

## **Public Comments submitted to the Railroad Commission of Texas regarding the Draft Oil and Gas Monitoring and Enforcement Plan for FY 2022**

*This document includes all public comments submitted to the RRC and obtained by Commission Shift through an open records request. The comments below are not necessarily those of individuals or organizations affiliated with Commission Shift.*

*The following public comments were submitted via a survey form on the RRC's website, which does not allow for text formatting. Two commenters, Bruce Bodson of Lower Brazos Riverwatch and Virginia Palacios of Commission Shift, submitted comments through the RRC's survey, but also emailed the RRC PDFs with formatted text. The PDFs are appended here for readability. Sierra Club submitted comments via mail and delivered verbal comments at the RRC's Open Meeting on June 8, 2021. The PDFs of Sierra Club's comments are appended here.*

*Also included are 17 comments submitted via email requesting a public meeting and language accommodation.*

### **Daniele Burris**

I'm not sure if this is the place for this, but I would like to suggest that when a well or wells pulls to the on-line Severance Query page that the well number or numbers be shown in the 'Letter Remarks' page. With a lot of people working from home, the certified letter takes much longer than it used to to get to the person who needs to handle it. Requesting it via email/telephone with the RRC personnel isn't always effective.

### **Ty Edwards**

San Andres Limestone Well Plugging and Site Remediation Initiative DISTRICT MISSION AND CREATION: The Middle Pecos Groundwater Conservation District (the District) is committed to manage and protect the groundwater resources of the District. The District was created to help maintain a sustainable, adequate, reliable, cost effective and high quality source of groundwater to promote the vitality, economy and environment of the District. The District will work with and for the citizens of the District and cooperate with other local, regional and State agencies involved in the study and management of groundwater resources. The District was created in 1999. The creation of the District is recorded in Chapter 1331 of the Acts of the 76th Texas Legislature (SB 1911). This act enabled the District to function in a limited capacity until the creation of the District was fully validated in the 77th Legislature. The validation of the District is recorded in Chapter 1299 of the Acts of the 77th Texas Legislature (HB 1258). The District was confirmed by local election held in Pecos County on November 5, 2002. EXECUTIVE SUMMARY OF SAN ANDRES ISSUES: The San Andres Limestone, the oldest formation in the Guadalupe series, consists predominantly of grey dolomite and limestone from about 500 feet to 1,400 feet thick. It is the equivalent of the Word Formation which outcrops in the Glass Mountains in Pecos and Brewster Counties. A total of 41 wells are known to tap the San Andres Limestone formation in

Northern Pecos County. Most of these wells are from about 7 miles east to 13 miles southwest of Imperial. The wells range in depth from 1,925 feet to 3,000 feet in depth and produce from 75 to 2,000 gpm. Most of the wells were drilled as oil test wells. With no oil production, the wells were plugged, abandoned or transferred to land owners for water supply. The total withdraw from the San Andres Limestone in 1957 is estimated to have been 10,000 acre-feet. About 6,000 acre-feet of this were used for irrigation, about 1,000 acre-feet were used by oilfields for water flooding activities and the remaining 3,000 acre-feet was runoff. The water from the San Andres Limestone is unsuitable for human consumption with high levels of hydrogen sulfide. The oxidation of the gas results in the precipitation of elemental sulfur and gypsum surrounding the well bores. Water from most of the wells contains more than 5,000 ppm total dissolved solids (TDS) levels and can exceed 130,000 ppm TDS levels in some wells. Water from the San Andres Limestone is very corrosive with reported static pressure in excess of 150 psi which can cause catastrophic integrity issues. The wells have been documented by the Texas Board of Engineers Bulletin 6106 in October of 1961. The District began a work plan for assessment of the San Andres Limestone Flowing wells in 2008 because several of the wells started to encroach on FM 1053. TxDOT and the District performed a reconnaissance study on the Holliday artesian well (C-107) due to land surface subsidence from the artesian well. In 2009 TxDOT and the District partnered to attempt to plug the well and spent \$387,480. Due to unforeseen circumstances the well was improperly plugged. Since 2009 the land has continued to subside to over 60 feet in depth around the well bore and  $\frac{3}{4}$  inch a month at FM 1053. In early 2015 the District finished its work plan assessment (Attachment A). The District documented 41 San Andres Limestone wells, 17 are still flowing. The District has determined the 17 flowing wells as being high priority due to land subsidence and high concentrations of TDS, sodium, chlorides and sulfates suggesting the potential mixing of the evaporite zones with the underlying saltwater oil/gas bearing formations. The well of highest concern is C-94 (Beohmer Lake). It has flows in excess of 200 gpm with TDS levels above 130,000 ppm and chloride levels of 65,000 ppm. This well has formed a 25 acre lake with land surface subsidence and large surface fractures running from the lake to FM 1053. This well has been documented as an oil test well by the RRC with documentation approved by RRC transferring the plugged oil/gas well to be used for fresh water. In mid 2015 the District contacted the RRC. We submitted data for each well in an attempt to have the wells plugged with state funds from the abandoned well program. Once RRC went through the central records for each well location it was determined that only one well meet the standards to be plugged with state funds (attached RRC documents as Attachment B). In 2016 the District contacted Devon Energy who owned the surface location for wells H-36, H-37, H-38, H-39. Devon Energy submitted a recommended procedure to plug the wells on October of 2017. By the end of the year Devon had Sunset Well Service plug all 4 wells without any major issues and submitted the proper plugging reports to the District. The total cost for plugging all 4 wells came to \$371,000. CONCLUSION: The District has inventoried all the wells with historical and recent data. The District has documented 41 wells drilled as oil test wells in the 1930's and 40's. The wells are located in a 10 square mile area around Imperial, Texas. The District has been able to plug 5 of the 41 wells as of April 2018. One well was plugged in a partnership between the District and TxDOT has been unsuccessfully plugged and is presently a significant risk to public safety because of the growing sink hole on FM 1053. Four wells have been plugged with cooperation between the District and Devon Energy. There is a remaining 13 San Andres Limestone Flowing wells in the area. All of which have a significant impact to public health.

### **Frank Wissler**

I hold no hope that a commission that failed Texans so thoroughly during the recent ice storm will be able to adequately address this issue. Until this commission is overhauled Texas taxpayers are throwing good money after bad.

### **Michael Martin**

I urge the RRC to seek out ALL past owners/investors of ALL abandoned oil & gas wells (it is certainly all public/filing records), review their financials and require them to pay to clean up their polluting wells 100% to the satisfaction of the local health authorities. Why do the rest of us pay for their waste/pollution? This is not a business issue, it's a TEXAS PUBLIC HEALTH ISSUE and this business as usual practice in O&G of walking away with zero consequence is just wrong, professionally and morally. Thank you...

### **Tim Duda**

Strictly and consistently enforce regulations affecting Texas residents and the environment. The RRC must enforce health, safety and environmental standards for oil, gas and injection wells; pits; waste management; and geothermal wells. Thank you.

### **Cecilia Behgam**

"June 4, 2021 Dear Railroad Commission Representative, I live in Texas and I am writing to you because the Railroad Commission is seeking comments for the Annual Oil and Gas Division Monitoring and Enforcement Plan for Fiscal Year 2022 Draft. Comments are due by 5 p.m. on Thursday, June 10, 2021. As a member of the community, I want to ensure that our needs and concerns as impacted people will be registered by the Railroad Commission. However, all the information is in English. According to Title VI of the 1964 Civil Rights Act, residents who are not proficient in the English language have the right to request language accommodation to ensure equitable participation in the comment process period. I request that the information be provided in Spanish and that the comment deadline be extended. Please respond to this request within three days of the date of this letter. Cecilia Behgam 5700 Scuggs Way, Apt. 5321 Plano, TX 75024 972-922-9090"

### **Morita Bruce**

The introduction to this report says the goal is to "ensure public safety" and "minimize damage to the environment." These are indeed vital goals. However, an equally important goal is to "protect public health" and this goal should be added. Safety is not the same as health. To protect public health, it is necessary to prevent releases of methane into the air and benzene onto or into the ground. Likewise, the risk of induced earthquakes needs to be assessed (as our neighbors in Oklahoma have discovered). These must be evaluated and reported on as part of each inspection. Deliberate releases (flaring) of natural gas from oil and gas wells must cease. It wastes a valuable resource and harms health and the environment. This will support the Vision of promoting economic vitality and stewardship of natural resources. I'm quite familiar with hazard and risk analyses and believe your risk chart is a good one. But the Data tables on pages 17-19 need to be prioritized/grouped by the seriousness of the violation. I recommend the categories of: major violation; medium risk to safety, health, environment, or property; and minor risks that are corrected immediately. Brief descriptions are needed of what inspectors look for and how (On-site visual inspection? Drones? Air sampling equipment? Samples taken to a lab? Other?) I'm concerned about the capability of the hard-working inspectors to perform everything they are being tasked to do. There are only 170 of them for our entire state. On average, each inspector now: conducts 1,143 well level inspections inspects 902 "other oil and gas operating facilities" plugs and remediates 6 orphan wells oversees the owners' plugging of 38 wells deals with emergencies Even if we completely ignore emergencies and time-consuming well-plugging tasks, each well/facility inspection can only take one (1) hour on average. Is one hour really adequate time for travel, inspection, and documentation?

