

December Open Meeting of the Railroad Commission of Texas

[00:00:00] One. This meeting in the Railroad Commission of Texas will come to order to consider matters, which have been duly posted with Secretary of State December 16th, 2025. As a reminder, all persons attending today's meeting should conduct themselves with dignity, dignity, courtesy, and respect toward the commission, agency, staff, and other persons in attendance under our public participation policy.

Anyone desiring to offer public testimony on any items that are not noticed on today's agenda was required to register in advance. [00:00:30] We had six people register in advance. The commission will consider the items on the agenda as posted on the agenda, but first, uh, we have a few awards to hand out. So is that done?

Yeah, that'd be fine.

Later on.[00:01:00]

There we go.

Good morning, chairman and commissioners. My name's Jessica Chamberlain. I'm the Director of Human Resources. I'm. Very pleased to present our first quarter service awards for fiscal year 2026, as well as our outstanding service [00:01:30] awards for fiscal year 2025. For the first quarter of fiscal year 2026. We have 18 employees across the agency receiving, uh, a milestone, celebrating a milestone anniversary, representing 190 years of combined service.

We're excited to recognize six of those individuals today. First, celebrating five years of service is Mark Marins from Information Technology Services.

Then it's my [00:02:00] first time to get on, so thank you so much.

This is over here. 1, 2, 3.

Thank you so much. Thank you very much. Also celebrating five years of service is George Perez from Surface Mining and Reclamation.[00:02:30]

Thank you.

1, 2, 3. Thank you, sir. Next, celebrating 15 years of service is Bo Vis Kayano from the Oil and Gas Division. Midland.

Yep.[00:03:00]

Well, that's.

Thank you. Also, celebrating 15 years of service is Stephanie Weidman from Pipeline Safety.[00:03:30]

Two, three. Thank you. Next, celebrating 20 years of service is Mark Erlich from the Critical Infrastructure division, Fort Worth region.[00:04:00]

The opportunity.

That's right. You, you know what you're doing. And last but not least, celebrating 25 years of service is Stephanie Weisner from our finance division.[00:04:30]

1, 2, 3.

Next, I'm thrilled to recognize the recipients for outstanding service awards for fiscal year 2025. Individual employees or teams were selected for their [00:05:00] outstanding contributions in one of three categories, service oriented collaboration, and results driven. In the interest of time, we will not describe the reasons these individuals were selected.

However, we do encourage you to read about their outstanding work in the next edition of our employee news. We will begin with our service oriented award. Our individual winner is JD Dome from, uh, alternative Fuel Safety.[00:05:30]

Thank you.

Our team award goes to members of the hearings division, docket Surfaces team, a member of which is here today. The team includes Samantha Weaver, Jason Hollinger, and Sandra Morris.[00:06:00]

Thank you.

Our next award category is [00:06:30] collaboration. The individual award goes to Naomi Danker from the executive office.

The team award goes to members of the oil and gas division, orphan Well plugging team, several of whom are here today. [00:07:00] The group in its entirety is comprised of Alexis Vigil, Lorena Gomez, Eric Mcity, Chris Alvarado, Tommy James, Raphael Ortega, bete Gonzalez, Jennifer Gonzalez. Bove is Kayano. Albert Bender, David Seawood, Dario Lopez, John Hols.

Oh, Josh, excuse me. Josh Holsman, Kyle Hooscher, uh, Huscher. John Padron. Tara Charlton, David Rs Lorenz Henson, uh, Ty [00:07:30] Stone, Tracy Casey, and Melissa Cordero.

Thank you.

You get two pictures [00:08:00] today. Stand.

Alright, can you give this all

we got three. 1, 2, 3. Big smiles. Thank you all for what you do.[00:08:30]

Our next award category is results driven. Our individual award winner is Levita McCardell from the Human Resources Division.

Thank you, sir.

Thank you.[00:09:00]

The results Driven Team award goes to members of the oil and gas division, Houston District two of whom are here today. Members of that group are Scott Childs. Uh, Glenn Gilliam, Cody Heath, Audrey Lins. Andy Tro[00:09:30]

push. You hold this way.

