



TAKE ACTION

Tell Wyoming DEQ: Don't pollute our surface waters!

BACKGROUND

Wyoming DEQ is preparing to issue a discharge permit to Texas-based Aethon Energy to dump up to 8.27 million gallons per day of oilfield wastewater into tributaries of Boysen Reservoir, threatening not only this popular state park and recreation spot, but the Wind and Bighorn rivers as well. For the past two months WOC has worked closely with fisheries biologists, hydrologists, and other scientific experts to analyze the impacts of Aethon's proposal. We've determined that **the DEQ's analysis is flawed and does not adequately measure the harmful effects of allowing contaminated wastewater to be disposed of in these surface waters.**

To learn more, read this [Wyoming Outdoor Council blog post](#).

POINTS TO CONSIDER MAKING IN YOUR COMMENTS TO THE DEQ

In your comments to the DEQ, consider including some of the following points while also speaking to your personal experience with Boysen and the Wind or Bighorn rivers below the dam.

Don't dump polluted water into our lakes, rivers, and streams. Tell the DEQ to analyze other options for disposing of produced water (wastewater) from the Moneta Divide oil and gas field. If "surface discharge" of produced water is necessary, it should be purified and piped to Boysen Reservoir, not dumped into Alkali and Badwater creeks, where the effects on fish and water quality could be felt for hundreds of miles downstream.

Don't trash Boysen State Park. Boysen is one of the most popular state parks in Wyoming — its water quality should remain clean to protect swimming, municipal drinking water supplies, crop irrigation, boating, and fishing.

Keep the Wind River clean. Tell the DEQ to maintain the quality of water that existed in the Wind River when it was designated a Class 1 river in 1979, and to not use 2010-2016 water quality levels as the baseline for establishing existing water quality.

Too much salt is bad for you (and for fish!). Tell the DEQ to require Aethon to clean up its existing discharge before allowing more pollution to enter these streams. In particular, the amount of chloride allowed in Aethon's wastewater must be reduced to no more than 230 mg/L in order to restore and protect aquatic life in Alkali Creek and Badwater Creek. Existing chloride concentrations (in excess of 2,000 mg/L) are already much too high to support sensitive aquatic life found in these desert riparian systems.

Save our sauger! The DEQ must ensure that the toxic effects of produced water are properly disclosed and addressed in the permit to ensure that sauger (a native species of fish related to walleye) are not harmed by this project. *For more information on the sauger, [watch this video](#).*

What are the costs? The DEQ's draft permit fails to discuss the potential negative social and economic impacts for the life of the project from increasing oilfield wastewater volumes to downstream communities. Such consideration is required by the Clean Water Act. Impacts to the Wind River's Blue Ribbon fishery,

increased salts on crops, and potential retrofits to Thermopolis' drinking water treatment facility could be substantial, yet the draft permit is silent on those issues. Tell the DEQ to follow the state's anti-degradation policies by requiring this analysis.

Do you like your fish boiled or fried? The BLM's Moneta Divide draft EIS indicates that the temperature of produced water flowing from the wells is as high as 186° Fahrenheit, yet this issue is not addressed in the DEQ's draft discharge permit. Tell the DEQ to include a requirement to ensure that water temperatures in Alkali and Badwater creeks do not exceed the limits specified in the state's rules to protect fish and aquatic life.

Require full toxicity testing. Tell the DEQ to increase the frequency of monitoring and testing of the effluent — liquid waste discharged into surface waters. "Whole effluent toxicity" testing of the discharge into Boysen Reservoir should be required at least quarterly. Once a year is not sufficient.

Water quality and flow data is missing. The DEQ cannot adequately assess the impacts to water quality if it doesn't know the existing quality. If the DEQ is going to rely on a dilution model, it needs adequate flow information to ensure that water quality standards are going to be met, and that existing and designated uses in these streams will be protected.

Say 'no' to grandfathering. Tell the DEQ that "grandfathering" high levels of chloride authorized in previous discharge permits should not be allowed to continue. Multiple successive owners of the Moneta Divide oil and gas field (including Exxon, Tom Brown, Inc., and Encana) have had 40-plus years to comply with all applicable water quality standards. The DEQ needs to end this legally dubious and environmentally unsound practice. The goal of the Clean Water Act is to *restore* and maintain water quality. Grandfathering historic and highly damaging pollutant concentrations does not achieve that basic goal.

Provide independent review. The DEQ hasn't established the scientific integrity of the model used by Aethon because it lacks the expertise and data to do so. Without this professional expertise in house, the agency must commission its own third-party review and make sure that the cost of that review is paid by the permit applicant, not Wyoming taxpayers.

Disclose all chemicals. Tell the DEQ to insist that Aethon disclose the trade names and amounts of all chemicals used in well drilling and fracking operations, and submit a plan to the public that ensures that the fracking chemicals contained in the "flowback" water are completely removed before being discharged into surface waters.

HOW TO SUBMIT COMMENTS

DEQ's comment portal: [Click this link to the DEQ's online comment portal.](#)

By U.S. Mail: Jason Thomas, Wyoming DEQ Water Quality Division,
200 West 17th Street, Cheyenne, WY 82002

*If you submit your comments via U.S. Mail, be sure to mention that your comments are in response to the **Moneta Divide oil and gas field pollutant discharge permit, WYPDES Permit Number WY0002062 (Aethon Energy).***

REMEMBER: comments must be received by the DEQ **no later than July 5** to be considered.