## Tara Jones

"Railroad Commission of Texas, Thank you for giving the public the opportunity to provide comment on the Annual Oil & Gas Division Monitoring and Enforcement Plan. After reading the current 2021 plan and the draft 2022 plan, it is very clear this plan is in place to highlight the importance of protecting the health and safety of the public and the environment. These vary issues are of utmost importance to members of the public as well as employees of the state of Texas that have experienced adverse health effects caused by operators in the industry in which you over see. These priorities need to be instilled in every RRC employee and emphasized by every manager to all of their subordinate's agency wide. This plan needs to be read by all agency employees annually and expectations set by managers on the procedures and protocols that are very clearly defined. Unless this document is fully understood by every employee in the agency, it is useless. Please see my comments below. Pg. 7-8 Inspections

Inspectors doing inspections and staff reviewing reports need to be educated and equipped with information and guidance as to what they need to be looking for. Checklists for onsite inspections need to be permit specific and contain every permit condition. Data Reviewers/Technical Permitters reviewing information contained in reports need to be properly trained and know all permit requirements so assure non-compliance issues are discovered and addressed promptly. When a member of the general public reports an emergency, just as this plan states, it needs to be responded to immediately. o 12-9-2020 at 8:44pm we made an emergency call to our district office because our family was experiencing ill effects by a RRC permitted facility. A return phone call wasn't received until 12-10-2020 at 9:14am and an inspection wasn't completed until 12-11-2020. This is an unacceptable response to an emergency and outside the guidelines within this plan. Pg. 10 Complaints As stated above, emergency complaints need to be taken seriously. The plan states ""Complaints involving an imminent threat to public health and safety or the environment are investigated immediately."" This is clearly not normal protocol as can be seen in our specific situation. Complainants should be informed of formal versus informal complaint options upfront. After hours complaints made by complainants, should at the very least, receive an immediate return phone call by RRC staff, not just communication with an uninformed answering service. o The oil and gas industry operates 24/7/365, so should this vital governing agency. Complainants should always receive written updates. o I had to call my district office on 1-11-2020 (over 1 month later) to ask what the findings were from our ""emergency complaint"" because there was no communication with us. Pg. 15 Goals

â€“ Action Item 3 â€“ ""Boots on the Ground"" appears to be weak and could use some beefing up. All employees including those with tenure need training and re-enforcement annually. o Every inspection and review of data by tenured RRC staff in our situation missed serious non-compliance issues over and over again starting on day one of the facility being operational. People in these positions need to be working for the safety of the general public and not the success of an operator. We experienced adverse health effects because of a deficiency in oversight. Pg. 28 Appendix D: Receiving Complaints

â€“ Every complaint made to the RRC should be assigned a complaint number and investigated accordingly, not just complaints that result in violations. If an inspection is completed as a result of a complaint, a complaint number needs to be assigned. All complaint numbers should be visible to the general public via the RRC website. Complaints should never be ""inadvertently neglected."" o I made a formal complaint via phone call and follow-up email with several permit non-compliance issues listed to my district office 4-13-2021 at 10:22am. I never received an update. I called my district office 5-12-2021 and was informed they didn't not have an update for me and would need to find out and get back with me. I didn't receive an update. On 5-19-2021 and 5-25-2021 I called Mr. Wang's office and left messages. On 5-25-2021 I received a call back by an Executive Assistant, she said she wasn't aware of the situation and would have to get more information and get back with me. I received a call back 6-1-2021 and was informed my complaint ""fell through the cracks."" I was told I would receive a response soon and my response was received 6-4-2021. Pg. 28 Appendix D: Complaint

Procedures – Subsequent Action & Pg. 31 Common Complaints – Jurisdiction- RRC staff needs to listen to complaints and look at the bigger picture when a complaint contains verbiage, such as "odor" that would toss it to a different agency to enforce. In our case because we used the word "odor", the RRC automatically took a hands-off approach. It is agreed that odors are within the jurisdiction of TCEQ, however, the waste itself that is causing these noxious odors are supposed to be under the complete jurisdiction of the RRC. We asked numerous times for the RRC to look into the waste because we felt there was something incredibly wrong with the waste. RRC staff continuously turned a blind eye and refused to look into what waste was actually being received and never looked at it to assure full compliance. If a big picture approach would have taken place instead of deflection, non-compliance can be discovered in a timely matter and members of the general public as well as employees of the state of Texas would not experience adverse health effects. In conclusion, we look forward to being able to openly communicate with the RRC to help make this agency and the oil and gas industry in Texas the best globally. I appreciate your time and for allowing the public to submit these comments. Thanks, Tara Jones "

### **Chuck Lesniak**

The draft plan says that in 2020 170 inspectors conducted over 347,000 inspections. This is over 2,000 inspections per inspector. Assuming 260 workdays per year, each inspector would have to average nearly 8 inspections per day every single day or nearly 1 per hour of every hour worked. This doesn't add up. The plan should make clear what counts as an inspection and how this number is calculated. Page 8 notes that inspectors are "responsible for" performance targets. What are those specific targets and is the quality of inspection included rather than just quantity of inspections? What are the penalties for not reaching the targets? The map on page 9 appears to show far more than 145,000 wells. Might this actually be a map of all wells in Texas instead of wells inspected? Why are the number of complaints resolved greater than the number received? The plan should track and report complaints and enforcement by company, including penalties assessed, and allow the public to see complaint and enforcement history of a company. These data should be reported in the plan. Suggest reporting in the plan inspection and enforcement data over a 10 year period so the public can see trends. The Oil and Gas Division should have a dedicated phone number and online capability to receive complaints and publicize this on the RRC main webpage and O&G Div webpage. There is no information on any TRRC webpage on how to submit a complaint or report a spill. A cynical reader might be led to believe the RRC doesn't want the public to report problems.

### **Camilla Ritchey**

Pivot to sustainable energy. Oil and gas are defending sunk costs to the detriment of Texas' environmental health.

### **Tulsi Oberbeck**

June 9, 2021 Mr. Danny Sorrels Oil and Gas Strategic Plan Comments/Oil and Gas Division Railroad Commission of Texas P.O. Box 12967 Austin, Texas 78711-2967 Re: Draft Oil and Gas Division Monitoring and Enforcement Plan Dear Mr. Sorrels: TXOGA appreciates the opportunity to submit comments regarding the draft Annual Oil and Gas Division Monitoring and Enforcement Plan. TXOGA is a non-profit corporation representing every sector of the oil and natural gas industry in the state of Texas. The membership of TXOGA produces in excess of 90 percent of Texas' crude oil and natural gas, operates over 80 percent of the state's refining capacity, and is responsible for the vast majority of the state's pipelines. In fiscal year 2020, the oil and natural gas industry provided more than 400,000 direct jobs and paid \$13.9 billion in state and local taxes and state royalties, funding our municipalities, public schools and universities, roads and first responders. In 2017, TXOGA supported H.B. 1818, 85th Legislature, Regular Session, 2017 which directed the Railroad Commission to develop an annual plan to

assess the most effective use of its limited resources to ensure public safety and protect the environment while encouraging development for the benefit of Texans. Our membership supports the draft Annual Oil and Gas Division Monitoring and Enforcement Plan and believes the plan defines and communicates the Oil and Gas Division's strategic priorities for its monitoring and enforcement efforts. Should you have any questions please do not hesitate to contact me at [toberbeck@txoga.org](mailto:toberbeck@txoga.org) or 512-478-6631. Sincerely, Tuls Oberbeck Director of Government & Regulatory Affairs

### **Linda L Hanratty**

"Thank you for allowing the public to comment on the subject plan. My comments are as follows: 1.

RRC has approximately 170 inspectors. Inspection goal is 345,00 wells and associated facilities. Estimating 240 person-years per inspector that translates into almost 8.5 inspectors per day. How thorough can the inspections be with so little time devoted to each inspection figuring in travel time? 2. The plan shows that in fiscal year 2020, there were 413 complaints of which 512 were resolved. How can more complaints be resolved than made? 3. According to the plan, most enforcement is handled at the district office. When we recently traveled through the Permian Basin, the stench of the oil wells was ever-present and air pollution had drifted as far as the McDonald Observatory outside Fort Davis. Either the enforcement methods are not working or our laws are insufficient to protect the air quality and health of Texas residents. Methane is a large portion of the pollution, and it is a powerful greenhouse gas that is exacerbating global climate change. 4. The self-audits would appear to be get-out-of-jail-free cards. 5. The modernization of technology infrastructure is laudable, however, a timeframe for this modernization should be provided in the plan. 6. Staff training is important, but with so few inspectors, that means requiring even more inspections per day. 7. The listing of violations by state-wide rules should explain each violation type in plain English so the violations are understandable and the public is informed of the problems that exist. "

