

April 2026 Open Meeting Transcript

This meeting on the Railroad Commission of Texas will come to order to consider matters which have been duly posted with the Secretary of State for April 14th, 2026. As a reminder, all persons attending today's meeting should conduct themselves with 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 on, not are not noticed on today's agenda was required to register in advance. We had one person register in advance. The commission will consider the items on the agenda as posted on the agenda.

Okay, let's start with gas utilities. Luis, nobody could. Item number one, sorry. Right.

Good morning, chairman and commissioners for the record, my name is Louis Ika and I'm representing the Market Oversight section of the Oversight and Safety Vision Agenda. Item number one is case number 0 0 0 2 9 7 9 4. Application filed by San Jato Pipeline LLC pursuant to Natural Gas Policy Act Section three 11 for review of the reasonableness of a transportation rate.

San Jato Pipeline LLC has provided testimony and supporting data, demonstrating that the requested rate does not exceed a cost based rate. Staff recommends approval of the requested rate. I'm available for questions. Thank you, Louis. Any questions? Yes. 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. Motion passes. That item is approved. Thank you. Thank you very much. Alright, item number two in surface mining, Ryan. Good morning chairman. Commissioners record. My name is Ryan Rutledge, administrative Law judge for the hearings division.

Item number two is an application by those Gus Coal Partnership requesting phases one, two, and three release for 335.4 acres with an Eagle Pass mine permit number 42 B located in Maverick County. The approved post mine land use for the area is industrial commercial. Evidence of the record supports that DRCP has satisfied all requirements for phases one, two, and three, release of the subject area as required by the ACT and the coal mining regulations following public notice.

No comments or requests for a hearing were received. DRCP and staff are the only parties to the proceeding and no exceptions were filed to the proposed order. It is recommended that the request for phases one, two, and three, release of reclamation obligations be approved and determine that DRCP is eligible to reduce the amount of bond attributable to the approved acreage.

I'm available for questions. Thank you, Ryan. And is there any questions? No. Okay. I'll move. Do we approve the examiner's recommendations there a second. Second, second. And by Commissioner cre. All in favor say aye. Aye. Aye. Motion passes. That item is approved. Item number three Y all and gas we. We got somebody new.

Says, you're not Travis. I'm neither Travis nor Trevor Castano. He was here last time. See, he got the joke. Oh, got me really confused. You doing it again? Good morning, chairman. Commissioners and administrative of law judge with the hearings division. I'll be presenting items three through eight. Items three through eight are, uh, motions for rehearing filed.

As a result of final order denying renewal of the operator's P five, uh, because of Well's noncompliant with statewide Rule 15. Item number three in its motion, cons, oil field services and operating company states it is currently in compliance and is awaiting processing. Staff opposes the motion, responding that 33 wells, uh, well bores remain noncompliant. It's recommended that the motion be denied. The motion will be overruled by operational law on May 18th. I'm available for questions. Thank you Christian, Trevor Travis, uh, we had Mr. Ramirez representing Concho Oil Field Services and operating company register to be available.

Questions. Does anybody have any questions for the A LJ or Mr. Ramirez? No. No. I move the approve the examiner's recommendations. There a second. Second, second. And my commissioner Christian. All in favor say aye. Aye. Motion passes that aye approved number four. Four in its motion. Primal Energy Corporation states it is awaiting processing of Form H 15. Staff opposes the motion responding that 10 well bores remain noncompliant, has recommended the motion, I'm sorry.

Uh, staff opposes the motion respond. I'm sorry. That 12. Well bores remain non-compliant. It has recommended the motion be denied. The motion will be overruled by operation of law on May 18th. I'm available for questions. Thanks, Christian. I move that we approve the examiner's recommendation. Is there a second? Second. Second by Commissioner Crad. All in favor say. All right. A motion passes. That item is approved.

Number five. Christian. Number five. And its motion. BRC. Operating company LLC States the wells have been placed into compliance staff. Opposed? The motion responding that 12. Sorry. Four. Well bores remain noncompliant. It is recommended that the motion be denied. The motion will be overruled by operation of law on June 4th. I'm available for questions. Okay. Thank you again. Uh, I move that we approve the examiner's recommendations. There a second. Second. Seconded my commissioner Christian. All in favor say aye. Aye. Aye. Motion passes.

That item is approved, six item six and its motion gains operating company LLC States All wells are physically compliant and only require paperwork processing. Staff opposes the motion responding that 10 well bores remain non-compliant. It is recommended, the motion be denied. The motion will be overruled by operation of law on June 4th.

I'm available for questions. Okay. Any questions? No, I do. We approve examiner's recommendation. Is there a second? Second. Second by Commissioner Crad. All in favor say aye. Aye. Aye. Motion passes. That item is approve number four I seven and it's motion mogul UH, resources. LLC states it is in the process of correcting any missed filings.

