



## RAILROAD COMMISSION OF TEXAS

Oil & Gas Division | Technical Permitting

### Application for Surface Management of Oil & Gas Waste Instructions

Form EP - 5

(Rev. 07/01/25)

## PART I General Application Information

The Form EP-5 and its attachments provide essential administrative and technical information necessary for the efficient processing of a permit application for the surface management of oil and gas waste, as outlined in 16 Texas Administrative Code (TAC) Chapter 4, Subchapters A, B, and F.

### i. Pre-Application Meeting

Before submitting this application, you may email [enviropermits@rrc.texas.gov](mailto:enviropermits@rrc.texas.gov) to request a pre-application meeting. While these meetings are optional, they can be helpful for applications that involve more complex operations.

### ii. Application Information

Facilities with outstanding violations are not eligible for any permit action until the outstanding violations are resolved in accordance with Chapter 4. Email [EPSCompl@rrc.texas.gov](mailto:EPSCompl@rrc.texas.gov) before filing any permit application if there are outstanding violations to request a meeting regarding the resolution of these violations.

EPS cannot renew, transfer, or amend this permit unless the facility is compliant with Commission rules under §4.122(b)(5), §4.122(c)(6), or §4.122(d)(4), respectively. A permit amendment is required before a permittee may conduct any activities other than those activities specifically authorized by the permit under the corresponding rule for the type of application.

### iii. Application Type

Select the type of application being filed. Bundling application requests is highly encouraged (for example, submitting an amendment along with a renewal request that are closely timed should be submitted as a Renewal/Amendment application).

- **Initial Application** – This is a first-time application that has been submitted.
- **Amendment Application** – This application is submitted for changes to the initial application, renewal, or transfer of a renewal. It must be completed and submitted at least 90 days before the current permit expiration date.
- **Renewal Application** – This application is for a facility with a current permit that is about to expire. It must be completed and submitted at least 60 days before the current permit expiration date.
- **Modification** – This application is submitted for adjustments to the initial application, renewal, or transfer of a renewal. Modifications may be minor, such as upgrading permitted equipment, replacing liners to maintain compliance, or making other reasonable changes that do not negatively impact the facility's design footprint.
- **Renewal Transfer** – This refers to the application process for a facility that has a current permit nearing expiration and is being assigned to a new Facility Operator who is already registered with a P-5 for that facility. This application must be completed and submitted at least 60 days before the expiration date of the current permit.
- **Other** – This category can be used for any filing necessary with the EPS that does not fall under the categories mentioned above.
- **Existing Permit Numbers** – Enter all pit numbers within the facility that are being amended, renewed, modified, or transferred. **NOTE: If the permits for the facility are issued separately, EPS will consolidate**



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**all facility waste management units (WMUs) into a single permit upon issuance.** Staff will communicate any necessary details with the operator to explain the process as needed.

#### iv. Organization Information

Under Statewide Rule §3.1, an organization (also referred to as an Operator) must have an active P-5 (Form P-5 Organization Report) status with the Commission before applying. If an application is received and the Organization lacks an active P-5 number, the application will not be considered administratively complete and will be returned to the applicant.

All correspondence related to the application will be sent to the address or email on file with the P-5 unit. If an operator needs to renew the Form P-5 Organization Report or update the contact information on file, they can do so by contacting the P-5 department.

- **Organization Name** – Enter the name as it appears on the Form P-5 Organization Report.
- **P-5 Number (No.)** – Enter the number assigned to the organization by the P-5 unit.
- **Alternate Contact** – This can be a consultant or another third party representing the organization (this contact must be listed under the organization details).
- **Secondary Contact** – This is a contact at the organization in addition to the primary contact.

Confirm the organization's P-5 status, along with the primary contact's name, title, and contact details (email address and phone number) using LoneSTAR, the Railroad Commission's (RRC) online portal (<https://www.rrc.texas.gov/apps/>).

#### v. Facility Information

This section of the application focuses on the specific details of the facility. All fields within this section must be filled out completely and accurately. Providing thorough information will help ensure that your application is processed efficiently and accurately.

**EPS Facility ID** – If you have a specific EPS Facility ID (assigned by EPS), enter it here. If you do not know this number, leave this field blank. The facility ID is the best reference to use when submitting applications, except for the initial application. Leave blank if you do not know your facility ID.

**Facility Name** – Provide the full name of the facility, which is the name the organization uses to refer to the facility. Ensure that it is spelled correctly and is easily identifiable.

**Physical Address** – Provide the complete physical address of the facility. If there is no conventional address, enter the 911 location. Fill in the following details:

- **City** – Enter the city in which the facility is located.
- **State** – Specify the state abbreviation (e.g., TX for Texas).
- **Zip** – Enter the zip code.
- **County** – Name of the county where the facility is situated.

Record the geographic coordinates in decimal degrees (NAD 83) to six decimal places.

**Latitude** – Enter the latitude coordinate.

**Longitude** – Enter the longitude coordinate with a negative sign (indicating west).

**Section, Block, Survey Name** – Fill in the respective section and block numbers along with the name of the survey.



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- The survey name can be located through the General Land Office's (GLO) online mapping service at: <https://gisweb.glo.texas.gov/glomapsjs/index.html>.

