



**Public Input of Virginia E. Palacios
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Railroad Commission of Texas Open Meeting
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Today Commission Shift published a report titled “Permission Granted: Texas Oil and Gas Regulators on Track to Allow More Flaring Waste Than Ever.” We examined 40 years of Railroad Commission venting and flaring permitting data (1980’s through 2022) and compared it, decade by decade, to operator-reported venting and flaring volumes. Our primary research questions included whether venting and flaring has decreased as a result of Railroad Commission actions, and whether there is a better way for the commission to do monitoring and enforcement.

Reducing waste of natural gas is important, because once it’s gone, we can’t get it back. But more importantly, emissions from venting and flaring are leading to high child asthma rates in the Permian Basin, and higher odds of preterm birth in the Eagle Ford Shale.

For this conversation, I’ll discuss the 2010s and the 2020s, the time since hydraulic fracturing and horizontal drilling have dramatically increased oil and gas development. Permit duration and volume are the key metrics we’re interested in. From the 2010s to the 2020s, average durations of permits decreased while average volumes authorized per permit have slightly increased as have the number of permits issued. Along these lines, we project operators’ reported volumes to be slightly higher in the 2020s than in the 2010s.

Out of thousands of flaring applications, the commission denied only a few dozen ‘21 and ‘22, with most of these being approved anyway later on in the year they were denied.

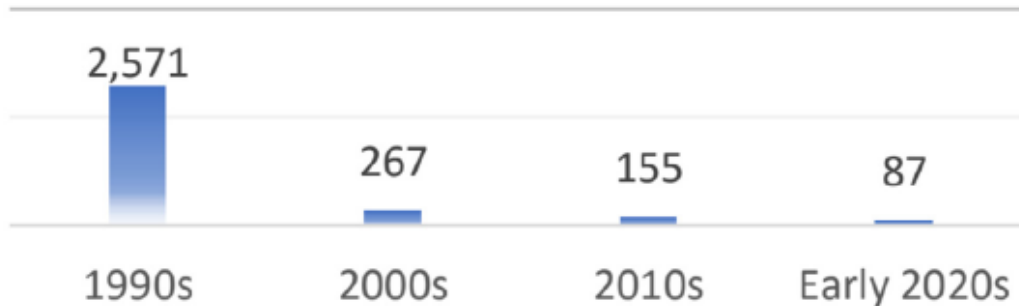
Venting and flaring has not decreased as a result of commission actions.

Moreover, the commission has no practical way to enforce the limits included in its permits. The permits allow a certain volume of releases on a daily basis, but operators report volumes on a monthly basis. Permits have irregular start and end dates and are often amended and extended, making the permits cumbersome to analyze against operators' reported volumes. This permitting system is designed for pen and paper, while more efficient modern resources like satellites and automated data analysis are going unused.

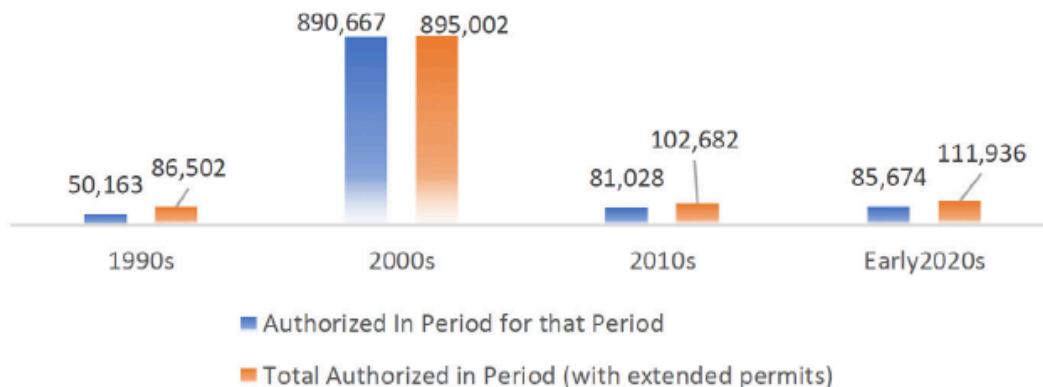
Two-thirds of the violations issued have been for operators failing to submit a flaring permit application (2015 - 2022). Violations were not issued for failure to comply with permit volume or duration limits. **This indicates that your enforcement has been primarily geared towards ensuring paperwork gets submitted, but not to ensuring that waste is prevented.** This compliance framework runs on the honor system.