### **Charles E. Morgan**

"TEXAS RAILROAD COMMISSION Oil and Gas Strategic Plan Comments For Fiscal Year 2022 Public Comments by Charles E. Morgan. P.E. Citizens for Environmental Clean "Up (CEC) I will introduce a new issue that the Legislature requires must be addressed and is assigned to the Texas Railroad Commission: Public Safety and Protection of the Environment. Since the Railroad Commission (RRC) currently regulates oil and gas operations and drilling as well as facilities, pipelines and equipment appurtenant to pipelines, we request the RRC Commission provide within the plan a section that addresses public safety and protection of the environment as stated in HB 1818.a. Since these oil and gas facilities are generating severe and dangerous noise, we must implement rules to protect our citizens. Include regulation of noise emitted by oil and gas operations and facilities in the annual plan as directed. The Need: Although the U.S. Environmental Protection Agency (USEPA) was tasked by a federal law in 1972 to develop noise control parameters, no one is regulating noise in unincorporated areas of the States because the federal authority was delegated to cities and states in 1982. Only six states picked up that authority. Texas was not one of them. Cities have noise authority within their boundaries. But Low Frequency Noise (LFN) travels five to eight miles and into cities thus affecting city residents as well as people residing in the counties. The Problem: Our people are dying, our bodies damaged while in the womb till we reach the tomb. Fort Worth, Texas has numerous babies with brain damage while in the womb as well as low birth weight. There are 4,200 gas wells in Tarrant County having a gas compressor station for every 42 gas wells on average. Our children are being affected while just living within their homes. Two children and their father living near my home in Freestone County, Texas had their ear drums ruptured about the same time mine were ruptured. I was diagnosed with brain damage in 2007 after three days of severe LFN in my home caused by a nearby (0.9 miles distant) gas compressor station with eleven, 1,340 horsepower compressors. There are 130 gas compressor

stations within Freestone County supporting 3,058 gas wells. Four adults in Freestone County have been killed by the LFN. Noise meter readings at their homes varied from 85 decibels (dBC, Environmental Scale) to 101 dBC. The EPA limits are 55 dBA, hearing range scale. In the low frequency range (below 500 cycles per second) the intensity of noise doubles for every three decibel increase. The limit is 30dBC for Low Frequency Noise. Noise effects are not just to our hearing. It is a whole body pathology according to the Human Development Center in Lisbon, Portugal. They named the noise effects Vibro Acoustic Disease (VAD). The symptoms are numerous. Each of our body systems operate at a different low frequency. When the body system low frequency noise limits are exceeded, bad things happen. In January 6, 2021, the loud LFN at my home forced me to go to the hospital. A mini-stroke was diagnosed. For months, I could barely speak intelligently, walking was difficult, no driving. We estimate 2,314,304 persons are being affected in the 27 Texas counties having more than 1,000 gas wells each. Eighty percent of our 254 counties in Texas have gas wells and compressors. We must protect our citizens of Texas by regulating the noise in all areas of the state. This has been assigned to the RRC since the oil and gas facilities generate the LFN. Reference: HB 1818 a. Thank you for the opportunity to present these comments. Attachments: 1. Vibro Acoustic Disease: The need for a new attitude toward noise 2. Low Frequency Noise Limits, Testing Parameters and Health Effects, July 2012 3. Texas counties with 1,000 or more Gas Wells 4. Picture of Compressor Station Site 5. Map of Freestone County Compressor Stations in 2013 6. Twelfth International Congress on Sound and Vibration " Paper 584 I agree to have these comments released to the public. Charles E. Morgan, P.E., Inactive; Major, USAF, Retired Executive Director, Citizens for Environmental Clean-Up 609 E. FM 489 Buffalo, Texas 75831 Page 2 "

### **Molly Rooke**

The RRC needs more inspectors, more monitoring and inspections (at least every 2 years), bigger penalties for non-compliance, more opportunities for stakeholder input from the general public, and more money collected from operators to plug orphaned wells on a timely basis



June 10, 2021

Oil and Gas Strategic Plan Comments/Oil and Gas Division  
Railroad Commission of Texas  
P.O. Box 12967  
Austin, Texas 78711-2967

**Re: Comments on the 2022 Annual Oil and Gas Monitoring and Enforcement Plan**

Dear Commissioners:

Lower Brazos Riverwatch appreciates the opportunity to provide the following comments on the 2022 Annual Oil and Gas Monitoring and Enforcement Plan.

*Introduction*

These comments are being submitted on behalf of Lower Brazos Riverwatch. Lower Brazos Riverwatch is 501 (c) (3) river protection organization formed to protect water quality, riparian habitats and river access on the Brazos River, from Waco to the Gulf of Mexico.

In our capacity as river stewards we regularly see the entire 425 river miles below Waco. In doing so, we frequently encounter impacts to the river from active and inactive oil and gas facilities. These impacts include overturned and leaking tanks, exposed and seeping well casings, abandoned drilling pits eroding into the river, exposed and leaking field lines, and general oilfield debris dumped into the river.

These impacts result in direct discharge of hydrocarbon material, heavy metals, and other oilfield chemistry to the surface waters of the state. The dumping of large debris also frequently poses a hazard to recreational users of the river.

Our experience with reporting observed problems to the Commission staff is uneven at best. Usually, there is some initial interest and response, typically contacting the operator, and then very little follow up. We have situations under observation where dangerous wells have been





brought to the attention of the commission and over two years later they remain unaddressed. Seeing enforcement actions through to a final conclusion should be an enforcement priority.

While most operators are responsible, to far too great a degree, out of sight is out of out of mind. The less accessible portions of our Texas Rivers are used by the industry as a convenient disposal location for anything they find no longer useful. It is, frankly, a disgrace to the State of Texas.

### *General Comments*

Lower Brazos Riverwatch formally requests that a public hearing be held specifically on this Monitoring and Enforcement Plan. While we appreciate the opportunity to provide comments in writing, many affected parties, particularly impacted land owners are not going to be heard. This is too important to limit participation.

Lower Brazos Riverwatch requests that the Commission rerelease the public notice and the Monitoring and Enforcement Plan in Spanish. Many of the impacted landowners and other affected parties speak primarily Spanish in the home and should be accommodated. Clear instructions for those requiring access in other languages should also be provided.

### *Specific Comments*

Lower Brazos Riverwatch is limiting its specific comments to those aspects of the plan relevant to our interests in the rivers of Texas.

We have observed that impacts to the river and floodplain occur at least as frequently from inactive or abandoned facilities as from active facilities. The Railroad Commission should give equal priority to inspecting inactive and abandoned facilities, particularly in the floodplains and floodways of rivers.

In discussions with landowners along the river we have observed a repeated pattern in the transfer of producing properties from one operator to another. As the property's production diminishes, the producing assets are transferred to ever smaller operators. The majority of the wells that are not producing are economically are considered to be inactive rather than closed



and are not plugged and abandoned, but rather continue to transfer until ultimately, the last operator simply turns off the equipment and disappears, leaving the wells as orphans. The Railroad Commission needs to set a time for which a well can be considered inactive. We would propose ten years. After that the operator needs to either demonstrate that the well is in fact capable of producing or move immediately to plug and abandon. This should be an enforcement priority.

While this is primarily a policy issue, the transfer of environmental liability in the oil field without remediation, should not be allowed. Operators should be required to post a surface damage bond as well as a well plugging bond. The current manner of doing business is a fraud on the surface rights owner, contrary to basic principles of environmental law and leaves us all holding the bag.

All oil and gas facilities situated in the floodway or hundred-year flood plain of any Navigable Water of the State of Texas, need to be inspected annually. Any required remediation needs to be on an accelerated schedule to prevent contamination from entering the waters. Having experienced four 100 year floods in a two year period on the river, it is apparent that every five years is not sufficiently frequent for facilities in these areas. Having watched the results of flooded facilities, our preferred position is that oil and gas facilities should not be permitted in the floodways of Navigable Waters of the State of Texas, and those in the 100 year floodplain should be protected against inundation.

In the event of a flood event, all oil and gas facilities in the affected floodway and floodplain should be inspected by air, as soon as weather conditions permit and by field inspectors as soon as the flood flows subside. In many cases, the released material has left the releasing facility before any inspection can occur, and is contaminating downstream properties.

Lower Brazos Riverwatch believes that the floodplains and floodways of the Navigable Waters of the State of Texas and the rivers themselves meet the definition of a Sensitive Area as defined in 16 TAC § 3.91 (a) (2). Since our observation is that impacts to these Sensitive Areas are occurring constantly, we disagree with the Commission's determination that as a risk factor proximity to a Sensitive Area has only medium possibility of occurrence. We believe a more



accurate characterization would be that the both the impact and possibility should be considered high. We also believe that given the other factors, such as erosion and flooding that impact facilities in these areas that Proximity to Public or Sensitive Areas should move up on the priority order, replacing Length of Time Since Last Inspection as the number two priority.

While we recognize that the Commission's authority over pipelines is limited, it is our understanding that they do have authority over pipeline safety on those oil and gas pipelines not regulated by the USDOT Office of Pipeline Safety. Safety inspection of field lines, gathering lines and intrastate pipelines used to transport oil and gas needs to be a Monitoring and Enforcement priority. On our river alone there are hundreds of exposed and damaged pipelines associated with oil and gas fields. An exposed pipeline in a lotic system is a safety issue. These lines are frequently broken during flood events releasing material and are often left exposed in the rivers creating potentially life threatening hazards to recreational users, livestock and wildlife.

### *Closing*

We appreciate the opportunity to submit these comments on the 2022 Annual Oil and Gas Division Monitoring and Enforcement Plan. We will provide a hard copy by mail to the address provided.

Sincerely,

Lower Brazos Riverwatch

Bruce R. Bodson, J.D.

President/Executive Director

## **RRC Testimony -- Draft Monitoring and Enforcement Plan**

Good morning Commissioners, and thank you for having me. My name is Emma Pabst and I am a Campaign Representative with the Sierra Club -- a national, non-profit organization that functions as one of the largest member-based public interest groups in the nation. Here in Texas alone, our organization has approximately 29,000 members, and it is on their behalf that I offer the following comments on your agency's draft Monitoring and Enforcement Plan for Fiscal Year 2022.

From demonstrating the Commission's track record on monitoring and enforcement, to planning for safe and effective allocation of regulatory resources, the goals of the draft monitoring and enforcement plan are admirable, and we, the Sierra Club, support them in full. In order to ensure that the current plan is able to achieve these objectives, we urge the Commission to pursue three primary improvements to the current draft:

- (1) To aim higher on monitoring, inspections, and enforcement efforts
- (2) To increase data transparency and stakeholder engagement
- (3) To address additional issues as introduced by the Texas Legislature this session

Firstly, in order to discourage repeat violations and to protect the state's natural resources and environment, the Commission should inspect wells more frequently, levy higher penalties against violators, and increase minimum fines for administrative penalties. In a state like Texas, with hundreds of thousands of oil and gas wells spread out over 268,000 square miles, it can be difficult to enforce the law. Renewed monitoring efforts can help. By raising the well inspections goal from 90 thousand to 100 thousand, we can encourage operators to proactively comply. Furthermore, the use of efficient and consistent penalties play a key role in deterring and punishing violators. By levying higher penalties, the Railroad Commission can encourage fair competition among the industry, while disincentivizing dangerous operations.

