

From: [rcwebcontact](#)
To: [Rules Coordinator](#)
Subject: The Form "Rules Comment Form" was submitted
Date: Thursday, September 12, 2024 5:14:16 PM



General Comment

Here is a new comment from the Web.

Comment

Choose Form

Amend §3.8 and new/amended Chapter 4, waste management

Name

Neil Nowak, PE

Address

6161 S. SYRACUSE WAY

City

GREENWOOD VILLAGE

State

CO

Zip

80111

Business Phone, Fax

7204136142

Email Confidentiality Preference

No, I request my e-mail address to remain confidential

Email Address

[REDACTED]

Comments concerning proposed rulemakings

September 12, 2024 Chairman Christi Craddick Commissioner Wayne Christian Commissioner Jim Wright Dear Commissioners: As a concerned professional working in Texas, I have been following with great interest the proposed updates to Statewide Rule 8. The final draft, issued on August 15, 2024, raises some important concerns about the environmental protection of Texas lands, groundwater, community health, and landowner rights. In the newly proposed regulations, the standards to protect groundwater and the environment have been significantly lowered, and leave landowners unprotected from future contamination of their land. The previous draft issued in October 2023 included standards for authorized pits on construction, operation, and closure. Alarming, those were removed in the most recent draft, as were requirements for groundwater monitoring, sampling, and liners. I would like to kindly request the Railroad Commission of Texas revisit its proposed updates regarding the use of authorized pits and strengthen regulations in the following two areas: 1. Establish uniform requirements for construction, operation, and closure standards of all authorized pits. As I read it, the updated rule imposes no construction, operation, or closure requirements on these pits. While the new pit registration requirement may be helpful in identifying pit locations, it will not eliminate the inherent hazards reserve pits pose to groundwater or land. Reasonable construction standards, liner requirements, groundwater monitoring, pre-closure testing of waste, and closure standards are the best ways to protect our groundwater and preserve our land. 2. Require landowner notification and consent. Operators should be required to notify and obtain a landowner's permission before permanently

burying waste on their land. For the uninformed, it is believed that these pits contain only cuttings and mud, but in reality, there are trace amounts of benzene, arsenic, metals, diesel, and high levels of chlorides. When buried in place, these substances inhibit the regrowth of vegetation, risk groundwater contamination, and harm livestock and wildlife. Furthermore, landowner permission has long been required for landfarming so it stands to reason that the same standard should apply to permanent burial. Reserve pits may be smaller than commercial disposal pits, but they contain the same waste and pose a similar risk to groundwater yet are almost entirely unregulated. As a concerned professional working in Texas, it is my belief that reasonable regulations for authorized reserve pits will protect our groundwater and the environment while still allowing Texas' thriving energy industry to lead from the front. I kindly urge you to consider strengthening the regulations as outlined above. Respectfully, Neil C. Nowak, P.E.

check

Origin

65.133.14.146