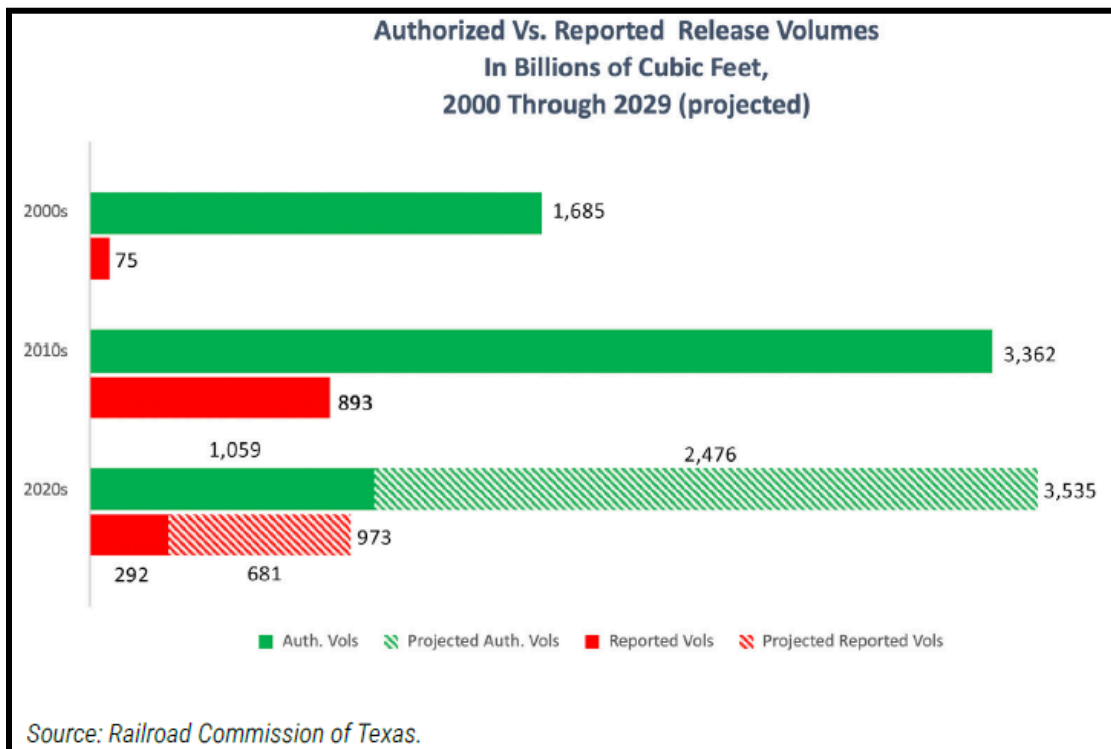
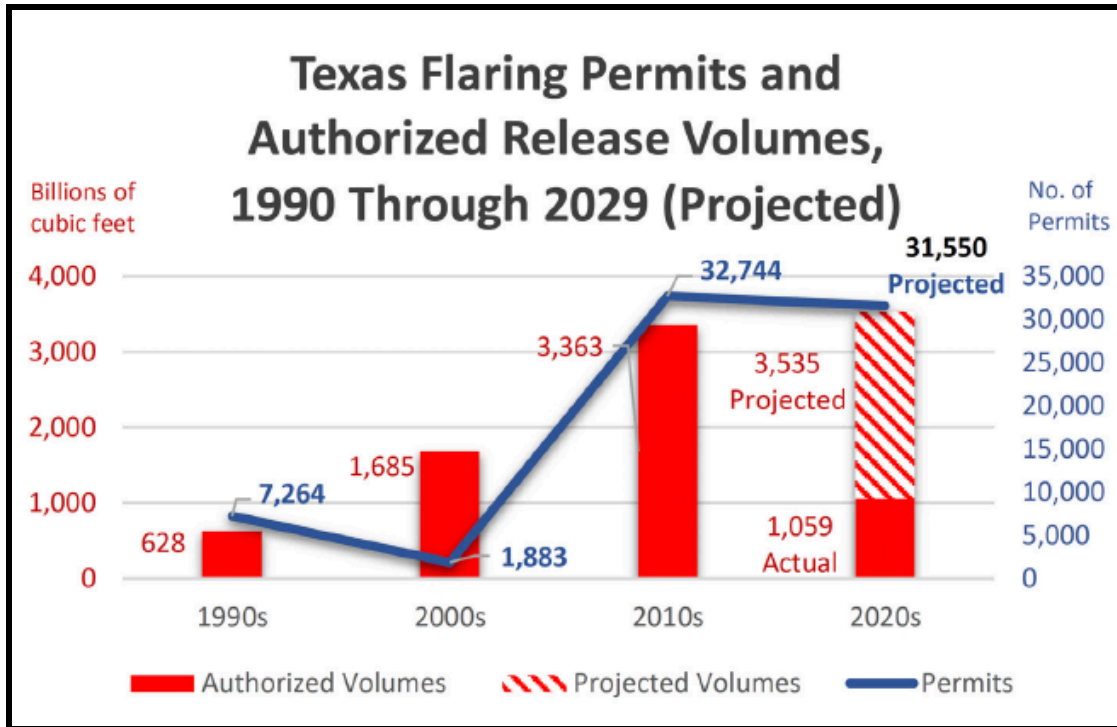
More than 60% of the nation's flaring happens in Texas, and only 50 operators are responsible for the vast majority of those flared volumes. Nationally, flaring has led to \$7.4 billion in annual health damages. We're ready for the commission to design a permitting and compliance program for the modern era.

AVERAGE FLARING DAYS PER PERMIT, 1990 THROUGH 2022



AVERAGE AUTHORIZED EMISSIONS VOLUMES PER PERMIT (MCF), 1990S THROUGH 2022





Source: Railroad Commission of Texas.