Secondly, in order to increase transparency and stakeholder engagement at the agency, the Commission should publish historical data on the metrics covered by the plan, as well as create additional outreach strategies to educate and engage the public. Since redesigning the website, key historical data regarding monitoring, enforcement, and complaints has disappeared. To ensure effective public participation in this and other processes, that information should be republished in the draft plan, and made available online once again. Furthermore, like TCEQ, the Commission should also make comments and complaints available online as well as clearly define the process by which public feedback factors into the draft plan and other enforcement efforts. This can help build trust and engagement with the agency.

Third and finally, to honor the nearly 200 Texans who lost their lives as a result of the February freeze, the Commission should address the changes called for by the Texas Legislature's SB3, SB1, and HB 3973 as part of the draft monitoring and enforcement plan.

To provide more information on these suggestions, the Sierra Club has submitted more detailed comments to the RRC. By improving this plan and increasing enforcement and monitoring

efforts across the state, you can each help to steward the land we stand on and create a safer, healthier Texas for all of us. Thank you.

## Notes on Rebecca's Comments

1. The Railroad Commission should set more aggressive goals for the number of inspections conducted during the year.
  - a. Goal for 2022 is 90,000 wells, but goal for 2021 was 100,000 wells.  
Why lower it?
  - b. Once every five years is too low. Do it every 3 years instead.  
Drones enable you to do that.
  - c. Hire more inspectors to get that done
  
2. The Railroad Commission should provide more disaggregated data available to the public, including data on major violations, comments, and flaring. (More detailed enforcement data is available and should be made available both in the Annual Monitoring and Enforcement Plan and available online to the public)
  - a. Basic aggregated data on enforcement has disappeared from the RRC website for previous years, and it's not available in the FY 2022 Annual Oil and Gas Division Monitoring and Enforcement Plan either
  - b. This frustrates public participation in regards to this plan as well as public participation, access and transparency on RRC monitoring and enforcement overall
  - c. Lacks data on repeat major violators for previous years (and has no other data about non major repeat violations)
  - d. "As required by the Texas Natural Resources Code, the Commission is required to show the oil and gas monitoring and enforcement activities over time.<sup>6</sup> However, the draft plan, as well as the plans from previous years, only shows monitoring and enforcement data for the previous fiscal year."
  - e. Plan should include more detailed information on complaints and the complaint resolution process including the number of complaints received, complaints resolved, total penalties levied per violation and violation type, and repeat violations going back seven years
  - f. RRC doesn't publish complaints to the website, either. At a minimum they should include complaint totals per district, number of formal and informal complaints, and information on complaint resolution.

- g. Also, we need more data on monitoring and enforcement for flaring
3. The Railroad Commission should include plans to update the minimum penalties for violations.
    - a. The high number of violations related to prohibited disposal methods into watercourses and drainage ways, failure to plug, and to report the location and existence of infrastructure, makes obvious that penalties are too low to ensure compliance and deter future lawbreakers
    - b. RRC should increase the minimum fines for administrative penalties
  4. The Railroad Commission should provide more comprehensive outreach to Limited English Proficiency populations.
    - a. TCEQ does it -- why not you?
    - b. Takes the form of translated regulatory guidance publications, translated web pages, and guidance on how to submit complaints, problems, and participate in the environmental permitting process
    - c. Texas has an LEP population of 14 percent -- as high as 36% in counties in Eagle Ford shale region
  5. The Railroad Commission should provide more stakeholder outreach opportunities.
    - a. Your "engagement and outreach" is all directed toward the industry. Not the people.
    - b. The people need information about how to file complaints, what the RRC does, and how else they can engage
    - c. There should also be a clear process for how public input will be considered and incorporated into the plan
    - d. You should also make comments about the plan available to the public
  6. More drone data should be collected and provided to the public in the annual draft plan on this type of inspection method, including number and type of site inspected by drone, percent of drone inspections resulting in violations, and data collected via drone versus on-site inspector collection.
  7. The Railroad Commission should address additional issues introduced by

the Texas legislature this year into the plan.

- a. map the gas supply infrastructure, and eventually to develop weatherization standards for critical infrastructure necessary for that gas supply network (SB3)
- b. study the issue of abandoned oil and gas well in the state and the use of the oil and gas regulation and cleanup fund in the effort to enforce and plug abandoned wells (SB 1 aka the budget bill + HB 3973)
- c. RRC should acknowledge these new issues in the strategic plan, or at least preview them as work to future strategic plans





EXPLORE, ENJOY, AND PROTECT THE PLANET.



June 7, 2021

Oil and Gas Strategic Plan Comments  
Oil and Gas Division  
Railroad Commission of Texas  
P.O. Box 12967  
Austin, Texas 78711-2967

Dear Commissioners:

On behalf of the Sierra Club and Lone Star Chapter of the Sierra Club, with its approximate 29,000 members in Texas, we offer these comments on the Texas Railroad Commission's draft *Annual Oil and Gas Division Monitoring and Enforcement Plan for the 2022 Fiscal Year*.

While we agree with the two basic goals of this plan, "to accurately demonstrate the Commission's oil and gas monitoring and enforcement activities; and to strategically use the oil and gas monitoring and enforcement resources of the Commission to ensure public safety and environmental protection," we do not believe that the current draft plan effectively ensures that these goals are met. We therefore offer the following comments to identify areas in which the monitoring and enforcement goals could be improved, ensure compliance with the applicable state and federal laws, and meet the Commission's obligation to protect the public health, safety and welfare.

**I. The Railroad Commission should set more aggressive goals for the number of inspections conducted during the year.**

The Railroad Commission ("RRC") reports in the draft *Annual Oil and Gas Division Monitoring and Enforcement Plan for the 2022 Fiscal Year* ("draft plan") that, "[t]he Commission will inspect at least 90,000 wells during fiscal year 2022 to meet the performance target for inspection frequency. With all the oil and gas wells in Texas inspected within the previous five years by the conclusion of fiscal year 2021, in fiscal year 2022 the Commission will return to those wells inspected earlier in the five year cycle."<sup>1</sup>

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<sup>1</sup> Draft *Annual Oil and Gas Division Monitoring and Enforcement Plan for the 2022 Fiscal Year*, pg. 14, <https://www.rrc.texas.gov/media/ve3ohr04/og-s-plan-fy-2022-draft.pdf> [hereinafter Draft Plan].

While there have been improvements made over the last decade to increase the number of inspectors and inspections, that growth is not shown in the inspection goals in the FY 2022 Plan. In the Fiscal Year 2021 *Annual Oil and Gas Division Monitoring and Enforcement Plan*, the RRC's annual well inspection goal was 100,000 wells, ten percent more than the number planned for Fiscal Year 2022.<sup>2</sup> While the RRC has exceeded the well inspection goals in previous years, lowering the baseline goal is counter to the goal of inspecting each well and facility regularly.

Additionally, inspecting onshore wells and facilities only once every five years is too low of a goal for the Commission, even if the Commission anticipates exceeding this goal. The RRC should commit to conducting a more robust inspection regime, such as inspecting wells *at least* once every three years. With the addition of new technologies, like the drone usage discussed in Section VI of these comments, more inspections should be able to occur annually. If, in addition to these new resources, the current staff level of 173 inspectors is too low to meet this goal, the RRC should request an increase in its annual budget to hire more inspectors to meet this schedule. Despite the increase in oil and gas infrastructure regulated by the RRC within the last several years, the number of inspectors employed by the RRC has remained roughly the same.<sup>3</sup>

**II. The Railroad Commission should provide more disaggregated data available to the public, including data on major violations, comments, and flaring.**

More detailed enforcement data is available and should be made available both in the *Annual Monitoring and Enforcement Plan* and available online to the public. Basic aggregated data on enforcement has disappeared from the RRC website, and the agency has insufficient disaggregated data in the FY 2022 *Annual Oil and Gas Division Monitoring and Enforcement Plan*. This frustrates public participation in regards to this plan as well as public participation, access and transparency on RCC monitoring and enforcement overall.

The draft plan does not provide sufficient information on violations that occurred the previous year nor in the preceding years. For example, the draft plan states that the Commission did not identify any repeat major violations during fiscal year 2020.<sup>4</sup> However, no information on repeat major violations prior to 2020 is included. Appendix B of the draft plan defines a Major Violation to be one in which there is “a safety or pollution related violation that causes a significant impact to

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<sup>2</sup> *Annual Oil and Gas Division Monitoring and Enforcement Plan for Fiscal Year 2021*, pg. 14-15, <https://www.rrc.texas.gov/media/k1sdgewz/og-s-plan-fy-2021.pdf>.

<sup>3</sup> Draft Plan, pg. 7.

<sup>4</sup> Draft Plan, pg. 19.

public safety and/or the environment, is accompanied by conditions that indicate a significant impact to public safety and/or the environment is imminent, or is the result of deliberate disregard of Commission rules and regulations related to public safety or environmental protection.”<sup>5</sup> Given the severity of what is considered a major violation (e.g., drilling a well without a permit, surface management of waste without a permit, operation of a disposal or fluid injection well without a permit, etc.), more comprehensive data should be provided to the public on repeated major violations within the past seven years, rather than just the preceding year. As required by the Texas Natural Resources Code, the Commission is required to show the oil and gas monitoring and enforcement activities over time.<sup>6</sup> However, the draft plan, as well as the plans from previous years, only shows monitoring and enforcement data for the previous fiscal year.

