Chapter 4 Q&A

Note: all the questions related to Authorized Pits are included in a separate table.

Last Update: June 2, 2025		
Question	**Answer**	
Under 4.115(g)(2) Schedule B authorized pits are required to maintain the required freeboard, which includes precipitation into the pit. However, with the requirement under 4.115(g)(3) the pit is also required to be designed and constructed to prevent non-contact stormwater runoff from entering the pit. Therefore, the diffuse surface runoff volume into an authorized Schedule B pit, should be none. Is there an additional requirement for Schedule B pits in relation to quantification and allowance for stormwater freeboard?	Yes, in §4.115(h)(1) Freeboard of at least two feet plus capacity to contain the volume of precipitation from a 25-year, 24-hour rainfall event shall always be maintained in produced water recycling pits.	Authorized Pits
We have an additional question that was not addressed on the webinar today with regards to the location requirements for Schedule B Produced Water Recycling Pits. The requirement under 4.115(f)(4) to be 300 feet away from any domestic water well or irrigation water well, other than a well that supplies water for drilling or workover operations or any other process for which the pit is authorized. There are instances in which Murphy drills a water well with the intent to source water from the well to the pit, my understanding of the rule is that is allowable to be within 300 feet. However, if at a later date the ownership of that well is relinquished to the landowner for use, does that void the exception allowance for the well?	The domestic well is already in place and you must place the pit 300 feet away from the existing domestic well. The operator obtains rights to a well to supply your permitted pit or drill a well to supply your permitted pit. If the exception allowance is distance, then the pit was there first and the well can be closer to the pit than 300 feet. If I understand that the exception allowance as unlimited production of groundwater from a well used for drilling or completion purposes compared to the operator relinquishing the well to the landowner, then the operator would need to buy the water from the landowner with the landowner under the rules of a groundwater conservation district or if no district coverage, then the landowner can sell the operator any amount of groundwater from that well.	Authorized Pits

Does the RRC know how operators should/ would register pits without a drill permit associated with that pit location?	§4.113. Authorized Pits, (e) The operator shall register all authorized pits with the Commission. (1) The Director shall establish a registration system for authorized pits by July 1, 2025. (A) New authorized pits constructed after July 1, 2025 shall register by mailing or emailing to Technical Permitting the registration form established by the Commission. (B) By July 1, 2027, the Director will establish an online system for operators to register and for the Commission to maintain a record of authorized pits. (C) The operator of an authorized pit shall register the pit using the online registration system once it is established by the Director. (Update: Authorized Pits are defined by the type of oil and gas fluids or waste placed into the pit. The timing of said placement also matters. Example, reserve pits are used in conjunction with a drilling rig. Ensure that the pit type the operator is considering using aligns with the definitions in rule. If not a permit must be obtained through an application at the Austin office.)	Authorized Pits
Will there be a different/distinct process for closure requirements of makeup water pits, as operators traditionally keep these open for extended periods of time for future asset development? Majority of pits in this scenario have long term surface owner agreements in place.	§4.114. Schedule A Authorized Pits. (3) Schedule A pit closure. A person who maintains or uses a reserve pit, mud circulation pit, makeup water pit, fresh mining water completion/workover pit, or water condensate pit shall ensure closure activities do not increase the potential for pollution.,(A) Schedule A pits,(i) Reserve pits, and mud circulation pits, and makeup water pits which,contain fluids with a chloride concentration of 6,100 mg/liter or less and fresh makeup water pits shall be dewatered, backfilled, and compacted within one year of cessation of drilling operations.,(ii) Reserve pits, and mud circulation pits, and makeup water pits which contain fluids with a chloride concentration in excess of 6,100 mg/liter shall be dewatered within 30 days and backfilled and compacted within one year of cessation of drilling operations.	Authorized Pits

