

Commission Shift Suggested Action Item	Railroad Commission Adopted Action Item
Goal 1: Accurately demonstrate the Commission's oil and gas monitoring and enforcement activities.	
<b>Action Item 1:</b> Conduct, track, and report RRC witnessing of well plugging and testing	<b>Action Item 1:</b> Witness Field Activities Conducted by Operators
<p>Commission Shift recommended more tracking and reporting of the well plugging and testing activities the RRC witnesses because it could give the public and the legislature a sense of whether more RRC staff are needed to improve public safety and reduce fraudulent plugging and testing.</p> <p>RRC accepted our recommendation, but only for well plugging and not well testing. The agency said it will witness the following activities:</p> <ul style="list-style-type: none"> <li>- Operator well plugging activities: 76% (same as FY 2025)</li> <li>- Orphaned well plugging activities: 1,700 (up from 1,101 in 2025)</li> <li>- Underground injection control (UIC) well inspections: 75% (same as FY 2025)</li> </ul>	
<b>Action Item 2:</b> Demonstrate waste prevention	Not adopted.
<p>Commission Shift research has documented that the RRC approves almost all flaring rule exception requests (permits), does not enforce permit limits, and is on track to allow more flaring than ever before this decade. We called on the RRC to fulfill its statutory duty and rein in flaring by denying flaring permits more often, verifying that lease numbers are on flaring permits, enforcing permit limits, and reducing the number and volume of releases it permits. They did not acknowledge or adopt our action item to rein in flaring..</p> <p>Despite the lack of formal adoption of this item in this year's plan, we encourage the RRC to examine its current toolkit for permitting, monitoring, and enforcement, and to consider how it can better use data analysis to catch operators who flare without a permit or exceed permit limits. <a href="#">Commission Shift</a> and <a href="#">others</a> have offered several suggestions. Flaring should be minimized to ensure this valuable gas is captured and fully utilized rather than wasted while exposing local populations to the health hazards associated with venting and flaring.</p>	
<b>Action Item 2:</b> Monitor Permit Requirements for Underground Disposal of Produced Water	
<p>Last year the RRC issued new permit application requirements for saltwater disposal wells in the Permian Basin due to a rash of major containment failures plaguing the area that they attribute to "unique subsurface conditions in the Permian Basin, including large historical and current rates of saltwater disposal, increased reservoir pressure in disposal formations, and dense historical oil and gas development with numerous wellbore penetrations of active disposal formations." These conditions are the result of decades of blindly permitting massive volumes of produced water for disposal and ignoring the many signs that the subsurface was pressurizing, creating conditions that caused old wellbores to become conduits for disposal fluids into our ground and surface freshwater.</p> <p>This year, RRC staff will monitor the permit applications to see if their new requirements prevent the outbreak of fluids, and in areas where these fluids may not remain confined, the Commission may require operators to demonstrate that injected fluids will stay where they are permitted by scrutinizing the mechanical characteristics of the confining strata and analyzing the condition of old wellbore penetrations.</p>	

This is a positive development. Ideally, RRC will use the lessons they are learning to move to a proactive, preventive permitting model across the state, not just in the Permian Basin. The sad reality is that pressure is building underground across the state as produced water injection volumes increase and oil fields get older.

Commission Shift recommends the RRC implement the following permitting reforms:

- Update statewide rules for Class II injection wells
- Calculate the Area of Review radius based on where the fluid will go, considering that it may span multiple miles
- Apply stronger scrutiny to injection locations and existing wells in the area of review
- End or reduce injection into overpressurized zones
- Ensure abandoned wells in the area of review are properly plugged
- Reject well plugging extensions in the anticipated plume
- Require monitoring of the anticipated plume
- Set injection pressure & volume limits

**Action Item 3:** Collect and publish more information on spills and leaks

Not adopted.

It is apparent that operators are not reporting all spills. The RRC H-8 Loss Report, which should track all crude oil, gas well liquids, or associated products like produced water, only listed 273 incidents for 2025. Comparatively, New Mexico recorded 932 produced water spills and 393 crude oil spills, with documentation for barrels spilled, recovered, and unrecovered.