The plan should include more detailed information on complaints and the complaint resolution process. This would include data such as the number of complaints received, complaints resolved, total penalties levied per violation and violation type, and repeat violations going back seven years. The draft plan only includes the number of oil and gas complaints received and the number of oil and gas complaints resolved within the last year, which in 2020 was between 500 and 600.<sup>7</sup> The RRC Complaint webpage is also similarly lacking in information. Unlike the TCEQ, which logs complaints and publishes them anonymously, the RRC handles complaints at the field office level. Appendix D outlines the complaint procedures, but little actual information or data within the draft plan is focused on complaints. With 12 oil & gas office locations throughout the state and no online database of complaints available to the public, the complaint process lacks transparency. The RRC needs to include more detailed complaint data within the draft plan at a minimum, including complaint totals per district, number of formal and informal complaints, and information on complaint resolution.

Finally, the RRC should consider updating and improving inspections and policy around flaring. A trillion cubic feet of natural gas in the Texas Permian Basin has been flared since 2013.<sup>8</sup> Flaring will likely rise during FY 2022 as the industry recovers to pre-pandemic levels. A recent report commissioned by the Environmental Defense Fund indicates that it is likely that flaring will

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<sup>5</sup> Draft Plan, pg. 23.

<sup>6</sup> Texas Natural Resource Code, Sec. 81.066(c).

<sup>7</sup> Draft Plan, pg. 10.

<sup>8</sup> *Natural Gas Gross Withdrawals and Production*, U.S. Energy Info. Admin., [https://www.eia.gov/dnav/ng/ng\\_prod\\_sum\\_a\\_EPG0\\_VGV\\_mmcf\\_a.htm](https://www.eia.gov/dnav/ng/ng_prod_sum_a_EPG0_VGV_mmcf_a.htm).

return to pre-pandemic levels by 2025 as drilling and production resumes.<sup>9</sup> While the RRC has taken steps over the last year to better regulate flaring, those steps are very recent with no data available on impacts to flaring levels in the state as a result of these changes.<sup>10</sup> The RRC should include data outlining monitoring and enforcement strategy for flaring within Texas, as well as further goals and actions that the Commission will undertake to regulate flaring.

### **III. The Railroad Commission should include plans to update the minimum penalties for violations.**

In addition to more comprehensive data, the draft plan should encourage the Commission to review and update the RRC's penalty matrix, and other aspects of the RRC's Statewide Rule 107, Penalty Guidelines for Oil and Gas Violations.<sup>11</sup> With regards to penalties, the RRC should increase its penalty matrix so that fines and penalties incentivize polluters to update and maintain their facilities.

The draft plan outlines the number of violations during the 2020 Fiscal Year, per rule by subsection.<sup>12</sup> From reviewing the high number of violations related to prohibited disposal methods into watercourses and drainage ways, failure to plug, and to report the location and existence of infrastructure, it seems obvious that penalties are too low to deter violations. Simply put, the Commission's penalties for pollution violations are far too small to ensure compliance and deterrence of future lawbreakers. Small fines for operating without a permit, for example, means it becomes part of the cost of business for oil and gas companies, and it is time to revise the level of fines both at the Commission, and at the Texas Legislature, which should raise the maximum penalties—last adjusted in 1983 — from \$10,000 to \$25,000.

Legislation filed in both the Texas Senate (SB 1516) and House (HB 1043) has sought to address this issue. We call on the RRC to take similar steps to those outlined in the legislation to increase the minimum level of administrative penalties that may be imposed by the RRC for various

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<sup>9</sup> *New report: Routine flaring in Texas' Permian can be eliminated at little to no cost*, Environmental Defense Fund (Jan. 26, 2021), <https://blogs.edf.org/energyexchange/2021/01/26/new-report-routine-flaring-in-texas-permian-can-be-eliminated-at-little-to-no-cost/>.

<sup>10</sup> *Texas oil regulator acts to reduce gas flaring with new rules and incentives*, World Oil (Nov. 11, 2020), <https://www.worldoil.com/news/2020/11/9/texas-oil-regulator-acts-to-reduce-gas-flaring-with-new-rules-and-incentives>.

<sup>11</sup> 16 Texas Admin. Code § 3.107

<sup>12</sup> *Table 3*, Draft Plan, pg. 17.

permit violations. The Commission should address this as part of this annual report, and set a goal to review its penalty matrix and consider updates through a public process.

**IV. The Railroad Commission should provide more comprehensive outreach to Limited English Proficiency populations.**

The draft plan and outreach by the Texas Railroad Commission needs to address the existence and needs of Limited English Proficiency (LEP) populations within Texas. A Limited English Proficient (LEP) individual is someone who does not speak English as their primary language and who has a limited ability to read, speak, write, or understand English.<sup>13</sup> Other agencies within Texas, like the Texas Commission on Environmental Quality, include alternate language resources for LEP individuals including translated regulatory guidance publications, translated webpages, and guidance on how to submit complaints, problems, and participate in the environmental permitting process.<sup>14</sup>

This is particularly important because Texas has an LEP population of 14 percent.<sup>15</sup> Some regions of the state directly impacted by oil and natural gas extraction, such as the counties in the Eagle Ford shale region of South Texas, have significantly higher LEP populations, with percentages as high as 36 percent.<sup>16</sup> Providing this plan in an accessible format, such as offering the plan and other RRC data in Spanish, would enable LEP individuals an opportunity to stay informed of RRC enforcement and monitoring strategy, as well as create an opportunity for more meaningful engagement.

**V. The Railroad Commission should provide more stakeholder outreach opportunities.**

More opportunities for stakeholder engagement, both with regard to this plan as well as for general matters, should be provided by the RRC. While the draft plan outlines educational opportunities for industry operators about Commission rules and processes, including presentations at industry events and regulatory forums, the stakeholder participation process is almost entirely digital and only focused on publication of this draft plan, as required by the 85<sup>th</sup> Legislature House Bill 1818. Additional forums and meetings should be directed towards stakeholders impacted by the oil and gas industry, including educational opportunities on how to file complaints, the role of the

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<sup>13</sup> *Limited English Proficiency (LEP)*, TxDOT.gov, [https://ftp.txdot.gov/pub/txdot-info/ocr/title\\_vi/lep.pdf](https://ftp.txdot.gov/pub/txdot-info/ocr/title_vi/lep.pdf).

<sup>14</sup> Information Available in Spanish, TCEQ, [https://www.tceq.texas.gov/en\\_espanol/index\\_english.html](https://www.tceq.texas.gov/en_espanol/index_english.html).

<sup>15</sup> EPA, Environmental Justice Screening and Mapping Tool, Version 2019, <https://ejscreen.epa.gov/mapper/>.

<sup>16</sup> *Id.*

Railroad Commission as a regulatory authority in Texas, and further opportunities for stakeholder engagement.

Furthermore, the RRC should provide information on how the draft plan is created and public comments considered and implemented into the annual plan. As required by HB 1818, the Oil and Gas Division Monitoring and Enforcement Strategic Plan requires the RRC to “seek input from stakeholders when developing each annual plan.”<sup>17</sup> However, there is no publicly available information that outlines how the RRC incorporates stakeholder comments, suggestions, and critiques from the draft plan into the final plan. Given that the window between the deadline for comments, June 10<sup>th</sup>, and the date that the RRC must publish the final plan, July 1<sup>st</sup>, is less than three weeks, the RRC should outline how comments from stakeholders is incorporated into the final plan. Additionally, the RRC should make available the comments submitted on the draft plan or outline the content of submitted comments, rather than simply listing the number of comments received within the final plan.

**VI. The Railroad Commission should further implement new technology when monitoring wells and facilities.**

The Sierra Club is supportive of the action items mentioned in the report that implement new technology, such as drones, to assess leaks and spills. As outlined in Goal 2, Action Item 2, the RRC has increasingly been using drones “to ensure public safety and protect the environment by allowing inspectors virtual access to areas that are harder to reach in person, including remote sites, areas with rugged terrain, or bodies of water.”<sup>18</sup> This program has already seen success in the field since the program’s implementation.

Given that this plan was created due to a directive by the Texas Legislature “to assess the most effective use of [the Railroad Commission’s] limited resources,” this technology is an ideal method of increasing effective monitoring at large or hard to reach locations. The use of drones for visual inspections of leaks and spills, as well as evaluating emergency situations, should be further implemented within the RRC monitoring program. However, more data should be collected and provided to the public in the annual draft plan on this type of inspection method, including number and type of site inspected by drone, percent of drone inspections resulting in violations, and data collected via drone versus on-site inspector collection.

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<sup>17</sup> Texas Natural Resource Code, Sec. 81.066.

<sup>18</sup> Draft Plan, pg. 14.

**VII. The Railroad Commission should address additional issues introduced by the Texas legislature this year into the plan.**

During the 87th Legislative session, several enforcement issues were brought up that could be added to the plan. First, as part of SB 3, the major Uri storm bill, the RRC will be part of important committees to map the gas supply infrastructure, and eventually to develop weatherization standards for critical infrastructure necessary for that gas supply network. Secondly, the RRC is being asked as part of SB 1 — the budget bill — and as part of separate legislation (HB 3973) to be involved in studying the issue of abandoned oil and gas well in the state and the use of the oil and gas regulation and cleanup fund in the effort to enforce and plug abandoned wells. The RRC should acknowledge these new issues in the strategic plan, or at least preview them as work to future strategic plans.

**VIII. Conclusion**

We thank you for the opportunity to submit comments on the Railroad Commission draft *Annual Oil and Gas Division Monitoring and Enforcement Plan for Fiscal Year 2022*, and welcome the opportunity to discuss these comments, as well as participate in public engagement opportunities, such as public hearings focused on this plan. If you would like to discuss the matters herein or have any questions please do not hesitate to contact me at the information provided below.