Reference to Chapter 4, Division 3, Schedule B Authorized Pits. Certain produced water recycling pits (previously authorized as NCFR pits under SWR 3.8 required a permit via the Form H-11 process). Because they will be authorized by rule under Chp 4, will the H-11 permits be superseded and cancelled?	All authorized pits under Division 3 will require registration with Technical Permitting. We are working on a form that will be available for July 1, 2025.Additional information on Authorized Pits will be discussed in an upcoming webinar on April 9, 2025. This will be the second, in a series of four webinars, that begin next Wednesday. Additional information on the webinars including links for registration are pasted (from the NTO online) below for your convenience.Notice to Operators: Oil & Gas Waste ManagementRRC to Host Webinars on Chapter 4 Rules and Form Revisions45734The newly adopted Chapter 4 Rules on oil and gas waste management will take effect on July 1, 2025. The Railroad Commission of Texas invites you to participate in a series of webinars to learn more about these rules.RRC Technical Permitting Staff will host four sessions covering the following topics:· Session One, entitled Chapter 4 Overview, will be held at 9 a.m. on Wednesday, April 2, 2025. This session will highlight what's to come when the newly adopted rules go into effect. Click here to register and join the meeting: Chapter 4 Overview - April 2, 2025· Session Two, entitled Authorized Pits, will be held at 9 a.m. on Wednesday, April 9, 2025. This session will cover authorized pit registration, review of the proposed Authorized Pit Registration form, and the changes for produced water recycling pits. Click here to register and join the meeting: Authorized Pits - April 9, 2025· Session Three, entitled Permitting Session 1, will be held at 9 a.m. on Wednesday, April 16, 2025. This session will discuss additional requirements for permitted pits, changes to Notice, and the proposed form revisions for applications. Click here to register and join the meeting: Permitting Session 1 - April 16, 2025· Session Four, entitled Permitting Session 2, will be held at 9 a.m. on Wednesday, April 23, 2025. This final session will provide insight into waste transportation, compliance, and a look at the proposed new and revised forms and templates. Click here to register and join the meeting: Permitting Session 2 - April 23, 2025Each session will be 90 minutes. Operators are encouraged to email your Chapter 4 questions to askaboutchptr4@rrc.texas.gov before the scheduled webinars. The last 30 minutes of each session will be open to answer those questions and any others.Training on guidance and forms are proposed for May and June 2025, as referenced in the Proposed Implementation Timeline on our Environmental Permits web pages. (Update: The email address regarding Chapter 4 has been updated: EPSch4@rrc.texas.gov)	Authorized Pits
	The §4.115. Schedule B Authorized Pits, (d) Non-commercial fluid recycling pits authorized prior to July 1, 2025.Non-commercial fluid recycling pits that were authorized pursuant to and compliant with §3.8 of this title (relating to Water Protection) as that rule existed prior to July 1, 2025 are authorized as produced water recycling pits under this section, provided the operator registers the pit and files the required financial security assurance by January 1, 2026 - §4.115. Schedule B Authorized Pits,(d) rule supports the above statement. The applicant is authorized to use the non-commercial produced water recycle pit, by rule 8, up until July 1, 2025. After July 1, 2025 the produced water recycle pit becomes a fluid recycling pit.	Authorized Pits

We are about to break ground on an NCFR Pit that has an exterior wall at 2:1 slope that is already planned and paid for. This is standard for our NCFR pits in the past but we understand there is regulation going into affect 07/01/2025 that would make any pits moving forward have walls at a minimum of 3:1. Are we okay to move forward with this pit as it is designed as it would be built and in service prior to 07/01/2025?	If the pre-built before July 1, 2025, and the pit is causing pollution, then the pit will be brought back into compliance or will be closed according to Division 3 - §4.113. Authorized Pits, (c)(1). By January 1, 2026, an operator of a non-commercial fluid recycling pit shall register the pit as a produced water recycling pit according to subsection (e) of this section and file the required financial security according to §4.115 of this tile (relating to Schedule B Authorized Pits) - §4.113. Authorized Pits, (3)(A)….. or close the pit according to Division 3 - §4.113. Authorized Pits, (3)(B) At the time of closure, authorized pits shall be closed according to Division 3 - §4.113. Authorized Pits, (3)(A). The rules below supporting the above statement: §4.113. Authorized Pits,(c) An authorized pit that was constructed pursuant to and compliant with §3.8 of this title (relating to Water Protection) as that rule existed prior to July 1, 2025, is authorized to continue to operate subject to the following:(1) Authorized pits that cause pollution shall be brought into compliance with or closed according to this division.(2) By July 1, 2026, basic sediment pits, flare pits, and other unpermitted pits not authorized by this section shall be:(A) permitted according to this subchapter; or(B) closed according to this division.(3) By January 1, 2026, an operator of a non-commercial fluid recycling pit shall:(A) register the pit as a produced water recycling pit according to subsection (e) of this section and file the required financial security according to §4.115 of this tile (relating to Schedule B Authorized Pits); or(B) close the pit according to this division.(4) At the time of closure, authorized pits shall be closed according to this division.	Authorized Pits
I think I missed if a freshwater pit is designated as Schedule A or B? And to confirm, schedule A and Schedule B pits both need to complete the registration process. (Form to follow soon).	Schedule B Pits are used for management of produced water and other aqueous fluid wastes produced from a wellbore during oil and gas exploration and production activities. Schedule A pits include fresh mining water pits. Fresh mining water pits a used in conjunction with a brine mining injection well for storage of fresh water used for the solution mining of brine. All authorized pits (Schedule A and B) must be registered with the Commission. The forms to register said pits will be available soon.	Authorized Pits
For the Schedule B pits, Adrian said that a letter of credit can be accepted for financial assurance. Can you please explain how that works?	You will need to contact the RRC P-5 financial assurance for more information on what is an acceptable letter of credit. You may email your "what is an acceptable letter of credit" question to: P5@rrc.texas.gov	Authorized Pits
What would a large freshwater (no produced water) frac pit be considered? It would be a large volume and long term pit, but not be an NCFR. In some of our west TX acreage, there is very little produced water, and we are forced to frac with fresh water. Pit's can be as small as 100,000 bbls up to 1,000,000 bbls.	In Division 2, Definitions, §4.110, (55) Makeup water pit--A pit used in conjunction with a drilling rig, completion operations, or a workover for storage of water used to make up drilling fluid or completion fluid. The makeup water pit is an authorized pit under §4.113. Authorized Pits and §4.114. Schedule A Pits with closure requirements that are found in §4.114 (3),(A)(i-v) (B-D).	Authorized Pits
If an operator does not operate a waste pit commercially (does not receive compensation to receive waste), do the landfarming regulatory revisions	Revision to the rule go into effect on July 1, 2025. If an operator has a non-commercial pit, the operator must follow the permit issued. If an operator is seeking to landfarm, authorized	Authorized Pits
for existing non commercial recycling permits, do we have to register those or are they grandfathered in and we do not need to do anything?	All pits that are not currently permitted (authorized pits) will need to be registered beginning July 1, 2025. The deadline to register your pits will be January 1, 2026.	Authorized Pits
How can we double check whether or not our existing pits have been previously registered?	The registration process is new; no authorized pits will have a registration number.	Authorized Pits
What if there are no other waste management units co-located with the pits?	The pits will need to be registered.	Authorized Pits

