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To: [Rules Coordinator](#)
Subject: Comments on §3.8 / Ch 4
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Chairman and Commissioners,

American Energy Works supports the current draft of the oil and gas waste rule revisions as posted for public comment. While some areas of the rule need improvement or clarification, we strongly urge the Railroad Commission (RRC) to resist the demands of radical special interests pushing for burdensome, California-style regulations. Instead, the RRC should prioritize the concerns of the businesses that fuel our economy, create jobs, and ensure energy security.

As you know, the Biden Administration's attack on American energy isn't confined to Washington—it's hitting Texas directly, with federal regulations that threaten to cripple our oil and gas producers. From the burdensome methane tax to the freeze on new drilling permits, these efforts are nothing more than a backdoor attempt to shut down one of our nation's most vital industries. If these radical policies take hold here, we won't just see the elimination of jobs; we'll see skyrocketing energy prices that hurt every Texan.

Thankfully, Texas isn't following the disastrous policies coming out of Washington. While Biden's administration pushes to cripple American energy, the RRC is standing strong, protecting both our environment and our oil and gas industry. Radical special interest groups like "Commission Shift" and "Don't Waste Texas" are trying to overwhelm the Commission with pre-packaged form letters, hiding their true intent behind environmental buzzwords. Their true intent? To destroy the oil and gas industry that powers our state and provides good-paying jobs. If they cared about progress, they'd support these balanced changes instead of trying to shut us down.

Our comments are intended to strengthen the current draft and ensure Texas remains a leader in energy production without caving to outside pressure. Below are a few key areas we believe could be improved:

Clarification of "Commercial Facility" Definition: The definition should be refined to ensure that operators with subsidiary companies are not mistakenly classified as commercial facilities. As currently written, the language could unintentionally include affiliated entities, leading to unnecessary regulatory burdens and complications.
Refinement of "Contact Stormwater" Definition: The definition is excessively broad and could compel operators to manage stormwater in areas that pose no genuine risk

of contamination. We recommend narrowing the definition to include only stormwater that has a real possibility of contacting oil and gas waste.

Specificity in "Groundwater" Definition: The current definition could inadvertently encompass produced water, imposing overly restrictive conditions on pit siting. We suggest focusing the definition on subsurface water within aquifers or zones specified by existing Groundwater Advisory Letters, explicitly excluding oil and gas waste to prevent regulatory confusion.

Adjustment of "Public Area" Definition: Including "public roads" in this definition is unnecessarily expansive and could restrict operations unduly by creating unwarranted limitations on operational siting.

Restoration of Traditional Compliance Approach: The current draft appears to shift the burden onto operators to prove that existing pits are not causing pollution, rather than addressing compliance when a pollution issue is identified. This deviates from established practice, where action is required only upon an allegation or confirmation of pollution. We urge the Commission to adopt the language recommended by the Texas Alliance of Energy Producers for §4.113(c)(1) to maintain a fair and effective compliance framework.

Thank you for your leadership in protecting Texas jobs and ensuring our state remains a beacon of energy dominance.

Sincerely,

Jason Isaac
President, American Energy Works