Respectfully submitted June 7, 2021.



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June 10, 2021

Railroad Commission of Texas  
Oil and Gas Division  
1701 N. Congress  
Austin, Texas 78701

Dear Railroad Commission Staff,

Thank you for the opportunity to submit comments on the Draft Oil and Gas Division Monitoring and Enforcement Plan for FY 2022 (“the plan”). We are pleased to see the Railroad Commission (RRC) continuing to fulfill its statutory charge to develop an annual plan for monitoring and enforcement.

Commission Shift is a new nonprofit in Texas with a goal of reforming oil and gas oversight in Texas. Our vision is to see the Railroad Commission become the most rigorous and advanced oil and gas regulatory body in the world.

Texas produces more than 40% of U.S. oil, contributing to our nation’s rank as the world’s largest oil producer. Our state’s primary oil and gas oversight body deserves to be well-resourced to carry out its mission.

In this spirit we are providing detailed comments on the plan following the sequence of the sections of the report. Commission Shift consulted with community members who have been impacted by oil and gas development and have had interactions with the RRC throughout complaint, investigation, and/or enforcement processes. In these comments, we have included a number of requests for clarification, proposals for the RRC to consider including in the plan, and descriptions of issues community members have shared with us.

Commission Shift appreciates the diligent and detailed work of RRC staff in preparing the report and carrying out the enormous task of monitoring and enforcement on Texas’ large population of oil and gas wells, facilities, and pipelines. Additionally, although the scope of this plan only includes the Oil and Gas Division, we propose that the RRC consider developing an annual monitoring and enforcement plan pertaining to the pipeline safety and gas services divisions in future years.

We hope that these comments provide helpful and informative insight toward accomplishing the goals of the plan and improving on the RRC’s delivery of its mission.

Sincerely,

Virginia E. Palacios  
Executive Director  
Commission Shift



## I. MONITORING AND ENFORCEMENT OVERVIEW

### I.a ORGANIZATION

- Please include maps of the ten district offices and the three regional districts in the plan.

### I.b KEY REGULATORY COMPLIANCE MECHANISMS

- Please provide a definition of “common principals’ authority” in the text.
- Please describe the methods the RRC uses to track principals of multiple companies, and to verify that non-compliant principals remain barred from renewal for seven years.

### I.c INSPECTIONS

- The number of staff conducting inspections is low compared to the number of wells the state is responsible for overseeing. RRC should consider developing a plan for increasing its capacity to conduct thorough and systematic inspections on each well once per year.
- It is great to see that the RRC has increased the percent of wells and facilities inspected in FY 2020. These data would be more meaningful if the RRC provided a uniform public database demonstrating each aspect of a facility that was reviewed by an inspector, and how it was graded, so that the public can be sure that these inspections were not merely “drive-by” but were following consistent procedures and protocols and were designed to identify potential non-compliance.
- Please report the total number of inspections with additional information identifying the number of unique wells inspected, whether the wells were active, shut-in, inactive and unplugged, orphaned and unplugged, or plugged. For other facilities, provide the number of unique facilities inspected by type of facility (e.g. well, waste disposal facility, gathering), and whether the facility is currently in use or abandoned.
- Did the pandemic affect the number of inspections in FY 2020? Would there have been more inspections if the pandemic had not occurred?
- The legislative target of inspecting 189,000 wells and other facilities is too low considering the improvement in last year’s performance. The goal should be higher in the next biennium.
- Commission Shift proposes that the RRC set a goal to inspect each at least once every year and construct a plan for detailing what resources would be needed to achieve this goal, and potential forms of revenue to serve those resources.
- Please link to the PDF of “Standard Operating Guidelines: Job Priorities for Field Inspectors.”
- Please provide a table listing the total number of wells in the state by category at the end of the Fiscal Year (active, shut-in, inactive and unplugged, orphaned and unplugged, or plugged).
- Is the ICE database publicly accessible? If so, please provide a link to the ICE system database in the plan. If not, the plan should discuss next steps to making the ICE database publicly accessible by FY 2022.
- Commission Shift recommends the RRC develop protocols for informing the community of violations, particularly those that present a potential threat to health or safety. Additionally, there should be a process for collecting community input. Community members have reported only finding out about violations if they were the individual who filed a formal complaint, but that they have been in the dark when their neighbors file complaints about violations that may also affect their health.
- A recent case involving Blackhorn Environmental waste disposal facility in Jim Wells County revealed that the facility had been accepting waste that did not meet the categories of waste

allowed in its permit. We recommend the RRC develop a way to efficiently cross-check waste manifests against permits so that this type of non-compliance is detected sooner.

#### I.d AUDIT PRIVILEGE ACT

- Please explain what mechanisms are in place to ensure that operators are not abusing the Audit Privilege Act. For example, intentionally failing to plan for compliance and then using the audit privilege act retrospectively to avoid penalization.

#### I.e COMPLAINTS

- Provide a link to the Commission's website where it provides information on how to file a complaint.
- The Commission's webpage <<https://www.rrc.state.tx.us/oil-and-gas/o-g-complaints/>> regarding complaints related to the oil and gas division needs improvement. First, the page does a better job of explaining what the Railroad Commission does not have jurisdiction over than what it does. Areas under the Railroad Commission's authority, including groundwater contamination, should be clearly described on the page without having to go to another link.
- It is not easy for members of the public to readily assess which district office they should call to file a complaint. There should be one phone number complainants can call to initiate a complaint.
- The Oil and Gas Division should provide an online customer complaint form, as does the Gas Services Division <<https://rrc.texas.gov/gas-services/complaint-filing/customer-complaint/>>.
- Information on how to file a complaint should be provided in Spanish, and language accommodation information should be made available on the RRC website in multiple languages.
- The Railroad Commission should have access to a professional translation service that it can use to provide language accommodation. "Microsoft Translate" or other digital translation services are not an acceptable form of language accommodation as these services may not properly translate the meaning of technical terms often used by the Railroad Commission.
- The draft plan states that "the public is encouraged to report problems or concerns" but it is not visible how the RRC accomplishes the task of encouraging public reporting. District offices should develop robust programs for public outreach including regular presentations, regular columns in local newspapers, television advertisements, and mailers informing the public what the Railroad Commission is, what it has jurisdiction over, and how to make complaints.
- The draft plan states "complaints involving an imminent threat to public health and safety or the environment are investigated immediately." Individuals who have called the RRC with emergency situations ranging from well blowouts to noxious odors causing vomiting and dizziness have reported not receiving timely responses from the RRC. The RRC should develop a plan for improving its handling of complaints from a customer service perspective.
- The RRC is charged with overseeing an industry that poses serious health, safety, and environmental hazards to the public. How agency staff handle day-to-day complaints, whether an emergency or not is a reflection of the quality of our state government and the oil and gas industry. The RRC has been doing this job for 130 years, and at least as much time and research has been dedicated to hazard mitigation in other fields ranging from fire safety to aviation. The agency's handling of potential incidents and interactions with the public should reflect modern, state of the art customer service and hazard management based on the best practices and insights from a variety of industries.
- The draft plan should provide information about how the RRC tracks its performance in responding to complaints within the stated time frames. Individuals have expressed that their

complaints were not investigated within the stated time frames, that they didn't receive a progress report, or any notification of when the complaint was closed.

- Table 1 should explain why the number of complaints resolved is higher than the number of complaints received.
- Table 1 should clarify if the number of complaints reported is only for the oil and gas division, or if it includes all complaints, including those for the pipeline division, TCEQ, or those related to railroads.
- Table 1 should indicate the number of complaints that indicated an imminent threat, were pollution related, or those not involving pollution.
- The RRC should consider making a complaint database publicly available on its website, similar to the TCEQ.
- RRC should consider active TCEQ investigations at facilities before allowing permit renewals.

#### I.f ENFORCEMENT ACTIVITIES

- The draft plan states "if a district office or program office is unsuccessful in obtaining compliance through other mechanisms, or if the severity or willfulness of a violation warrants further action, the oil and gas division will refer the matter to Legal Enforcement." The plan should outline how many months it takes for a matter to be referred for legal enforcement.
- The draft plan should provide a table of the number of permits modified, suspended, or terminated in the past fiscal year.
- The draft plan should provide a link to a list of companies, naming their officers and owners who have had a P-5 revoked in the past seven years.
- The draft plan should describe the process the commission uses to verify that the companies, their officers, and owners are not granted a future P-5 request.
- The draft plan should describe how the RRC ensures that the operators do not continue to operate beyond the current P-5 year.
- In the RRC's 2017 Sunset Review, the Sunset Commission's Staff Report with Final Results noted "In fiscal year 2015, the commission severed 7,936 leases and caught at least 1,552 leases that continued to produce oil and gas." This plan should include a description of methods the RRC is using to ensure compliance with seal and severance orders, and improve upon prior years.
- We recommend the RRC conduct an analysis of the cost of non-compliance compared to the \$10,000 cap on administrative penalties and report the results. This would be particularly meaningful for the rules that have high rates of violations and for major violations.

#### II. GOALS

- As the goals and action items have not changed from last year, consider using the same order for action items as was used last year.
- The draft plan reports that the Commission requested an appropriation of \$29,649,154 for fiscal year 2022 for its oil and gas monitoring and inspection strategy. It would be relevant to report the amount the legislature approved for both the oil and gas monitoring and inspection strategy and the oil and gas well plugging and remediation program, which pertains to this plan.
- Additionally, it would be helpful for the plan to include an appendix explaining the revenue sources that fund the oil and gas division, including those that fund the Oil and Gas Regulation and Cleanup Fund and any General Revenue Fund appropriations that are made to the oil and gas division.