Thank you so much. We'd like to take one more moment to present our final award for the morning. The best hand award recognizes an individual who has given extraordinary service to the Railroad Commission of Texas. The best Hand has not only achieved success in their [00:10:00] field, but exemplifies the characteristics of leadership and has made exceptional contributions to the agency throughout their career.

For fiscal year 2025, the best hand award goes to Travis Bear.[00:10:30]

Two, three.

Congratulations again to our thank you.

You are some stellar. Thanks everyone. [00:11:00] Well deserving everybody that has awards. Thank y'all. Stellar people who work here at, yeah. Thank y'all for what you do. All right, let's start with surface mining. Adam, number one. Uh, Ryan Rutledge.

Morning Ryan. Morning chairman and commissioners for the record, my name is Ryan Rutledge, administrative Law Judge for the hearings [00:11:30] division. Item number one is an application by the Sabine Mining Company requesting phases one, two, and three, release on 82.4 acres within South Hallsville. Number one mine permit number 33.

I located in Harrison County. The approved post mine land use for the area is grazing land evidence in the record supports the SMC has satisfied all requirements for phases one, two, and three, release on 82.4 acres as required by the ACT and the coal mining regulations [00:12:00] after public notice. No comments or requests for hearing were received.

SMCM staff are the only parties to the proceeding, no exceptions or filed to the proposed order, and no changes to the current bond are requested in this docket. It is recommended that the request for phases one, two, and three, release of reclamation obligations for the 82.4 acres be approved and the SMC be eligible to reduce the amount of bond from available for questions.

Any questions? Just comment. This is 30 something years [00:12:30] reliable, clean, natural gas, electricity that was shut down for political correctness purposes of a out-of-state corporation coming in and taking control. I think this is an example of, uh. The real harm that comes whenever we listen to emotions rather than facts.

But I'll second the motion. Alright. Alright, uh, commissioner Christian has seconded the motion. All in favor say aye. Aye. Aye. Motion passes. That item is approved. [00:13:00] Alright, items two and three. Elisa,

thank you for your patience with me this morning. As long as you don't pass that on. Yes.

Good morning, chairman, commissioners. My name is Alyssa Zachary, administrative Law Judge with the hearings division. I will be presenting items two and three. They're presented in one order of requiring one vote. Items two

and three are [00:13:30] commission called hearings at the request of WTXR operating Texas Inc.

To show cause why the subject wells should not be plugged with state funds. Staff provided sufficient evidence to show that the wells are inactive and pose a threat of pollution. The examiners recommend that the commission deny wtx R'S request for requested relief and order WTXR to plug the wells or be held liable for costs if the commission plugs the wells exceptions said replies were filed.

I am available [00:14:00] for questions. Thank you, Alyssa. Any questions? Okay. I move that we approve the examiner's recommendation. Is there a second? Second. Seconded by Commissioner Crad. All in favor say aye. Aye. Motion passes. Those items are approved. Thank you. Feel better. Thanks. Hope you get to feed 'em better. I will take my jokes away.

Okay. Uh, Christie, you're gonna present four, five, and six, but they will be separately presented. Right? I'm doing four and five. [00:14:30] Mandy Patel will do number six. Okay. Good morning Chairman, commissioners for the record. Christie Reeve, administrative Law Judge with the hearing. Items number four and five are both motions for re-hearing.

Item number four, on September 30th, 2025, the commission signed a final order approving pilot water solution Permian LLCs application for a permit pursuant to statewide rule 46. On October 27th, Conoco Phillips Company filed a motion for rehearing. On November 10th, pilot [00:15:00] filed its reply. All issues raised in the motion were already raised by Conoco Phillips and considered by the commission prior to the commission issuing the order.

In this case, it is recommended the motion be denied. The motion be overruled by operation of law on January 8th, 2026. I'm available for questions. Okay. Um. Commissioners. We have Ben Rim representing Pilot and Jamie Nelson representing Conoco Phillips both registered to be available for questions. Do y'all have any questions of either of them?

No. [00:15:30] Okay. I move that we approve the examiner's recommendation. Is there a second? Second. And by Commissioner Christian. All in favor say aye. Aye. Motion passes. That item is approved, number five. Also on September 30th, 2025, the commission signed a final order denying pilot Water Solutions for man's application for a permit pursuant to statewide rule 46.