Is it a requirement that makeup water pits must be located on an oil or gas lease?	The registration for an authorized pit requires the location of the pit including the lease name and number following §4.113. Authorized Pits, (e)(4)(B) the location of the pit including the lease name and number, drilling permit number or other Commission-issued identifier, and the latitude and longitude coordinates using the 1983 North American Datum (NAD); where the rule contemplates the makeup water pit (authorized pit) will be located on a lease. The authorized pit closure found in §4.114. Schedule A Authorized Pits (3) (B) also cites "lease" in context to closure or transfer of the authorized pit.	Authorized Pits
If we are planning to line our pits are we still required to provide depth to groundwater on the registration form?	According to §4.113. Authorized Pits, (e)(4), the authorized pit registration shall include the expected depth to groundwater from the bottom of the pit.	Authorized Pits
do the produced water pit rules still apply for brine returns from salt dome cavern drilling? **(trying to understand if produced water from salt dome cavern drilling in underground gas storage operations have the same regulation as produced water from oil and gas drilling exploration and production)** **thank you**	The Chapter 4 rules do not apply to brine returns from salt dome cavern drilling. You can find information on Brine Mining and Brine Mining Rules here: https://www.rrc.texas.gov/oil-and-gas/applications-and-permits/injection-storage-permits/brine-mining/ and Rules for Brine Mining Permit Proceedures: https://www.rrc.texas.gov/oil-and-gas/applications-and-permits/injection-storage-permits/brine-mining/brine-mining-permit-procedures/	Authorized Pits
Is There a Time Limit or Cap on the Number of Times a Pit May Be Reclassified? Can a pit be reclassified more than once (e.g., from flare pit to reserve pit, then to drilling fluid storage, etc.)? Is there a limit—either in time, function, or regulatory discretion—on how often or for how long a pit may be reclassified before it must be closed or fully permitted as a new facility?	No	Authorized Pits
If we have reserve, completion/workover and makeup water pits active after 7/1/25 will we be required to register or close those pits by 7/1/26? Or does that just apply to basic sediment and flare pits?	The above workover and makeup water pits will need to be registered after 7/1/25. If you do not use them, then the pit will need to be closed by 7/1/2026.	Authorized Pits
Thank you. Does this apply to reserve pits as well?	Yes.	Authorized Pits
How do we handle registering existing pits by the july 2025 deadline?	EPS is working on polishing this process. Additional information will be provided once available,	Authorized Pits
Can you please clarify- the 100 year floodplain rule applies to all authorized pits, regardless of Schedule A or B. Correct?	The rule for siting a pit schedule A & B is found here regarding a 10-year floodplane: §4.113. Authorized Pits, (b) Unless otherwise approved by the District Director after a showing that the contents of the pit will be confined in the pit at all times, all authorized pits shall be constructed, used, operated, and maintained at all times outside of a 100-year flood plain as that term is defined in §4.110 of this title (relating to Definitions). The operator may request a hearing if the District Director denies approval of the request to construct an authorized pit within a 100-year flood plain.	Authorized Pits
My understanding is that this is why "makeup water pit" was created and replaced "freshwater makeup pit" as a previous type. This context may help, but the answer is of course for RRC to answer.	Division 2, §4.110. Definitions, 55) Makeup water pit--A pit used in conjunction with a drilling rig, **completion operations**, or a workover for storage of water used to make up drilling fluid or **completion fluid**.	Authorized Pits
Have brine pits been redefined in this change?	Brine pits are associated with brine mining and do not containing produced water. §4.110. Definitions, (58) Mined brine--Brine produced from a brine mining injection well by solution of subsurface salt formations. The term does not include saltwater produced incidentally to the exploration, development, and production of oil or gas or geothermal resources.	Authorized Pits