- It would be helpful for the plan to include a recap of the outcomes of the legislative session that affect the oil and gas division. At a minimum, the recap could describe the Study on the Oil and Gas Regulation and Cleanup Fund Revenue Streams and the Strategic Plan on Flaring Data required in the appropriations bill.

## II.a GOAL 1: ACCURATELY DEMONSTRATE THE COMMISSION'S OIL AND GAS MONITORING AND ENFORCEMENT ACTIVITIES

- Commission Shift supports Goal 1, and the associated action items. These improvements are long overdue, and we are happy to see the Railroad Commission modernizing its technology infrastructure and operationalizing implementing technological improvements.
- Beyond these existing action items, Commission Shift proposes two additional action items:
- 1. Develop a plan for continuous evaluation and improvement of the user experience with the RRC website, data, and public participation processes. The current technology improvements are essential, but upgrading these systems will be a continuous process and won't end after one project is complete. Additionally, upgrading the internal technology systems is only one part of accomplishing the goal. Improving the public's access and ease-of-use with the RRC's datasets requires an additional goal and workstream.
- 2. Include an evaluation of what tools would be necessary to capture real-time production data from operators. Such data availability could have allowed for additional flexibility and efficient resource deployment during Winter Storm Uri power outages and would likely serve numerous interests including oil and gas operators, the Texas Comptroller, royalty owners, and the public.

## II.b GOAL 2: STRATEGICALLY USE THE OIL AND GAS MONITORING AND ENFORCEMENT RESOURCES OF THE COMMISSION TO ENSURE PUBLIC SAFETY AND PROTECT THE ENVIRONMENT

- Commission Shift supports Goal 2, and we encourage the RRC to develop a plan to assess additional potential revenue sources for the agency to improve monitoring and enforcement. The Railroad Commission and the state legislature have facilitated numerous fee and tax exemptions to operators, creating additional liabilities for the state as operators construct more facilities that do not lead to additional revenue to the Railroad Commission or the state but do lead to additional monitoring and enforcement responsibilities.
- Aside from interaction with the RRC's website and datasets, the RRC should outline its plan for improving outreach in communities with oil and gas development including how it will inform community members about comment opportunities, how to file complaints, and how to engage as a party in an RRC proceeding, and how to take advantage of the RRC's resources. Community members have expressed that they feel the current structure is tailored to industry, and is nearly impossible for a member of the public to comprehend and engage in without the high cost of hiring an attorney.
- Conspicuously missing from Goal 2 action items are plans to better assess compliance with the RRC's venting and flaring rules. New reports have indicated persistent non-compliance, and the RRC should address what new actions it is taking to ensure compliance and better monitor these activities. Additionally, the plan contains no action items to assess and improve upon prevention measures that would better protect groundwater resources.

### II.b.1 ACTION ITEM 1: INSPECT WELL POPULATION

- We recommend the plan include an assessment of what the RRC would need to be able to inspect all wells at least once per year.

- The plan should include a breakdown of the schedule of wells including the number of wells in each category (active, shut-in, inactive and unplugged, orphaned and unplugged, or plugged).

#### II.b.2 ACTION ITEM 2: DEPLOY DRONES TO ASSESS LEAKS AND SPILLS

- Commission Shift commends the Railroad Commission for incorporating drone technology into its leak and spill assessment. We recommend broadening Action Item 2 to include an assessment of any technology resources such as remote sensors or mobile sensors that may aid in gathering compliance data between inspections.

#### II.b.3 ACTION ITEM 3: TRANSITION BOOTS ON THE GROUND TO AN ONGOING PROFESSIONAL DEVELOPMENT PROGRAM

- We are pleased to see the Commission communicating its internal training procedures to the public. We suggest making some form of this training available to the public to improve transparency.
- Overall, the public and oil and gas operators would benefit from assurances that inspections are taking place in a systematic format, consistently across oil and gas sites. Commission Shift requests that the RRC communicate its quality control process for assuring that inspections thorough and consistent, and share meaningful metrics summarizing these data to the public.

#### II.b.4 ACTION ITEM 4: STATE-MANAGED WELL PLUGGING PROGRAM

- Last year's plan provided a better description of revenue sources for the state managed plugging program. Please provide additional details for the current plan.
- Please update the number of orphan wells, as the number reported appears to be the same as last year.
- This draft monitoring and enforcement plan is an opportunity for the RRC to develop a more thorough analysis and plan for handling the state managed well plugging program under a prospective rise in oil and gas bankruptcies. A variety of economic indicators are showing that oil and gas companies are not rebounding as quickly as they have in past boom and bust cycles. Bankruptcies are a natural part of a free market approach to regulation, and the RRC should track, report, and plan for the consequences of bankruptcies on RRC responsibilities and resources.

The RRC could use this monitoring and enforcement plan to develop a strategic plan to ensure that the state is not left responsible for continuing to cover the cost of plugging wells and cleaning up orphaned sites. While the RRC's number of plugged wells per year is commendable compared to other states, the number of orphan wells in its backlog has not meaningfully declined since 2009. Moreover, the metric reported of the RRC exceeding its goal for plugging is not meaningful if the plugging goal is set lower, but the backlog of orphaned wells and aging inactive wells keeps growing. This is an indication that the RRC should reassess its internal policies that result in new orphan wells, such as allowing plugging extensions, and determining whether new well permits should be granted for operators with a backlog of inactive and unplugged wells.

Researchers at news publications The Texas Observer and Grist recently constructed a model identifying 12,000 wells that are likely to become orphaned in the next four years. This kind of an analysis is something that the RRC should be doing on its own and working into a strategy that assists staff in determining where and when to grant plugging extension requests or whether additional financial assurance should be required.

Additionally, the current presidential administration has made providing funds to states for orphan well cleanup a priority. While we await the passing of any federal measures, the RRC should communicate to the public its plans for prioritizing plugging orphan wells, and how it would deploy resources swiftly and efficiently, should federal funds become available.

### III. EDUCATIONAL OPPORTUNITIES

- The educational opportunities the RRC lists are entirely directed toward the industry. Please develop an educational outreach program directed toward landowners, mineral owners, and people living in communities with oil and gas development.

### IV. STAKEHOLDER PARTICIPATION PROCESS

- The RRC could reach more stakeholders by submitting a press release to major daily newspapers in Texas, as well as local newspapers within each of the RRC districts.
- Additional effort should be made to grow the Commission's email list to include people living near oil and gas development.
- Public hearings should be held virtually and in-districts to allow for dialogue with the RRC.
- Language accommodation should be offered. At a minimum, a Spanish language announcement on the RRC's website and a Spanish translation of the enforcement page. The draft should also be provided in Spanish, using the services of a professional translator.

### V. DATA

- Rather than simply reporting data from the past year, it would be helpful to see an analysis from the RRC assessing trends in compliance over time, and identifying areas where improvement is needed.
- For example, several rules were violated thousands of times in the past year; some rules hundreds of times. An assessment of what the RRC could do to improve compliance in these areas would make a great addition to this plan.

#### V.a TABLE 2: SUMMARY OF ENFORCEMENT DATA FOR FISCAL YEAR 2020

- Please indicate the number of unique wells inspected, and create an additional table indicating the number of wells inspected by status (e.g. active, shut-in, inactive and unplugged, orphaned and unplugged, or plugged).
- For the number of statewide rule violations, please include a separate line item with the number of violations that are resolved on site during inspection.
- The number of major violations (12) appears to be incorrect, considering the definition of major violations provided in Appendix B.
- The plan should include an analysis of the number of penalties that are lower than the cost of compliance, and an assessment of the number of violations occurring in these cases.

#### V.b TABLE 3: FISCAL YEAR 2020 NUMBER OF VIOLATIONS PER RULE BY SUBSECTION, AS OF MARCH 16, 2021

- Clearly indicate which rules apply to the definition of a major violation.
- Include any rules in the table even if there were zero violations in the past year, especially rules included in the definition of major violations.
- Include a column with the violated rule description, as is provided in the violations data file on the RRC website.

- Please double-check the total number of violations reported for each rule. In last year's plan the number of violations for 16 TAC § 3.8(b) was on the same order of magnitude as those reported this year for 16 TAC § 3.8(d)(1), and vice versa.
- Over 2,200 violations were reported under 16 TAC § 3.13(b)(1)(B)(i) in last year's plan, but that rule is not listed in the table for this year's draft plan. It seems unlikely that there were not any violations of this rule in 2020. If that is the case, please explain what the RRC did differently to ensure better compliance.

#### V.c DEFINITION OF A REPEAT MAJOR VIOLATION

- The definition of a repeat major violation appears to be overly narrow and vague. It would be helpful to know if repeat violations by lease occurred in the past ten years, but also which operators have repeated the same violation across more than one lease and across multiple years. These data points could provide insight to the commission on the effectiveness of its current monitoring and enforcement activities, allowing it to adjust its procedures to better deter violations.