On October 27th, pilot filed a motion for rehearing, and on November 10th, Conoco Phillips Company filed its reply. [00:16:00] All issues raised in the motion were already raised by pilot and considered by the commission prior to the commission issuing the order in this case. It is recommended, the motion be denied.

The motion will be overruled by operation of law on January 8th, 2026. I'm available for questions. Okay, thank you, Christie. Again, we have Ben Ramm representing Pilot and Jamie Nielsen representing Conoco Phillips both registered to be available for questions. Is anybody you have any questions of either ma'am?

No. Okay. I move that we approve the examine [00:16:30] honor's recommendation. Is there a second? Second. Seconded by Commissioner Cradock. All in favor say aye. Aye. Aye. Motion passes. That item is approved. Thank you. Number six.

Good morning chairman. Commissioners. For the record, my name is Mandy Patel, administrative Law Judge with the hearings division. I will be presenting item six through eight, all of which are motions for re referring. Item six. On September 30th, the [00:17:00] commission signed a final order approving pilot water solution permitting LLCs application for permit pursuant to statewide rule 46.

On October 24th, Conoco Phillips Company filed a motion for a hearing on November 10th. Pilot filed its reply. All issues raised in the motion were already raised by ConocoPhillips and considered by the commission prior to the commission issuing the order for this case. It is recommended the motion be denied.

The motion will be overruled by operation of law on January 8th, 2026. [00:17:30] I'm available for any questions. Thank you, Mandy. Uh, again, we have Ben Ram, representing Pilot and Jamie Nielsen representing Conoco Phillips both registered to be available for questions. Do anybody have any questions? Okay. I move that we approve the examiner's recommendation.

Is there a second? Second. Seconded by Commissioner Christian. All in favor say aye. Aye. Aye. Item is approved. Uh, Ms. Pass. Thank you. Item number seven and eight require one order and one vote. [00:18:00] On October 17th, an order was issued finding NGL Water Solutions, Permian, LLC did not have standing and dismissing NGL from the subject dockets.

On October 17th, an order was issued by the director of the hearings division, dismissing the subject dockets and remanding them to technical permitting division. On November 12th, NGL filed a motion for a hearing. On November 24th, milestone filed its reply. All issues raised in the motion were already raised by NGL and considered by the commission prior to the commission issuing the order for this case. [00:18:30]

It is recommended the motion be denied. The motion will be overruled by operation of law on January 26th, 2026. I'm available for any questions. Thank you, Mandy. Uh, we have George, Neil and Charles Zang both representing NGL Register and be available questions. Does anybody have any questions for them? No.

Mr. Chairman? Yes. Uh, when you're ready. I have a motion I'd like to make. Okay. Go ahead. Uh, commissioners, I'd like to grant these motions for re hearing. I move to grant the motions for rehearing for the limited purposes of reinstating parties [00:19:00] denied state. All right. There is a motion been made by Commissioner Christian.

Uh, we have a second. I second. Uh, commissioner CRE is seconded. All in favor say aye. Aye. Aye. Motion passes that aye is, is approved. Thank you. The hearings division will issue a conforming order. Thank you, Amanda.

Go number nine. Um, commissioners? Yeah, just, uh, I'd like to pass this item until the next [00:19:30] conference. There's no objection to that. Very well, sir. Thank you. Thank you. That item's been passed. All right, we'll move on to all and gas consent items. Items number 10 through 43. There are 34 items on the consent agenda.

I move that we approve items 10 through 43. Is there a second? Second. Seconded by Commissioner Christian. All in favor say aye. Aye. Aye. Motion passes. Those items are approved. Let's go to Rule 15 and active. Well items. Items numbers [00:20:00] 44 through 60. There are 17 items on the Rule 15 in Active well items agenda.

However, it is my understanding that items number 52 is now compliant, leaving 16 items correct. Therefore, I move that we approve items 44 through 60 with the exception item number 52. Is there a second? Second. Seconded by Commissioner Cradock. All in favor say aye. Aye. Aye. Motion passes. Those items are approved.

Going on to master default orders. Items [00:20:30] number 61 through 74. There are 14 items on the master default order agenda. Are there any questions? Okay, I move that we approve item 61 through 74. Is there a second? Second. Seconded by Commissioner Christian. All in favor say aye. Aye. Aye. Motion passes. Those items are approved.

