who to work with in the state agencies to collect information and contacts with other states as part of the TSC efforts from April through October.

- **TSC Meeting – Friday April 17, 2020 or Tuesday, April 21, 2020.** We need six weeks to go out with RFPs and make data collection and data analysis selections. At this meeting, all the working group efforts, schedules, outcomes and data and analysis availability and updated schedules will be presented and discussed.

Additionally, we will hear a status briefing from the NMED Fellows on progress on establishing a framework and protocols for treatment and/or application testing and evaluation field or pilot tests.

Hopefully this will allow everyone to coordinate their schedules, at least for the next three months.

Technical Steering Committee and Government Advisory Board Efforts – May through October 2020

The Consortium management has worked closely with the NMED to plan and coordinate year one activities, efforts, and progress such that necessary safeguards and protocols are in place before we proceed with any testing and evaluation efforts. This is to ensure that we do not put the environment and public health and safety at risk. Therefore, we have established a preliminary schedule for efforts from May through October 2020 to establish consistent time frames for deliverables to establish test and evaluation projects in year two. The current estimated schedule includes:

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- TSC Working Groups will have data collection, analysis, and literature review project updates via conf. call in **mid-May**.
- TSC Working Group members may be asked to support legislative meetings during the summer - June through August.
- TSC Working Group meetings may be held in **mid-July in Santa Fe** for updates to GAB members on project progress and GAB input on next steps. Briefing by NMED Fellows on preliminary guidance on testing and evaluation protocols and requirements.
- **Membership meeting in early October**, likely prior to or following the NMOGA annual meeting to summarize year 1 efforts and rank year 2 efforts by Working group.

Many of these dates were suggested in the Membership Kickoff meeting, with Consortium activities and NMED activities coordinated and conducted in parallel with consistent delivery dates to maintain appropriate momentum and progress.

Hopefully this will help everyone better manage their schedules through October.

Update on Membership Agreements

For our Consortium, NMSU's General Counsel selected a basic academic research consortium membership cooperation and collaboration agreement structure. Many consortium members are more familiar with Joint Industry Program (JIP) collaboration agreement structures, and others are more familiar with government/industry collaboration agreement structures. Because our consortium is a government, university, industry (GUI) collaboration, we are seeing different requests for changes to the agreement from the different sectors of the consortium, though the changes requested within a sector are often relatively consistent. NMSU has agreed to try and make changes to accommodate each member, but though we are seeing many consistent agreement modification requests, several are beginning to diverge by sector, which could make consortium management more arduous.

Therefore, NMSU's General Counsel is considering reassessing the current consortium agreement, and establishing an agreement working group to develop a less complex and more streamlined agreement for year two and beyond. Because the Consortium activities in year one will be focused on data collection, reviews of current policy and regulations in other states, past efforts and lessons learned, and not necessarily on research or technology testing and evaluation, NMSU's Legal Counsel believes now is the time to work to develop a more efficient and effective agreement structure amenable to all members regardless of the sector they represent. Therefore, if your university, company, association, or NGO legal counsel would like to participate in developing a more efficient and streamlined agreement for year two and beyond, please contact the Consortium management team and we will connect them with Roy Collins, NMSU's General Counsel who will coordinate this effort.