## VI APPENDIX A: STANDARD OPERATING GUIDELINES: INSPECTION PRIORITIES

- Please clarify what is meant by "The only jobs that require 100 percent inspection response are incidents listed under "Known Compliance Issues" and jurisdictional complaints." Please also clarify what the "sweep" concept entails. The language implies that some inspections are not as thorough as others.  
This is concerning, because it leaves the public wondering if the RRC is counting some of its less thorough inspections under the metric of inspecting each well once every 5 years. Commission Shift proposes that the RRC set a goal and establish a plan for conducting a systematic, thorough inspection on each well and facility at least once per year.
- Known Compliance Issues: some members of the public have reported that the RRC did not respond "immediately" or within 24 hours after they reported an emergency incident. The RRC needs to evaluate its processes for immediate response to incidents and consider ways to improve response times as well as the "customer service" aspects of its interactions with affected individuals and communities. Doing so would not only help to achieve faster resolution of potential health and safety issues, but would also improve the agency's image and that of the industry.
- Length of time since last inspection: This section refers to "performance measure output 3.1.1.7," but the document where this can be found is not referenced. In the RRC Strategic Plan for 2021 – 2025, there is no 3.1.1.7 performance measure output listed, but there is a similar outcome titled "3.1.2 Percent of Wells Not Inspected in Last Five Years," and the description mentions identifying wells inspected during the prior five-year period. Please clarify the intended performance measure output and reference the appropriate document.
- Proximity to public or sensitive areas: Please describe SWR 36 in text, so that it may be understandable members of the public. Additionally, the RRC should consider developing tracking methods for its response times and reporting those metrics in the monitoring and enforcement plan.
- Major safety/pollution prevention activities: Please describe SWR 36, so that the public can understand it. Please spell out UIC.

## VII APPENDIX D: COMPLAINT PROCEDURES

### VII.a SUBSEQUENT ACTION

- Are complainants who wish to remain anonymous made aware that they will not receive any follow up information about the complaint?
- Please define the number of hours that qualifies as “immediate.”
- Please describe the RRC’s protocol for responding to incidents that are reported outside of business hours.
- Please explain or provide a link to the Emergency Incident Report protocol.
- Please include “Attachment 1” described in the actions taken after an initial inspection.

### VII.b COMMON COMPLAINTS

- The draft lists “private water wells” as being an example of a complaint that is usually not under the Commission’s jurisdiction (list item 3). This is followed by a sentence explaining that the Commission does have jurisdiction to protect surface and groundwater from oil and gas waste. Pollution of surface and subsurface water is under the jurisdiction of the commission as covered by statewide rule 8, including activities not related to oil and gas waste. Including “private water wells” in a list of complaints that are NOT under the RRC’s jurisdiction is not accurate.

### VII.c CLOSURE OF COMPLAINTS REFERRED TO STATE-MANAGED PLUGGING

- Please provide a link to the “Procedure in State-Managed Plugging Manual for SMP vs. Show Cause Hearing Decision Tree.”
- Please clarify whether complainants are informed when a complaint is closed.



---

**From:** Alyssa Garza <Alyssa.Garza.411357496@p2a.co>  
**Sent:** Saturday, May 29, 2021 2:32 AM  
**To:** RRC Conference  
**Subject:** The Railroad Commission must expand language & meeting access

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Dear Comments Clerk Texas Railroad Commission,

Dear Commissioners and Representative,

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Hundreds of thousands of Texans are directly affected by oil & gas pollution. It is critical that the RRC does more to seek out and hear their stories, no matter what language they speak.

Thank you,  
Alyssa Garza  
524 Muralla Way  
El Paso, TX 79907

---

**From:** Bianca Paz <Bianca.Paz.455808956@p2a.co>  
**Sent:** Thursday, June 3, 2021 5:07 PM  
**To:** RRC Conference  
**Subject:** The Railroad Commission must expand language & meeting access

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Growing up in a town that was mostly Spanish speaking, I know a ton of people who would like to speak out. It is always communities like Brownsville that have to deal with the side effects of poor oil and gas regulations. Enough is enough!

Thank you,  
Bianca Paz  
6867 Palo Azul Dr  
Brownsville, TX 78526

---

**From:** Camila Abbud <Camila.Abbud.455734192@p2a.co>  
**Sent:** Thursday, June 3, 2021 10:21 AM  
**To:** RRC Conference  
**Subject:** The Railroad Commission must expand language & meeting access

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Thank you,  
Camila Abbud  
700 Kerbey Ave  
El Paso, TX 79902

---

**From:** Christian Marquardt <Christian.Marquardt.455027872@p2a.co>  
**Sent:** Saturday, May 29, 2021 12:05 AM  
**To:** RRC Conference  
**Subject:** The Railroad Commission must expand language & meeting access

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Thank you,  
Christian Marquardt  
1000 E Rio Grande Ave  
El Paso, TX 79902

---

**From:** Desiree Miller <Desiree.Miller.455028123@p2a.co>  
**Sent:** Saturday, May 29, 2021 12:10 AM  
**To:** RRC Conference  
**Subject:** The Railroad Commission must expand language & meeting access

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Thank you,  
Desiree Miller  
14847 Tierra Coruna Ave  
El Paso, TX 79938

---

**From:** Donna Hoffman <Donna.Hoffman.33420422@p2a.co>  
**Sent:** Friday, June 4, 2021 12:52 PM  
**To:** RRC Conference  
**Subject:** The Railroad Commission must expand language & meeting access

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Thank you,  
Donna Hoffman  
1500 Gregory St  
Austin, TX 78702

---

**From:** Emma Pabst <Emma.Pabst.454740790@p2a.co>  
**Sent:** Thursday, May 27, 2021 5:11 PM  
**To:** RRC Conference  
**Subject:** The Railroad Commission must expand language & meeting access

**Follow Up Flag:** Follow up  
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What's more, the agency has failed to make the draft plan and related comment information available in Spanish or provide accommodation for other languages. This makes it difficult for Spanish-speaking Texans to contribute to the conversation, which is quite concerning. The decisions that this agency makes have just as much impact on Spanish-speaking Texans as they do everyone else — if not more.

Hundreds of thousands of Texans are directly affected by oil & gas pollution. It is critical that the RRC does more to seek out and hear their stories, no matter what language they speak.

Thank you,  
Emma Pabst  
2531 Tandi Trail  
Round Rock, TX 78664

---

**From:** Fernanda Lugo <Fernanda.Lugo.455074140@p2a.co>  
**Sent:** Saturday, May 29, 2021 12:08 PM  
**To:** RRC Conference  
**Subject:** The Railroad Commission must expand language & meeting access

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Thank you,  
Fernanda Lugo  
4963 Vista Grande Cir  
El Paso, TX 79922



---

**From:** Gia Martinez <Gia.Martinez.454999235@p2a.co>  
**Sent:** Friday, May 28, 2021 7:02 PM  
**To:** RRC Conference  
**Subject:** The Railroad Commission must expand language & meeting access

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Thank you,  
Gia Martinez  
9412 Montrose Ct  
El Paso, TX 79925

---

**From:** Graciela Blandon <Graciela.Blandon.455030238@p2a.co>  
**Sent:** Saturday, May 29, 2021 12:51 AM  
**To:** RRC Conference  
**Subject:** The Railroad Commission must expand language & meeting access

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Thank you,  
Graciela Blandon  
1337 Desert Canyon Dr  
El Paso, TX 79912

---

**From:** Kiana Limón <Kiana.Limn.455073907@p2a.co>  
**Sent:** Saturday, May 29, 2021 12:05 PM  
**To:** RRC Conference  
**Subject:** The Railroad Commission must expand language & meeting access

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Thank you,  
Kiana Limón  
9116 Mt San Berdu Dr  
El Paso, TX 79924

---

**From:** Miguel Escoto <Miguel.Escoto.411342960@p2a.co>  
**Sent:** Friday, May 28, 2021 5:58 PM  
**To:** RRC Conference  
**Subject:** The Railroad Commission must expand language & meeting access

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Thank you,  
Miguel Escoto  
724 Scott Ln  
El Paso, TX 79932

---

**From:** Rachel Ortega <Rachel.Ortega.455029429@p2a.co>  
**Sent:** Saturday, May 29, 2021 12:33 AM  
**To:** RRC Conference  
**Subject:** The Railroad Commission must expand language & meeting access

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Thank you,  
Rachel Ortega  
14422 Miguel Terrazas Dr  
El Paso, TX 79938

---

**From:** Ranjana Bhandari <Ranjana.Bhandari.86505402@p2a.co>  
**Sent:** Thursday, May 27, 2021 8:39 PM  
**To:** RRC Conference  
**Subject:** The Railroad Commission must expand language & meeting access

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Thank you,  
Ranjana Bhandari  
903 Loch Lomond Dr  
Arlington, TX 76012

---

**From:** Renee Guzman <Renee.Guzman.454999578@p2a.co>  
**Sent:** Friday, May 28, 2021 7:04 PM  
**To:** RRC Conference  
**Subject:** The Railroad Commission must expand language & meeting access

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Thank you,  
Renee Guzman

El Paso, TX 79924

---

**From:** Samantha Cooney <Samantha.Cooney.455032786@p2a.co>  
**Sent:** Saturday, May 29, 2021 1:51 AM  
**To:** RRC Conference  
**Subject:** The Railroad Commission must expand language & meeting access

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Thank you,  
Samantha Cooney  
848 Melrose Ct  
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**From:** Virginia Palacios <Virginia.Palacios.453894476@p2a.co>  
**Sent:** Monday, May 24, 2021 8:12 PM  
**To:** RRC Conference  
**Subject:** The Railroad Commission must expand language & meeting access

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Dear Comments Clerk Texas Railroad Commission,

Dear Commissioners and Representative,

The Railroad Commission's Annual Oil and Gas Division Monitoring and Enforcement Plan for Fiscal Year 2022 Draft is available online. While comments are due by 5 p.m. on Thursday, June 10, 2021, I am very concerned that the RRC has yet to schedule a public meeting (or hearing) to allow more Texans a chance to comment. What's more, the agency has failed to make the draft plan and related comment information available in Spanish or provide accommodation for other languages.

Hundreds of thousands of Texans are directly affected by oil & gas pollution. It is critical that the RRC does more to seek out and hear their stories, no matter what language they speak.

Thank you,  
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