Is there a minimum size to be counted as a pit? Some old guidance had mentioned 500 gallons, I believe.	No changes to the 500 gallons or less with the additional fluid restrictions are intended under Chapter 4. EPS will be updating the SWWM for implementation. Thank you	Authorized Pits
Is there an instance in which TRRC would have jurisdiction over a freshwater frac pond? Not a makeup water pit.	Freshwater frac pond is not defined in the new Chapter 4 rules. Previous freshwater frac ponds are now considered a makeup water pit by the new definitions. The new definition of a makeup water pit includes completion operations and completion fluid. Division 2, §4.110. Definitions, 55) Makeup water pit--A pit used in conjunction with a drilling rig, **completion operations**, or a workover for storage of water used to make up drilling fluid or **completion fluid**.	Authorized Pits
Due date to close existing schedule a pits to avoid registration?	July 1, 2026 if not used.	Authorized Pits
Dewatering to Paint Filter Standard – Depth Clarification **Does the requirement to "dewater to paint filter standard" apply to all pit contents or only the uppermost layer that will be excavated, handled, or disposed of? Essentially how is paint filter determined during closure?**	If there is material in the pit that will not pass a Paint Filter Liquids Test (EPA Method 9095B), that material will need to be removed before closure (e.g. general trash, concrete, or materials discarded from previous activity.	Authorized Pits
Are there instances where Schedule A pits will require groundwater monitoring wells?	Schedule A pit rule §4.114. Schedule A Authorized Pits(2)Pit Construction (A) where all pits shall be designed, constructed, and maintained to prevent any migration of materials from the pit into adjacent subsurface soils, groundwater, or surface water at anytime during the life of the pit. If at a later date in the life of the pit, an inspection of the pit revealed that the pit was violating the pit construction rules and had caused pollution of surface water or groundwater, the RRC has authority to monitor the groundwater with monitoring wells.	Authorized Pits

pits with high chloride fluids and cuttings	From our conversation this morning on pits with high chloride fluids and cuttings, the following rules may be of help to you. The new Chapter 4 rules can be found here: https://www.rrc.texas.gov/general-counsel/rules/proposed-rules/ The new Chapter 4 rules are also attached to this email. DIVISION 3. OPERATIONS AUTHORIZED BY RULE §4.114 Schedule A Authorized Pits. (begins on page 95 of 253-page number at top of page or page 133 of 291 on your right-hand pdf page tracker). Schedule A authorized pits include Reserve pits, mud circulation pits, completion/workover pits, freshwater makeup water pits, fresh mining water pits, and water condensate pits are Schedule A authorized pits. (1) Schedule A pit contents. (A) Reserve pits and mud circulation pits. A person shall not deposit or cause to be deposited into a reserve pit or mud circulation pit any oil field fluids or oil and gas wastes other than the following: (i) drilling fluids that are freshwater base, saltwater base, or oil base; (ii) drill cuttings, sands, and silts separated from the circulating drilling..... Skipping to (2) (2) Schedule A pit construction. (A) All pits shall be designed, constructed, and maintained to prevent any migration of materials from the pit into adjacent subsurface soils, groundwater, or surface water at any time during the life of the pit. (B) Any authorized pit that contains fluid with more than 3,000 mg/liter of total dissolved solids, or any authorized pit Reserve pits, mud circulation pits, and completion/workover pits located in areas where groundwater is present within 50 feet of the bottom of the pit shall be lined. (i) All liners shall have a hydraulic conductivity that is 1.0 x 10-7 cm/sec or less. (ii) A liner may be constructed of either natural or synthetic materials. (3) Schedule A pit closure. A person who maintains or uses a reserve pit, mud circulation pit, makeup water pit, fresh mining water pit, completion/workover pit, or water condensate pit shall ensure closure activities do not increase the potential for pollution. (A) Schedule A pits (i).....skiping (i) (ii) Reserve pits, and mud circulation pits, and makeup water pits which contain fluids with a	Authorized Pits
Can you please address how/if Brine Pits fall under the new regulation? Specially brine pits used for the operation of an underground hydrocarbon storage facility. They do not appear to be included in the rule as an authorized pit, Schedule A pit, or Schedule B pit. The RRC provided a definition of brine pit in the rule but does not address it in the rule.	On January 29, 2025, the Commission adopted new 16 TAC §3.82 rules relating to Brine Production Projects and amendments to various other rules in Chapter 3 that can be found here: https://www.rrc.texas.gov/media/aqjbcmbs/adopt-new-3-82-amend-ch3-various-brine-01192025-sig.pdf Thank you!	Authorized Pits