Going on to agreed enforcement orders. Items number 75 through 3 71. There are 290 set of my set. Items on the Agreed Enforcement Order agenda. Are there any questions? No. Okay. A move that [00:21:00] we approve, item 75 through 3 71. Is there a second? Second. Seconded by Commissioner Cradock. All in favor say aye. Aye.

Aye. Motion passes. Those items are are approved. That concludes the hearing sections of the matter. We're going to move on to, uh, administrative agenda. Item number 3 72 Friesen. Good morning, chairman and commissioners. For the record, I am Theresa Lopez, director of Operations. Item 3 72 on the [00:21:30] agenda pertains to the commissioner's approval of a contract pursuant to the commission's delegation of authority under Section 2260 1.254 of the Texas government.

The commission's internal delegation of authority and the government code require commissioner approval of the contracts and associated amendments greater than or equal to \$1 million at issue. Today are one contract and one amendment for agency communications and site remediation. [00:22:00] Approval of these agenda items will ensure the agency has the necessary approvals in place pursuant to the commission's delegation of authority, and state law, so the projects can proceed in a timely manner.

Your notebooks include a summary of the contract and amendment terms, including contract numbers and amounts, staff requests that the commission approve the contract and amendment pursuant to the commission's delegation of authority. I'm available for questions. Thank you, Theresa, are there any questions?

No. Okay. I move that we approve [00:22:30] staff's recommendation. Is there a second? Second. Seconded by Commissioner Christian. All in favor say aye. Aye. Aye. Motion passes. Those items are approved. Thank you, Theresa. Thank you. 3 73 Betsy Morning. Good morning, chair, commissioners. I'm Betsy Pet Attorney with the Office of General Counsel.

Um, I have a few brief updates, um, for this item. First I have an update on some pending that was Challeng. The new source performance standards that

[00:23:00] we've been referring to as the Clean Power Plan 2.0 under the court order that held the case in abeyance. Um, EPA is required to file regular status reports.

And in November, EPA filed a status report that outlined EPAs proposed rulemaking process to reassess the challenged rule. And they had also indicated that while they had initially expected to finalize that proposed rule by [00:23:30] December of 2025, um, given the government shutdown and lapse of appropriations that.

Occurred earlier this year, um, as well as some other obligations. EPA is in the process of revising that timeline. Um, their next update is due on February 23rd. I also have some updates on some rulemaking, um, as y'all are no doubt aware. Um, on November 14th, ETA proposed or published a final rule, [00:24:00] uh, granting Texas Class six primacy.

On November 20th, um, EPA and the US Department of the Army also proposed a rule which would again update the definition of waters of the United States under the Clean Water Act. In 2023, the agencies issued a direct final rule that amended the regulations to conform to the Supreme Court decision in SST versus EPA.

In this [00:24:30] action, the agencies are proposing to amend that conforming rule. The agency stated that the rulemaking is intended to provide greater regulatory certainty and increase Clean Water Act program predictability and consistency. The comment period is open till January 5th, 2026. Um, of. Also note that I've been monitoring the docket for this rulemaking.

Um, and I've seen a number of requests, um, for EPA to extend the comment period, [00:25:00] given that the 45 day comment period, Thanksgiving, Christmas, and uh, new Year's fell within there. Um, but we haven't seen any action, um, on EPA yet. So we're moving forward, assuming the deadline of January 5th will hold, but watching for any updates.

Um, may I answer any questions? Thank you for the updates. Anybody have any questions? No. Thank you. Thank you so much. Okay, moving on to 3 74 on gas division. Paul.[00:25:30]

Good morning, chairman and commissioners. Morning for the record. My name is Paul Debo, the assistant Director of technical permitting in the oil and gas division. Item 3 74 is a request a commission staff to adopt changes forms P 17

and P 17 A. These forms are used when an operator needs to obtain an exception to a permit, an exception, or a permit to the surface.

Co-mingling requirements of rules 26 and 27. [00:26:00] The proposed revisions were narrowly tailored to allow an operator to affirm that the proposed commingling will occur at a central production facility for which the operator elects to be subject to special field rules in lieu of rule statewide rule 32. The proposed changes were published on the commission's website after the September 30th conference, and comments were accepted until November 15.

