



Submitted via Public Comment

November 3, 2023

Commissioners of the Texas Railroad Commission
Texas Railroad Commission
P.O. Box 12967
Austin, Texas 78711-2967

Dear Commissioners Christian, Craddick, and Wright:

Thank you for your service to the Railroad Commission of Texas. The undersigned members of the Texas Legislature respectfully write you to express concern about the proposed authorized pit regulations in the revisions to 16 TAC §3.8 and §3.57, and 16 TAC Chapter 4, also known as Statewide Rule (SWR) 8. As you know, the revisions to SWR 8 seek to revise and modernize practices regarding the management of oil and gas waste.

We're concerned that the changes would lead to substantial cost increases for well operators, especially smaller operations, and impair their ability to efficiently and cost-effectively drill new vertical wells or workover existing wells. The increased requirements to conduct groundwater monitoring, collect soil samples, and utilize synthetic liners for drilling operations will place a significant financial burden on operators. Regulatory requirements to register pits and seek approval will create costly delays, unnecessary administrative burdens, and more.

Although these proposed revisions are well-intended, certain decisions are better made at the district level to ensure that the unique geology of the region is considered. Please recognize that oil and gas operators are already complying with extensive regulation from the federal government. We understand that a significant portion of the issues could be resolved by distinguishing between temporary pits and permanent commercial facilities. These are fundamentally different and should be treated as such.

We appreciate your willingness to work alongside state lawmakers and the industry to promulgate rules that balance the protection of our natural resources while ensuring we preserve the state's nationally needed energy production. Please do not hesitate to contact me directly to discuss further.

Sincerely,

Handwritten signature of Representative Tepper in black ink.

Representative Tepper
House District 84

Handwritten signature of Representative Burrows in black ink.

Representative Burrows
House District 83

Handwritten signature of Representative Darby in blue ink.

Representative Darby
House District 72

Handwritten signature of Representative Lambert in black ink.

Representative Lambert
House District 71

Handwritten signature of Representative Price in black ink.

Representative Price
House District 87