Can you help me with this in the meantime? **Is a freshwater pit designated as Schedule A or B?** **And to confirm, schedule A and Schedule B pits BOTH need to complete the registration process. (Form to follow soon)** **Thank you!**	The new Chapter 4 rules do not use “freshwater pit” in the definitions nor the Chapter 4 rules and “freshwater pit” is removed and replaced with “Makeup Water Pit”. The word “freshwater” is used twice in the Chapter 4 rules: §4.114. Schedule A Authorized Pits. Schedule A authorized pits include Reserve pits, mud circulation pits, completion/workover pits, freshwater makeup water pits, fresh mining water pits, and water condensate pits are Schedule A authorized pits. (1) Schedule A pit contents. (A) Reserve pits and mud circulation pits. A person shall not deposit or cause to be deposited into a reserve pit or mud circulation pit any oil field fluids or oil and gas wastes other than the following: (i) drilling fluids that are freshwater base, saltwater base, or oil base; A Makeup Water Pit is a Schedule A pit Schedule A and Schedule B pits BOTH need to complete the registration process. Thank you for your questions!	Authorized Pits
Financial Assurance - Pit Requirements	Here is some information that may help get you started on the financial security questions for authorized pits. EPS has a new website for Chapter 4: •All About Chapter 4 •There was a webinar dedicated to Authorized Pits on April 9th (video and slides are uploaded and linked to this site) oNo Financial Assurance Forms were available to discuss •This week, April 30th, I will be presenting the 3rd webinar in our series oIn part, I will discuss new forms including those for Authorized Pit Registrations and Financial Security oThe link to register can be found on the same website The new forms will be proposed at Commissioners Conference this week Tuesday, April 29th. If you would like to meet, Michael Wei (Team Leader) and Adrian Charles (permitting) can coordinate a time to meet at your convenience. They are both cc’d as is the new Chapter 4 email question inbox. Hope this helps!	Authorized Pits

We have a client that is interested in building a production facility adjacent to or possibly a portion lying on top of a closed reserve pit. I have a couple of questions regarding this situation. Here is a diagram of what the client is proposing. The existing reserve pit lies west of the proposed facility (in blue). **Are there any existing rules that might impact this?** **Would any of the new Chapter 4 rules impact this?**	In short, there are no existing or upcoming rules that impact the operator's ability to build on/near a location of a closed reserve pit. The rules pertaining to the reserve pit are going to concern proper closure of the pit. It is assumed that testing parameters met standards for closure and the appropriate district office approved of the closure, and as such the facility requirements would take prominence. Permitted facility location requirements (found in Chapter 4, Subchapter A, Division 4 of the newly adopted rules) state that no facility or waste management units (e.g. pits) shall not be constructed within a 100-year floodplain and/or within certain distances of sensitive features.	Authorized Pits
I have a Chapter 4 Question related to frac ponds. If we have a centralized facility that is treating produced water and then we send it via a trunk line 4 miles away to be used in completion operations, does that pit then need financial assurance and is it a schedule A or schedule B pit? I understand the centralized recycling facility will need bonding and is a schedule B pit, but since the fluids are being used for completion/workover operations in the other one I want to be sure. What would be the difference in a completion/workover pit if this is considered a schedule B pit in this case?	The frac pond in question is at a separate facility. Typically, this would require a pit permit. With the new rules coming into effect on July 1, 2025, the frac pond may be able to be registered as a Schedule B Pit as long as the contents within the pit are solely produced water. The financial security for the recycling facility itself is separate from the financial security required for a Schedule B pit. For clarification, Schedule B Pits are allowed to be located on a tract of land that is not an oil and gas lease operated by the operator of the produced water recycling pit (Schedule B Pit). The pipeline that carries the treated produced water (assumed) to the location 4 miles away to the drill site should be placing the fluids in an appropriate waste management unit. A Schedule A Pit, specifically a completion pit, could be utilized on the drill site. That Schedule A Pit will not require financial assurance.	Authorized Pits
1. For the Schedule B pits, Adrian said that a letter of credit can be accepted for financial assurance. Can you please explain how that works?	You will need to contact the RRC P-5 financial assurance for more information on what is an acceptable letter of credit. You may email your "what is an acceptable letter of credit" question to: P5@rrc.texas.gov	Authorized Pits
3. What would a large freshwater (no produced water) frac pit be considered? It would be a large volume and long term pit, but not be an NCFR. In some of our west TX acreage, there is very little produced water, and we are forced to frac with fresh water. Pit's can be as small as 100,000 bbls up to 1,000,000 bbls.	In Division 2, Definitions, §4.110, (55) Makeup water pit--A pit used in conjunction with a drilling rig, completion operations, or a workover for storage of water used to make up drilling fluid or completion fluid. The makeup water pit is an authorized pit under §4.113. Authorized Pits and §4.114. Schedule A Pits with closure requirements that are found in §4.114 (3),(A)(i-v) (B-D).	Authorized Pits
Currently brine pits are defined in Ch. 3 and are permitted. Does that change at all with Ch. 4?	No, there is no change under Chapter 4. A brine pit still requires a permit.	Authorized Pits
I'm assuming they would be Schedule B. Will the Financial Assurance process be the same as the other Sch. B pits?	Financial assurance processes for commercial pits are under Division 5 and authorized pits are under Division 3. There are some similarities and differences. Commercial bonding requires a CCE where authorized bonding does not, for example. Hope that helps.	Authorized Pits

