



**Public Input of Virginia E. Palacios
Executive Director of Commission Shift
Railroad Commission of Texas Open Meeting
May 13, 2025**

First, I have a quick legislative update: Senate Bill 1150 related to inactive well plugging requirements is moving.¹ It's not the bill we would have drafted to solve the problem of inactive wells, but we're encouraged to see a solution progressing through the legislative process. So far the appropriations bill includes the additional \$100 Million the Railroad Commission requested for plugging orphaned wells,² and the \$2.7 Million for the Underground Injection Control ("UIC") investigation team.³ I want to thank Chairman Craddick for the testimonies she made to the legislature earlier this year clearly stating that not only money, but also policy solutions are needed to address the orphaned well problem.

The UIC investigation team is extremely important. We are concerned about groundwater contamination from rapid, widespread development of carbon dioxide injection wells if Class VI primacy is approved in Texas, and we hope that the UIC investigation team will help to prevent more groundwater contamination incidents.

¹ Senate Bill 1150. 89R. Relating to the plugging of and reporting on inactive wells subject to the jurisdiction of the Railroad Commission of Texas; authorizing an administrative penalty. Retrieved from: <https://capitol.texas.gov/BillLookup/History.aspx?LegSess=89R&Bill=SB1150>

² Legislative Budget Board. March 31, 2025. Committee Substitute for House Bill 500 – Highlights. Retrieved from:

https://www.lbb.texas.gov/Documents/Appropriations_Bills/89/Supplemental_Appropriations/8920_89th_Supplemental_House_March2025.pdf

³ Legislative Budget Board. Updated as of April 24, 2025 at 8:00 am. Committee Issue Docket. Article VI Natural Resources.

https://www.lbb.texas.gov/Documents/Appropriations_Bills/89/Initial_Dockets/Art_VI_CC_Issue_Docket_89R_Initial.pdf

Evidence points to an ongoing problem with groundwater contamination under the RRC's jurisdiction. The Railroad Commission contributes to the Joint Groundwater Monitoring and Contamination Report each year.⁴ The latest report, for calendar year 2023, documented 539 cases of confirmed groundwater contamination under the RRC's jurisdiction that were making their way through the enforcement process; ten of those cases were new in 2023. This indicates it takes a long time for groundwater contamination cases to show full remediation or for the agency to have exhausted its options. In the 28 years prior (1994 to 2022), over 1,800 cases moved to inactive enforcement status and full remediation was not confirmed in all cases.

Improvements in data collection could make the Joint Report more useful. For example: site names are not standardized, and causes or facility types are not clearly indicated. There's no flag showing whether the aquifer meets the federal definition of "underground sources of drinking water."⁵ At least 14 site names in the report have the initials "SWD," likely indicating that a salt water disposal facility (Class II injection well) caused the contamination.

Geyser-like well blowouts, sinkholes, and earthquakes caused by Class II injection create risks to groundwater and property that are unacceptable. We've heard from community members who have had their foundations cracked by earthquakes, and whose rural water wells have been contaminated by leaking wells that are influenced by injection wells. I hope this helps you to understand why we are asking for more preventative decision making, monitoring, and enforcement.

⁴ Joint Groundwater Monitoring and Contamination Report, SFR-56. October 2024. Texas Commission on Environmental Quality, accessed May 12, 2025, <https://www.tceq.texas.gov/groundwater/groundwater-planning-assessment/sfr-056-joint-groundwater-monitoring-contamination-report>.

⁵ 40 CFR § 144.3. Definitions. Dec. 10, 2010. Retrieved from: <https://www.ecfr.gov/current/title-40/chapter-I/subchapter-D/part-144/subpart-A/section-144.3>