

Seliger stands on oil industry being proactive regarding groundwater

By Joseph Basco | jbasco@mrt.com | Posted: Thursday, October 16, 2014 8:04 pm

During one of the morning panels about water for the Permian Basin Petroleum Association's 52nd Annual Meeting, state Sen. Kel Seliger weighed in on the issue of oil companies applying for groundwater well permits.

He said that, although the oil and gas industry represents less than 1 percent of the total water used in the state, the main point is that anyone who uses water has a responsibility to conserve it.

"This industry has been proactive and has set a pattern for industrial responsibility when it comes to conservation," Seliger said. "I would argue that the agriculture industry is doing the same thing, both in terms of academic research and strategies.

Communities, such as (Midland-Odessa), have been proactive when it comes to conservation measures because it's not just a question on how the city of Midland is going to supply water for its citizens this year or in 2020, also in 2070 and 2080."

Seliger then added that the oil and gas industry, without any regulations, has proactively ventured into conservation methods like water recycling.

"I think the drought has made it clear how important water issues are," Seliger said. "Increasingly, more people around the state are getting sensitive to it because you have communities, such as Wichita Falls, that are in dire straits when it comes to water. It has nothing to do about the oil and gas industry, but that concern can generalize over all users of water as well."

To further the action of oil companies, Seliger urged companies to sit down and talk with groundwater conservation districts to find out what information they really need from oil companies. He added that good actors in those conversations will find areas of common agreement.

Groundwater use for oil activity became a statewide issue after hydraulic fracturing became



PBPA annual meeting

Ben Sheppard president of Permian Basin Petroleum Association welcomes a full room to the morning breakfast Thursday for the annual meeting. Tim Fischer\Reporter-Telegram

prominent and when the ongoing drought, which started in 2011, left some cities and communities relying on groundwater as surface water diminished. Groundwater conservation districts have their own differing rules for oil companies applying for groundwater well permits, despite the vague, caveat-ridden, statewide regulation in Chapter 36 of the Texas Water Code -- established in 2001 -- that exempts oil companies from having to obtain one.

Ben Shepperd, PBPA president and moderator of the groundwater panel, said that in 2001 hydraulic fracturing was not discussed as much as it is now, so now there is a debate on whether groundwater use for hydraulic fracturing is exempt from permitting. Shepperd asked panelist Stan Casey, governmental relations for Concho Resources, on what his take is regarding the divisive issue.

Casey, acknowledging the contrasting policies that groundwater conservation districts have established across the state, said most operators have to manage the districts' policies on a case-by-case basis.

Seliger responded that he views the exemptions as applicable, despite the 2001 establishment, and warned that if a far-reaching exemption was to come into fruition in the Legislature today it would not pass. He added that, over time, more and more people are going to urge for more regulation.

“It’s very helpful to (legislators) for your industry to take the proactive stance as it has in the past to preempt the need for people such as (state Rep. Jim) Keffer and myself to take the stance -- and we will -- of why do we have to go in and regulate an area that’s already been addressed substantially by the industry,” Seliger said.