1. Under what circumstances, if any, is the transfer of oil and gas waste from a reserve pit to a pit located outside of the unit allowed under the current or proposed rules? What documentation or permitting is required?	Transportation of O&G waste from a reserve or a mud circulation pit to another pit is not contemplated in the Chapter 4 rules. However, the Chapter 4 rules do not prohibit fluid from the pit dewatering to be transported by an authorized hauler to another pit for re-use. Considering O&G waste can be solids or liquids, the dewatering of the pit would leave the accumulated drill cutting solids to be disposed of in an authorized manor or by pit closure and the pit receiving the re-used fluid would need to be registered	Authorized Pits
2. If a synthetic liner is used outside its technical limitations, does that constitute a violation of §4.101's prohibition against increasing the potential for pollution?	Increasing the potential for pollution is not addressed in §4.101, however, §4.114 (3) provides that a person who maintains or uses a reserve pit, mud circulation pit, makeup water pit, fresh mining water pit, completion/workover pit, or water condensate pit shall ensure closure activities do not increase the potential for pollution. The Commission has adopted Chapter 4 rules requiring minimum synthetic liner requirements that is believed to prevent pollution that could impact surface or subsurface waters. Chapter 4 rules also speak to the minimum permitting, operating, monitoring, and closure standards within the scope of the Commission's statutory authority in establishing protection of public health, public safety, and the environment for the management of wastes and prevention of pollution.	Authorized Pits
3. Does any physical breach or cutting into the sidewall of a reserve pit—whether for regrading, transfer, or drainage—trigger enforcement or require prior authorization due to increased pollution risk?	A physical breach or cutting into the sidewall of a reserve pit would negate primary containment where the pit provided measures to confine, control, and secure the oil and gas waste to a defined space. In the Chapter 4, authorized pits, §4.113 (d) provides that in the event of an unauthorized release of oil and gas waste treated fluid, or other substances from any pit authorized by this section (e.g. physical breach or cutting the sidewall), the operator shall take any measures that are necessary to stop or control the release and report the release to the District Office within 24 hours of discovery of the release (or causing the release).	Authorized Pits
4. Are industrial-grade surfactants permitted for use in the de-watering process of soil-lined reserve pits? If yes, are there specific material compatibility or environmental thresholds that apply?	4.Are industrial-grade surfactants permitted for use in the de-watering process of soil-lined reserve pits? The §4.110 (66) definition for Oil Field Fluids includes "surfactants' as an "oil field fluid" so a surfactant can be added to any pit that is permitted to contain oil field fluids. If yes, are there specific material compatibility or environmental thresholds that apply? No specific material compatibility or environmental thresholds are cited in the Chapter 4 rules.	Authorized Pits