Comments were received from four parties. In response to comments from PBPA, TGA and oxy, [00:26:30] the wording of the proposed change to section five selection B was slightly modified. Additional comments from PBPA and Karen Zorn's of NTG Environmental were received. Each provided several recommendations they believe would improve both forms.

Staff agrees that some of the, uh, recommendations have merit. However, we recommend these changes not be addressed at this time for several reasons. First, the proposal was narrowly tailored, uh, to, to [00:27:00] address implementation of a Rule 32 e exception process, and wasn't more broadly, uh, announced to make deeper changes to the forms.

Second, the commission is currently developing an electronic system for administering the P 17 and P 17 A. And several of the issues raised by these parties are being addressed in that online system development. And then finally, uh, forms P 17 and P [00:27:30] 17 A and statewide rules 26 27 were revised in 2019.

Following many, many months of conversations with stakeholders. We don't think it would be appropriate to make significant changes to the form at this time without. Further in depth conversations, which staff is willing to undertake direction, uh, if so, directed. So upon approval, the revised forms will be uploaded to the commission's website and will take effect.

Uh, tomorrow I'm available for questions. Thanks Paul. [00:28:00] Anybody have any questions? No. Okay. I move that we approve the staff's recommendation. Is there a second? Second. Seconded by Commissioner Christian. All in favor say aye. Aye. Aye. Motion passes. That item is approved. Thank you, Paul. Okay, item 3 75 Seth

Morning Chairman, commissioners Morning, Seth Botcher with Office General Counsel. I'll be presenting today on behalf of the oil and gas division. Item

[00:28:30] 3 75 is staff's request for commission approval to pose proposed form revisions to form W three C on the commission's website for a public comment period of 14 days.

Form W three C relates to the certification of surface equipment removal for an inactive weld. These revisions align with the amendments to 16 Texas administrative code 3.15 and 3.107, which were adopted at the commission's November 18th, 2025. Open meeting. A red line and clean [00:29:00] version of the proposed revisions are in your notebook materials following the public comment period.

Staff will review the comments and make any necessary changes. Staff will request adoption of the revisions at a future conference. I'm available for questions. Thank you, Seth. Are there any questions? No. Okay. I move that we approve staff's recommendation. Is there a second? Second. Second. Seconded by Commissioner cre.

All in favor say aye. Aye. Aye. Motion passes. That item is approved. Thanks, Seth. Okay. Item is number [00:29:30] 3 76 is public input. Uh, we had six people register in advance. I'll call you up. Uh. For you to give your input. Please limit your comments to three minutes. Is Mr. Skyler White in the room?

I didn't see you back there.

Morning. Morning. I'm, uh, Skylar White, played my own way to be here. Not representing anybody [00:30:00] but myself. Uh, Mr. Christian, I agree with you. We're doing a lot of. Crazy things in the name of ending global warming. And I agree with you on that. You know, one of the, uh, one of the unintended consequences of Reagan ending Cold War is that, uh, we don't have anything to worry about anymore.

We don't have nuclear war, we don't have Russians, all that. So, you know, what happened is global warming filled that vacuum. So we're worrying about that. We're spending a lot of taxpayer money in the [00:30:30] name of ending global warming. This, uh, CO2 sequestration that they're doing in these class six wells is one of those crazy things that we're doing.

I have not talked to one expert that's told me that they can keep that plume where it's at. Since 1904, my family owns a ranch that adjoins that CO2 plume over in the sand over in Wakeford County. My grandparents spent their honeymoon, all that ranch. It's a personal thing. We've been there 120 years

[00:31:00] and understandably, we were very concerned about that, about that CO2 plume, their ability to keep it where it's at.

You know, we're just a small part of, of, uh, west Texas and there's huge companies that are doing these things and these big companies, they can lose billions and millions of dollars and it's no big deal to them. But it's a big deal to us if that. Plume mag rates over there and destroys water on that ranch.

That's a big deal to us. So understandably we're [00:31:30] very concerned about it. However, at the public meetings that EPA had and written comments, there were quite a few submitted. I submitted comments, my neighbor submitted comments, commission shift, submitted comments. Some other people, there were people that submitted comments on this and everybody was supposed to it.