Staff opposes the motion responding that 66 well bores remain non-compliant. Recommended the motion be denied. Uh, the motion will be overruled by operation of law on June 4th. Okay. Any questions? No. I move that we approve the examiner's recommendation Is there Second? Second. Second. And by Commissioner Christian.

All in favor say aye. Aye. Aye. Motion passes. That item is approved number eight I. Item eight. And its motion. Wallace Energy Incorporated states it has filed all relevant documentation and only requires processing. Staff opposed the motion responding. That one well board remains non-compliant. It is recommended the motion be denied.

The motion will be overruled by operation of law on June 4th and a bill for questions. Thank you, Christian. Anybody have any questions? No. Okay. I'll move. Do we approve the examiner's recommendation? Is there a second? Second. Second. Commissioner C. All in favor say aye. Aye. Motion passes is on Ms. Roof.

Thank you so much. Thank you. Let's move on to the oil and acid din the agenda. There is 98. There's 20 items on the consent agenda. Move that we approve items nine through 28. 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 rule 15 in active wells. There are items number 29 through 57. Uh, there are 29 items on Rule 15 and active well items agenda, I'd like to pass number 33 until the next conference. I'd also. Understand that item number 50 has come into compliance. Correct. That leaves 27 items for this agenda.

Therefore, move, we approve items. Numbers 29 through 57 with the exception of items number 33 and 50. Is there a second? Second. Second. And by Mr. Cradock. All in favor say aye. Aye. Aye. Motion passes. Those items are approved. Moving on to master default orders. We got items number 58 through 72, which is 15 items.

I move that we approve items 58 through 72. Is there a second? Second. Seconded by Commissioner Christian. All in favor say aye. Aye. Aye. Motion passes. Those items are approved. Agreed Enforcement orders items number 73 through 360 4. There are 292 items on the Agreed enforcement Order agenda. I move they, we approved item 73 through 360 4. Is there a second? Second. Second. And by Commissioner Craddick. All in favor say aye. Aye. Aye. Motion passes those Item or approved.

That concludes the hearing sections. We'll now take up our administrative agenda. Item number 365. Theresa.

Good morning. Good morning, chairman and commissioners. For the record, I am Theresa Lopez, director of Operation Item 365. On the 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 Code. The commission's internal delegation of authority and government code require commissioner approval of contracts and associated amendments greater than or equal to \$1 million at issue.

Today is one contract amendment for well plugging services. Approval of this agenda item 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. Notebooks include a summary of the amendment terms, including contract number and amount.

Staff request that the commission approve the amendment pursuant to the commission's delegation of authority. I'm available for questions. Thanks Teresa. Anybody have any questions? No. Okay. I move that we approve staff's recommendation. Is there a second? Second. Second. And by Commissioner Christian. All in favor say aye. Aye. Motion passes. That item is approved. Thanks Teresa.

360 6 is public input. We had one person register in advance. We'll call you up and give your, you can give your input. Please limit your comments to three minutes. And Ms. Virginia Palacios.

Good morning. Good morning, Virginia CIOs with Commission shift. The Railroad Commission has demonstrated a dangerous pattern of distancing itself from community members impacted by non-compliant facilities. These communities have had to live with air pollution, toxic runoff onto their properties and groundwater contamination.

The commission's failure to swiftly penalize these operators or stop their operations is the definition of injustice. Neighbors of these facilities have spent years compiling data, filing complaints, and uncovering evidence of violations only for little to no enforcement action to be taken, or for permits to be renewed anyway.

The Office of Attorney General recently proposed a settlement with Blackburn Environmental Services in Jim Wells County over their air pollution, accepting unauthorized waste, and preventing access to records. The proposed settlement includes \$300,000 in civil penalties, a hundred thousand dollars in attorney's fees and adoption of air monitoring procedures.

Yet neither the commission nor the attorney general notified impacted community members of the public comment period for the proposed settlement. Some of the violations at Black Ho began as early as 2019. There were four impacted community members registered to speak at

the April, 2021 Railroad Commission Open meeting, but you did not call on any of them before making a decision to renew the Permit.

Railroad Commission staff worked with the Office of Attorney General to file the case just a year later in 2022, and I thank you and your staff for doing so. The three of you could have saved your constituents from health impacts and the nuisance of living next to a non-compliant facility. But instead, these neighbors have had to wait over five years for this case to work its way through a district court, and that is an injustice.

A few months ago, another community in east Texas asked the office of public Engagement to schedule an in-person public meeting to discuss another waste disposal facility with repeated violations. The request was clear that the community did not want to rehash the permit decision, but they wanted to hear from the railroad commission and have their questions answered.

The response from the commission was to deny the request for a public meeting on the grounds the permit had already been approved and to shut off all communication and commission staff except through the railroad commission's attorneys, public agencies exist to serve the public. That means that you and your staff must make time to hear from and educate the public.