5. If a flare pit is no longer used for its original purpose, can it be reclassified or reused as another type of pit (e.g., reserve, disposal, or fluid storage)? What requirements apply to that reclassification?	5.If a flare pit is no longer used for its original purpose, can it be reclassified or reused as another type of pit (e.g., reserve, disposal, or fluid storage)? Yes. What requirements apply to that reclassification? §4.113 (c)(2) provides that by July 1, 2026, basic sediment pits, flare pits, and other unpermitted pits not authorized by this section, shall be permitted according to this subchapter (subchapter A) or closed according to this division (Division 3).	Authorized Pits
7. When waste is brought from an offsite lease for permanent disposal in a reserve pit located on a different lease, but still within the unit, will the operator be required to obtain written consent from the surface owner where the receiving pit is located, if that landowner is different from the one where the waste originated?	Chapter 4 rules for reserve pits contemplate permanent burial of dewatered waste only on the well site where the waste was generated. If the dewatered waste is transported to a different well site to be permanently buried, that sounds like a different permit would be needed. If the dewatered fluid were to be transported to a different reserve pit to be used again as drilling fluid, that would be allowed without the second landowner's permission.	Authorized Pits
8. If recycled or treated produced water is stored in a reserve pit, is that pit considered different from a typical drilling waste pit, and does it require different permitting or standards?	Yes, sounds like going from a schedule A makeup water pit going to a schedule A completion/workover pit. A pit registration form will capture the operators multiple pit registrations or pit changes when not pre-planned or unexpected. Th operator can also check multiple use boxes on the pit registration form in anticipation that the pit would be used for multiple purposes.	Authorized Pits
9. When registering an authorized reserve pit, will operators be required to include USGS floodplain maps to document whether the site is located in a flood-prone area?	Anywhere the word USGS map appears in Chapter 4, an equivalent topographic map is also acceptable as long as all other required items are identified.	Authorized Pits
10. Can a single reserve pit serve multiple well pads or units, and if so, are there operational or permitting limits (e.g., volume, location tracking, duration)?	Chapter 4 rules do not identify if a single reserve pit may service several well pads at one time. §4.110 definition (82), Reserve pit, states that a reserve pit is used with a drilling rig and is located at the well site. §4.111(d) states that other wastes that are disposed in a reserve pit can be disposed of at the same well site where they are generated. It appears that Chapter 4 only contemplates a reserve pit located at a single well site, servicing one drilling rig, and being closed on the same well site.	Authorized Pits
11. If a reserve pit is operated under a valid permit but is actively causing pollution or operating outside best practices, is that considered "compliance" under §4.102(g)?	A reserve pit is not a permitted pit, but rather a registered pit. If a registered pit is actively causing pollution by violating RRC rules, then the pit is violating §4.102(g) where no person may manage oil and gas wastes in a manner that violates Commission rules. I do not believe the Commission intended that it is ok if a person may cause pollution as long as that pollution does not impact surface water or groundwater.	Authorized Pits

14. In reserve pits that may contain 5 to 10 feet of accumulated waste, how does the Commission intend to confirm that all waste meets the paint filter standard prior to closure? Since the upper layers may visually appear dewatered, while deeper layers remain saturated, will operators be required to demonstrate that the full vertical profile complies with dewatering requirements?	14.In reserve pits that may contain 5 to 10 feet of accumulated waste, how does the Commission intend to confirm that all waste meets the paint filter standard prior to closure? The Chapter 4 rules requires a paint filter test must meet EPA Method 9095B (Paint Filter Liquids Test), as described in "Test Methods for Evaluating Solid Wastes, Physical/Chemical Methods" (EPA Publication Number SW-846, method 9095B-Paint Filter Liquids Test.). Since the upper layers may visually appear dewatered, while deeper layers remain saturated, will operators be required to demonstrate that the full vertical profile complies with dewatering requirements? The Chapter 4 rules do not require verification of the complete depth of pit waste. District Directors may observe the pit closure process.	Authorized Pits
15. If an operator breaches the sidewall of a reserve pit to release water or semi-liquid waste onto adjacent soil—whether intentionally or as part of dewatering—does this action trigger the requirements applicable to land application under Chapter 4, such as obtaining the surface owner's written consent or a separate land application authorization?	No	Authorized Pits
16. Can a pit be reclassified more than once (e.g., from flare pit to reserve pit, then to drilling fluid storage, etc.)? Is there a limit—either in time, function, or regulatory discretion—on how often or for how long a pit may be reclassified before it must be closed or fully permitted as a new facility?	As long as drilling operation have not ceased, the pit can be reclassified as long as the pit registration form identifies the use or designation of the pit.	Authorized Pits
Shauna DeMattee (makeup water pits) - Wanted to provide more clarification on my inquiry regarding makeup water pit registration. We currently operate over 150 makeup water pits in our Eagle Ford asset. Majority of these makeup water pits are off-lease, lined and we have surface owner agreements in place. The pits are used frequently based on area development for drilling and completions activities. We typically keep these makeup water pits open for multiple years based on continued used. With this information in mind, I am struggling with the Schedule A pit registration process since we cannot tie those pits to a specific on-lease drill permit.	You would need to register existing authorized makeup water pits after July 1, 2025. Chapter 4 rules have closure requirements for makeup water pits found in §4.114 (3) and the makeup water pit would need closure within one year of cessation of drilling operations. You may request an exception following §4.109. Exceptions (exceptions to rules). The Director shall review each written request for an exception on a case-by-case basis. If the Director denies a request for an exception, the applicant or permittee may request a hearing consistent with the hearing provisions of this subchapter relating to hearings requests but shall not use the requested alternative until the alternative is approved by the Commission.	Authorized Pits