EPA granted permits for this project anyway. Another thing is, lo and behold, railroad commission granted permits to drill [00:32:00] these wells before the EPA did a year ago. The railroad commission granted these permits, and right here on this permit, it says that these wells will be used for class six injection.

So I think it's a little in, in disingenuous of you to say that, that y'all didn't have a role in. Granting these permits. Y'all, y'all granted permits before the EPA did, but I've got one thing to ask of you. Please, please, please [00:32:30] monitor these companies. Make sure that they follow the rules. These companies have a history of flouting the rules, falsifying forms, and all that.

You need to make sure that they follow the rules and, and at least take care of these wells. Thank you for your time. Thank you, Mr. White. Okay. Uh, second, uh, Virginia Palacios,

both y'all, I did not see in the room.[00:33:00]

Good morning. Good morning. Virginia Palacios, executive Director of Commission Shift. Uh, first I wanna acknowledge, uh, chairman writes recusal at the last open meeting due to a personal financial interest. Uh, this is the baseline that we expect and we urge each commissioner to go a step further, including recusal based on [00:33:30] campaign contributions.

Ideally, railroad commission candidates would not take any contributions from executives of railroad commission regulated companies. Next, I'd like to thank Commissioner Christian for his remarks on the billions of dollars of 45 Q tax credits that will go toward carbon capture and storage companies.

Thank you for bringing your public remarks, um, in line with your values. There's no cap on the 45 Q tax credits and the IRS lacks necessary data for [00:34:00] auditing. Furthermore, nearly \$900 million in tax credits have been claimed fraudulently and the IRS has not demanded that the money be returned.

Reflecting on the past year, we saw big achievements at the Railroad Commission that support public health and safety. The legislature appropriated a historic level of funding for well plugging, but also changed policy on inactive well plugging extensions. The commission also prepared guidance on new forms for its waste management rules.[00:34:30]

While the waste management rules show improvement, we will be bringing remaining concerns to your staff in 2026. Finally, the listening sessions that started in November are a welcome tool for public engagement and problem solving. That said, I must underscore the importance of decision making officials like you hearing directly from members of the public at the open meetings at Commission shift.

We prioritize the people of Texas and we hope that the Railroad Commission will adopt this same perspective. [00:35:00] That's why we're still urging you to allow remote public input through phone or video call. Adopting a remote public input procedure would allow you to more easily hear from Texans in oil and gas producing agents and better represent the people of Texas in your capacity as an elected official.

Lastly, this year, EPA, granted the railroad commission primacy over Class six carbon dioxide injection wells, which you all signed an agreement to allow, and which will open the floodgates for more underground injection in [00:35:30] Texas. While the EPA says the railroad commission is following all underground injection rules, we continue to see earthquakes, well blowouts, leaks from unplugged wells, and expanding sinkhole.

This makes it apparent that the existing rules are not strong enough. We look forward to continuing discussions with you on these issues and more in 2026. Thank you. Thank you, Ms. CIOs. Okay, um, Julie Range.[00:36:00]

Morning. Good morning. My name is Julie Range. I am the policy manager for Commission Shift Commissioner Christian, we thank you for speaking to your concerns with carbon dioxide sequestration. Last month you expressed interest in more public comment about these projects, and [00:36:30] you'll be pleased to know that commission shift shares your concerns about carbon injection, that it could contaminate, uh, groundwater and related pipelines to pose real risk.

Uh, these risks will only continue to increase as we expand carbon capture and storage development in Texas. Last month I was with, uh, I met with the community about of a cheek, Texas. Uh, there were about 70 concerned citizens, um, about a proposed CCS project in their c. [00:37:00] Uh, many would like to share their concerns about being test subjects for the nascent rollout of a large scale carbon sequestration projects, but they do not have the luxury of taking a day off work nor the budget, uh, for travel expenses.

It would be helpful if the commission allowed remote public testimonies so you could publicly, so they could publicly share their concerns with you. We listened to, uh, Jerry Briggs, the Warren County, Mississippi Emergency Services Director. Share the challenges first responders faced [00:37:30] during the Bury Gulf Coast Pipeline, carbon dioxide pipeline rupture in Satar.