We asked the RRC to update its spill database to better track spill data and make that data available in real time. We also requested they crack down on operators who do not report spills, and commit to improve spill tracking, and track spills at sites controlled by the RRC. Despite not committing to prioritize this, we will continue to call for the RRC to improve their spill tracking and consider what improvements are needed to their toolkit to allow them to do a better job.

**Action Item 3:** Ensure Compliance with New Inactive Well Requirements

The RRC committed to writing new rules to implement three state laws passed in 2025. These rules will track thousands of shut-in wells, protect helpful landowners from legal liability, and reduce wildfire risk by fining operators up to \$25,000 for leaving dangerous live power lines at inactive well sites.

RRC is expected to propose its new rule on inactive wells, required by [SB 1150](#), at the August 18, 2026 RRC Open Meeting. The rule must be adopted by December 31, 2026, and become effective September 1, 2027. Read [Commission Shift's recommendations to the RRC on the SB 1150 rulemaking here](#).

In FY 2027, RRC will develop the first annual report on inactive wells required by SB 1150.

**Action Item 4:** Enhance reporting of complaints, inspections, and violations

Not adopted.

Commission Shift encouraged the RRC to improve public access to information in their databases. We recommended they publish a database of complaints - similar to [TCEQ's WACI tracker](#) - that is searchable by attributes, linked to the relevant facility, including a description of the complaint and the facility's history of violations.

We also recommended the RRC provide a table in the FY 2027 Monitoring and Enforcement Plan that maps how the old and new groundwater protection and waste management rules compare for the purposes of reporting rule violations for each section. RRC did not accept our recommendation, which makes it difficult to compare progress on violations and compliance over time.

We continue to encourage the RRC to update the general complaint form so that it will automatically email a copy of the complaint to the submitter. This recommendation was not noted in the plan.

**Goal 2:** Strategically use the oil and gas monitoring and enforcement resources of the Commission to ensure public safety and protect the environment.

**Action Item 1:** Ensure that facility inspections are thorough and systematic

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Although the RRC used the same nomenclature for this item, it missed the mark in addressing the concerns we raised. We noted in our comments, "The RRC's goal was to complete over 460,000 inspections at 88,000 facilities in 2025 with less than 200 inspectors. Simple math shows that inspectors would likely have less than an hour per inspection. This is not enough time to complete a rigorous inspection."

Commission Shift asked the RRC to provide a clearer breakdown of what counts as an inspection and provide clearer categorization in their reporting. The agency provided some additional data about the small percentage of wells that have not been inspected in the previous five years. However, this year's plan does not explain how it is physically possible for RRC inspectors to thoroughly and systematically conduct so many inspections in one year and whether some inspections are simply paperwork inspections, not field inspections.

**Action Item 2:** Scrutinize well transfers from barred operators

Not adopted.

The RRC ignored Commission Shift's suggestion that it should scrutinize well transfers to the family members of barred operators and stop these bad actors that exploit loopholes to skip out on paying fines or cleaning up pollution.

**Action Item 2:** Orphaned Well Site Plugging, Remediation, and Restoration Federal Funding

The RRC plans to continue using \$254.2 million in federal grants to plug orphaned wells, using the RRC's prioritization methodology and plugging those at greatest risk to public safety and the environment.

**Action Item 3:** Expand public outreach on carbon dioxide injection

**Action Item 3:** Community Engagement for Class VI Geologic Storage Projects

This Action item is required in the RRC's Memorandum of Agreement with the U.S. Environmental Protection Agency for the RRC's Class VI UIC program. It was also included in the FY 2026 M&E Plan, and Commission Shift reiterated its importance in our comments this year.

The FY 2026 Plan did not address our recommendation to create an email alert system for communities, but in this year's plan, the RRC stated it will be hosting community meetings, providing educational materials, encouraging operators to engage early with impacted communities and consult with local emergency response officials and other key stakeholders. We will continue to monitor the RRC's follow-through on these commitments.

**Action Item 4:** Respond promptly to leaks and issue enforcement actions in a timely manner

Not adopted.

The RRC ignored our recommendation that they commit to be more consistent in enforcement timelines and stop allowing operators to make excuses before escalating violations to enforcement actions. This is especially important with active leaks that threaten groundwater supplies. The RRC failed to commit to cleaning up sites, later pursuing enforcement actions and penalties in cases where the operator fails to act quickly.