Meaningful public engagement is a two-way street. It takes place both in person and online. It should be welcoming and non-threatening, and it may get us one step closer to justice. Thank you, Ms. Palacios. Thank. Alright, uh, that wraps up our public participation chairman.

May I mention something? Sure. I appreciate what Ms. Palacios has just said, and then I agree that people should have their opportunity to speak at any time. Give you an example though, that concerns me of what's happening in our political environment everywhere. So I can talk all day on that. I'm not, uh, it's, we, we decided, uh, everything's, everybody's an enemy, everybody's wrong, everybody's bad.

And it's just, it's bad in our society. Our system, another subject for another time, but directly to this, when I had a institute, uh, the instance of local friends or local neighbors that were concerned about a disposal facility being in my home area, I called up our office in their and asked, would you go into the deal and have a public meeting, meet with his people, answer all the questions.

My three people that I asked to go that are subject to my. Call were yelled at, screamed, uh, told that there were a bunch of jerks and really harassed at that public meeting. Now it's not responsible for me to send our employees to be harassed and have such treatment by the public. So there's two sides of these public commentary situations.

It concerns me that we can't get together and talk in this country much anymore. 'cause we've already all made up our minds and we're not ready to consider anything. So when the public gets ready to hear and reasonably discuss, fine, but I'm not gonna send personally people that are responsible to me and order them to go into a situation where they're attacked.

So I'm just saying there are two sides of this issue of public commentary that I agree need to be worked, but there's two sides of the coin. Thank you. Thank you, Wayne, or thank you Commissioner Christian. I'd like to add too on Whitehorn that you had brought up earlier, from what I understand happened there was they took in some waste that wasn't under our authority and it's in regards to the air missions that's not either under our authority. I think they were taken to court by another agency that is or does have that authority. So just wanna make sure I cleared that up. Sure, please.

Um, to your point, commissioner Christian, I understand completely. I wouldn't wanna send my staff into a situation where they're gonna get yelled at either. I do think that some frustration from the public is to be expected when you're in an official role and, and people's lives are being threatened.

They're, they're waking up with nausea and vomiting and health symptoms that they can't control. And all they want is for an agency to respond, be responsive, and to be responsible and enforce and give a penalty. And they're not seeing that. They're not seeing it fast enough. They're not seeing it strong enough.

They're not seeing correction in the operator's behaviors. And so it makes sense that people are gonna be. Making themselves as big as possible. 'cause they just wanna be noticed and they wanna be listened to. Can can I add to that? Allow me, allow me to finish. Um, and I, I think there's a difference between being physically threatened and having people yell.

And I, while I understand that, you ought to have some policy that says, Hey, you know, you must. Uh, conduct yourself with decorum and, and decency. I, I think that those are good policies to have in a public setting. Um, I think it's okay to prepare your staff that they're gonna have to listen to some of that because of the level of frustration that these communities have.

But, you know, I, I do think precautions should be taken to make sure that everybody is physically safe, uh, 100% of the time. Um, but I, I do think there's a difference. Between physical safety and people yelling and on Black Horne environmental services. You know, there were quarterly reports coming to the railroad commission as early as 2019 showing they were taking inappropriate waste.

And that's kind of what my point is, is that the commission could have identified this much sooner, acted more swiftly, um. You know, given penalties to the company and stopped some of this, you could have not issued that permit and that would've saved a world of trouble. Yeah, I, I, I looked into that really close and, and the reason we, we, we didn't really show up is that the liquids that were bringing in for their deep well were, were shown to have been formed around oil and gas places, which they weren't.

So that's the reason it was really hard to catch until those complaints became evident. It took a while to do that investigation to backtrack exactly where that was coming from. Interesting. So,

you know, I also wanna say that we, we've heard, we've heard all the things and I, and I appreciate you coming up and bringing up these concerns, but I think we've made a little bit of progress on that as far as public engagement is concerned.

And I can just kinda encourage people more. We have that available now to please utilize it. That's what gets our attention. You mean the listening sessions? Yeah. The, the public engagement sessions that we have through our communication. I pay close attention to that and, and just beg people if they have issues, please use that.

And, you know, that's why I'm stressing in person is needed. Also, you know, sometimes in these communities it's typically like an older population. They might not be as comfortable hopping onto, uh, Microsoft teams or Zoom. Um, and also a lot of these areas, you know, in East Texas and West Texas don't have great internet access.

And so being able to take staff and like be in person with people, get questions answered and do all of this in real time, is really needed for these communities. Well, thank you so much. I appreciate it. Thank you for listening. Okay. Um, lemme get back to my paper here. I think that wraps up everything. Uh, item number 360 7 is our executive session item, which will not be going in today.

Are there any other duly posted matters to come before the commission? Hearing none. This meeting of the railroad commission is adjourned. See you all in May.