Um, and there were people there who almost lost their lives and now suffer long-term health effects. And Mr. Briggs spoke of how difficult it was to locate victims and get them out of the dangerous asphyxiating plume that took hours to dissipate from the broken pipe. I talked to the community about the risks posed by the combination of pressurized underground formations and unplugged and poorly plugged oil and gas wells.[00:38:00]

The community of cheek is about 10 minute, a 10 minute drive from Spindletop, the birthplace of the Texas oil boom and prospectors, poke holes all over the area looking for oil in those early, and odds are strong that not all these legacy wells are documented or properly plugged and even known plugged.

Known plugs have lifespans that may fail at time. I'm concerned that as carbon dioxide pressurizes the salient aquifers, these class six wells, uh, inject [00:38:30] into, uh, they will find pathways to the freshwater aquifers or to the surface through unknown legacy wells or old wells and old plugs in poor condition.

We've seen this happen with class two produce water disposal wells. As the injection zones pressurize, it creates a pressure plume that tests the integrity of the aging infrastructure in its path and in the Permian Basin. This has resulted in gliser like wall blowouts and contaminated water wells. Some homesteaders must haul in water to have a [00:39:00] safe drop to drink.

As these fluids find pathways into the aquifers and the water wells, uh, you have been granted the power to oversee carbon sequestration projects. Uh, please use that power to protect communities. Ensure they have the tools to and knowledge to protect themselves. Ensure all old wells are re-plugged to modern standards.

Require a robust search for undocumented legacy wells using optical gas imaging and look for leaking. Look for the leaking gases coming from these holes and magnetometers solely for old pipes. And [00:39:30] please consider that there may be appropriate geological formations to inject into. But saline aquifers in the same locations as these early, wild cadding fields and populated areas are not the best location for these first full sail developments.

Thank you, Ms. Range. Appreciate it. Number four is Rodrigo Cantu. I Morning. Good morning, chairman. Good morning commissioners. [00:40:00] For the record, my name is Rodrigo Cantu. I'm with Earth Justice and offering comments, uh, alongside the cheek, Texas Community Association, from whom you'll hear in a few minutes. Um, the comments will be associated with protecting our states and communities', water resources First, the railroad commission, uh, was recently granted primacy all over all classics.

Uh, carbon storage well permits. For our state as commissioners, you and the staff of the Railroad Commission must now balance the need to protect all sources of drinking water under the Safe Drinking [00:40:30] Water Act, while also promoting carbon storage and sequestration. While the Railroad Commission's application for primacy sought to meet the technical requirements required by the federal government for the Class Six wells, I ask you to direct staff to work directly with the Texas Water Development Board's, brackish resources, a uh, aquifers characterization system.

So that the Railroad Commission, uh, commission's groundwater advisory Unit has a, uh, access to the latest information related to water that must be protected for the [00:41:00] future, and, uh, protected for communities like the community of Cheat Texas. This is important because currently on the Railroad Commission's website, the Groundwater Protection Unit uses two different water standards.

The Groundwater protection Determin determination articulates the base of usable water quality only down to 3000. Uh, M mg L total dissolves, uh, solids, but the Save Drinking Water Act requires protection down to 10,000. TDS. Water is a key resource for this state and supports not only the oil [00:41:30] and gas industry, but also our economic development.

Protecting water is now a key part of the railroad Commission's duty. Um, I'd like to read directly from the Texas Water Development Board's website. Texas has an abundance of brackish water estimated at more than 2.7 billion acre feet,

once only a potential resource. It's now becoming an important source of new water supply in the 2007 2007 state water plan.

Six of the six, uh, 16 regional water planning groups. Recommended brackish groundwater desalination as a water management [00:42:00] strategy to meet at least some of their projected shortages. You will hear from other members of, uh, of the com of Texas communities related to storing carbon deep underground, but I ask you to please consider your role in protecting drinking water for the future.