I have a Chapter 4 Question related to frac ponds. If we have a centralized facility that is treating produced water and then we send it via a trunk line 4 miles away to be used in completion operations, does that pit then need financial assurance and is it a schedule A or schedule B pit? I understand the centralized recycling facility will need bonding and is a schedule B pit, but since the fluids are being used for completion/workover operations in the other one I want to be sure. What would be the difference in a completion/workover pit if this is considered a schedule B pit in this case?	The frac pond in question is at a separate facility. Typically, this would require a pit permit. With the new rules coming into effect on July 1, 2025, the frac pond may be able to be registered as a Schedule B Pit as long as the contents within the pit are solely produced water. The financial security for the recycling facility itself is separate from the financial security required for a Schedule B pit. For clarification, Schedule B Pits are allowed to be located on a tract of land that is not an oil and gas lease operated by the operator of the produced water recycling pit (Schedule B Pit). The pipeline that carries the treated produced water (assumed) to the location 4 miles away to the drill site should be placing the fluids in an appropriate waste management unit. A Schedule A Pit, specifically a completion pit, could be utilized on the drill site. That Schedule A Pit will not require financial assurance.	Authorized Pits

For reserve pits where a natural liner is used to meet the hydraulic conductivity requirement of 1.0×10^{-7} cm/sec, how does the Commission propose that we (operators) verify compliance? The rule does not specify construction criteria such as soil type, lift thickness, or compaction standards—only the final hydraulic conductivity. Will the Commission provide guidance on acceptable methods for verifying permeability (e.g., in-situ vs. lab testing)? Will minimum sampling frequency, QA/QC procedures, or certification by a geotechnical professional be required? Will the RRC test any naturally lined pits to ensure compaction rate, and finally, can the bottom of a naturally lined pit be used for the dewatering/ solidification of pit waste during closure?	The Chapter 4 rules do not require operators to verify compliance of the hydraulic conductivity requirement of 1.0×10^{-7} cm/sec for reserve pits with a natural liner. Yes, this is the case with reserve pits. You will find these kinds of construction criteria under produced water recycle pits. The Chapter 4 rules §4.114 (2) require that schedule A pit construction (including reserve pits) shall be designed, constructed, and maintained to prevent any migration of materials from the pit into adjacent subsurface soils, groundwater, or surface water at any time during the life of the pit. If the operator is unsure how to verify the hydraulic conductivity requirement of 1.0×10^{-7} cm/sec for reserve pits with a natural liner, the operator can use a synthetic liner in the recommended application by the manufacturer to achieve a hydraulic conductivity requirement of 1.0×10^{-7} cm/sec. Chapter 4 rules do not require this. Will the RRC test any naturally lined pits to ensure compaction rate, and finally, can the bottom of a naturally lined pit be used for the dewatering/ solidification of pit waste during closure? The Chapter 4 rules do not require the RRC to test natural liners at the time of pit closure. However, §4.114 (3)(C) provide that the Director may require that a person who uses or maintains a reserve pit, mud circulation pit, fresh makeup water pit, fresh mining water pit, completion/workover pit, or water condensate pit to dewater and backfill the pit sooner than the time prescribed by subparagraph (A) of this paragraph if the Director determines that oil and gas wastes or oil field fluids are likely to escape from the pit or that the pit is being used for improper storage or disposal of oil and gas wastes or oil field fluids.	Authorized Pits
In the fall, I heard RRC staff speak at the PBPA conference. In the talk, I understood that the new language in the new rule for financial assurance for pits is that the rule is intended to deal with pit operators who do not follow the rules. It was also indicated that the rules would not prevent an operator from seeking an alternative to demonstrate financial assurance as an exception to the enumerated options set out in the rule, once the rules are active. If I have misunderstood, could you please let me know.	The Division 2 Definitions, §4.110 provide the definitions for a pit and for a tank. §4.110 (70) Pit--A container for which earthen materials provide structure, shape, and foundation support. A container that includes a concrete floor or sidewall is a pit. A tank, as defined in paragraph (89) of this section, is not a pit.	Authorized Pits

I have an operator that is looking to construct a pit related to a geothermal well they are looking to permit. They will be using it for testing and staging prior to applying for the geothermal injection permit. I assume this type of pit will need to be registered with the district office and require financial assurance after July 1st. Is that correct?	Chris – 'Geothermal water resource' pits require permits and are not authorized under Chapter 4. These pits will fall under Subchapter A.	Authorized Pits
I understand there's no set guidelines for this situation I suppose the most basic thing I need to know to get started is: Whom should I submit this data to, for approval that the proposed location is not in a floodplain? If that is the case, once I've collected data that I believe is sufficient, who should I present it to? Is there some sort of preferred deliverable or is this wide open, currently? Additionally, will we receive some sort of certification/permit that excludes us from any scrutiny from the RRC, moving forward?	Good morning Luke, The District Office will be the point of contact for Authorized Pit evaluation. Hope this helps.	Authorized Pits