Second, the Railroad Commission has the opportunity obligation to protect not only drinking water, but communities. The oil and gas industry is important for our state. No doubt, no one disagrees with that, but as elected officials, I ask that you balance the need to promote the new science around carbon storage with your responsibility to protect all Texans from harm.[00:42:30]

And particularly to preserve our water, even brackish water. I would like to offer a copy of these, um, 2003 annual report from the Texas Water Development Board. I can hand that right when I leave. Um, and finally, the community of Cheek is located, um, above the Texas of, of the Gulf Coast Aquifer. Um, and they ask that you come and host a public meeting in their community so that you can hear the concerns and talk about how the Railroad Commission plans to protect their health and safety that offer the report now.[00:43:00]

Okay? Okay. Thank you, Mr. Cante. Thank you. Okay. Next is Douglas Cormier. And did I say that right? Okay. Yeah. Uh, it is Cormier. Yes. Uh, good morning. My name is Douglas Cormier and I'm with the Chief Texas Community Association. We are very concerned about the CSS, uh, CCS, uh, coming to our community. As the Railroad [00:43:30] Commission implements its new authority oversight, class six carbon storage wells are respectfully asked.

That you establish meaningful buffers zones between these facilities and nearby communities. When CO₂, as you know, is injected deep underground and high pressure, it does not disappear. Injection increases subsurface pressures which can dissipate saline, brines, alter existing stress conditions and rock formations [00:44:00] of injected.

Uh, if injected sites are poorly selected or mismanaged, this pressure can increase. And allow CO₂ to displace fluids and migrate among along existing faults and fractures or legacy wells. Carbon dioxide is colorless and odorless and heavier than air. In the event of a leak or fracture, CO₂ can accumulate near the ground and pose [00:44:30] a public risk safety.

Buffer zones would reduce the likelihood that home schools and public spaces are directly impacted. If CO2 or saline fuel fluids migrate into drinking water aquifers, groundwater quality can be degraded through acidification, mobilization of naturally occurring metals or increased salinity while safeguards and [00:45:00] monitoring reduce risk.

Groundwater contamination if it occurs, can be extremely difficult and costly to remediate and may persist for decades because clean groundwater is finite and an irreplaceable source risk cannot be eliminated entirely. Buffer zones provide time and space for leak detection, emergency response, and [00:45:30] accountability as they serve as a reasonable precaution.

While this technology continues to develop, I respectfully ask the commission to consider meaningful buffer zones and as a requirement for the permitting. And rulemaking of Class six wells. Thank you for your time and for your consideration and safety of Texas communities. Thank you. Mr. Corman. Just where'd you travel from today?

Uh, just [00:46:00] outside of Beaumont, uh, Texas, just outside of, just close to Houston. You just had a small drive now. Just small drive, but it's important to know. Thank, thank you very much for being here. Thank you. Okay. Uh, Michelle Turner.

Good morning. Morning. Thank you commissioners for this time. Strict guidelines should be established to protect citizens in the vicinity [00:46:30] of cease. Ms. Turner? Yes. Sorry to interrupt you. Uh, who are you with? Who are you representing? Myself. Yourself and my family. Cheek Texas. Could you, could you state your name, please?

Yes, Michelle Turner Cheek, Texas. Okay, thank you. Alright. Strict guidelines should be established to protect citizens in the vicinity of CCS sites. CCS sites should not be placed in residential communities. The probability for environmental disasters are too [00:47:00] high. People living within a 50 mile radius of a potential site should be informed of the intent of the corporation before any preliminary approvals are given.

Extensive public information sessions should be conducted before an application is submitted. At least 75% of the residents, landowners, homeowners, that are within the 50 mile radius of a [00:47:30] potential site, should have to vote in favor of a project for it to move forward. A proposed site location should be thoroughly evaluated by the railroad commission, environmentally overburdened communities.

Rural areas and those populated by people of color are being targeted For CCS sites, this should not be, the burden of proof should not be [00:48:00] placed on the communities who are opposed to CCS. The burden of proof should lie with the co corporations designed to invade them. Questions. Why is there a rush to implement CCS?

President Trump has called climate change a hoax. What will be the remedy for homeowners and landowners if a disaster, a leak or seismic activity occur? Who will [00:48:30] compensate them and make them whole? Lastly, should the oil and gas industry again be trusted to keep Texans safe. The stewardship of these companies is questionable based on their track record, and CCS is an experiment.

Thank you. Thank you, Ms. Turner. Okay, that wraps up our public participation items. Item 3 77 is our executive session, uh, which we will not be [00:49:00] going in today. Are there any other duly posted matters to come before the commission? Hearing none. Hearing, uh, this meeting of the Railroad Commission is adjourned.

Thank you everyone and everyone have a Merry Christmas. Merry Christmas. Thank y'all for being here today. Thank you.