**Abstract Number** – Write the abstract number, prefixed with the letter "A."

- The **abstract number** is a number assigned to the land by the GLO; this is unique to the County and can be found at: <https://gisweb.glo.texas.gov/glomapsjs/index.html>.

**Total Facility Acreage** – Indicate the total acreage of the facility.

Associated RRC Facility Number assigned to the facility.

**No RRC Identifier** – If there is no Railroad Commission (RRC) identifier, select the provided box.

If applicable, provide one of the following:

- Gas Plant Serial Number
- American Petroleum Institute (API) number.
- Drill Permit Number
- Lease Number (RRC lease ID number). This would be an ID number assigned by the Commission. Note that a gas lease will have a 4-digit number, and an oil lease ID will be five digits.
- Lease Name (this could differ from the facility name).

Provide general location information for the facility.

**Miles from the nearest town** – Specify how far the facility is from the nearest town.

**Name of the nearest town** – Fill in the name of the closest town.

**Driving directions from the nearest town** – Describe detailed directions to reach the facility from the nearest town.

#### vi. Facility Operation

Provide a brief description of the complete waste management processes at this facility. The RRC will use this information as the basis for the facility narrative in a permit.

Additionally, Operators may include any current amendment requests or permit modification information in this section. This additional information can help clarify what the permittee is requesting.

It's important to note that any pit associated with a current or pending discharge under a Texas Pollution Discharge Elimination System (TPDES) Permit from the TCEQ must submit a copy of the current TPDES permit from TCEQ. This submission is necessary before the Commission can proceed with issuing a permit for the facility. The RRC understands that a permit may need to be filed before the issuance of the TCEQ permit, which could result in delays for a Commission permit. The Commission will consider these circumstances on a case-by-case basis, taking into account the potential for administrative denial under §1.201, provided that all other permit information has been submitted adequately to the Commission.

## PART II General Waste Information

#### i. Facility Waste Management Operations

Review the options listed and check all that apply to your facility:

- On-Lease** – Check this box if the waste management operations occur on a leased site.

Railroad Commission of Texas Oil & Gas Division | Environmental Permits | P.O. Box 12967, Austin, Texas 78711-2967



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- **Off-Lease** – Check this box if waste management operations occur off a leased site.
- **Commercial** – Check this box if your facility is involved in commercial waste management.
- **Non-Commercial** – Check this box if your facility is involved in non-commercial waste management.
- **Other** - If none of the above categories apply, please check this box and write a brief description in the space provided.
  - Some examples are centralized landfarm, pilot project, and other jurisdictional waste such as lithium extraction, land application of Class VI cuttings, or other industry developments which require an application for a permit under Chapter 4, Subchapters A, B, or F.

#### ii. Waste (solid/fluid) Transport Method:

Select how the waste is transported by checking the applicable boxes:

- Contract Hauler: Check this box if a third-party hauler is responsible for transporting the waste.
- Applicant's Truck: Check this box if your facility uses its truck for waste transportation.
- Pipeline: Check this box if waste is transported via pipeline.
- Other: If other methods are used, check this box and specify in the space provided.

#### Note:

Third-party contracted waste haulers must have the facility on the Waste Hauler Permit before any waste can be received. The facility must complete Form WH-3 and submit it to the waste hauler operator for submission via LoneSTAR.

An operator can complete a [Form WH-3](#) using the link provided below, and the waste hauler may submit the WH-3 via LoneSTAR to ensure compliance with Commission regulations.

A Waste Hauler Permit issued by the Commission does not have jurisdiction to transport Oil & Gas NORM waste to a facility. A separate authorization must be obtained from the Department of State Health Services (DSHS) under §4.635(d)(3) of 16 TAC. <https://www.rrc.texas.gov/oil-and-gas/oil-and-gas-forms/>

#### iii. Movement of Waste Within the Facility

Describe the waste management process, detailing each step from the moment waste is received until it is disposed of in an authorized manner. Break it down unit by unit.

If this information is included in the Facility Operation description, there is no need to duplicate it. Make a note here and disregard.

## PART III Technical Information

#### i. Waste Management Details

Enter the required details for each permitted waste management unit in the Form EP-5 Excel attachment, referencing the 'Instructions' tab.

The WM details for all WM units at your facility must be entered into the Form EP-5 Excel attachment spreadsheet and submitted as part of the application. The completed application and Excel spreadsheet can be emailed to [EPSch4@rrc.texas.gov](mailto:EPSch4@rrc.texas.gov).

If any associated attachments, diagrams, maps, etc., are too large to send via email, you may submit hard copies to Technical Permitting until a complete electronic filing system is implemented.



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#### Technical Permitting Section

Oil and Gas Division – Environmental Permitting Unit

Railroad Commission of Texas

P. O. Box 12967

Austin, TX 78711-2967

#### ii. Dikes/Berms Details:

**Dike/Berm Dimensions**- Provide the height of the dikes/berms above ground level in feet (ft). Measure and record the width at the base in feet (ft).

**Containment Assessment** – Indicate whether the dikes and berms are designed to fully contain all waste within the waste management units. Check the box for **Yes** if they are designed to contain all waste. Check the box for **No** if they are not designed for full containment.

**Stormwater Prevention** – Determine if the dikes and berms are designed to prevent stormwater from entering the waste management units. Check the box for **Yes** if they prevent stormwater entry. Check the box for **No** if they do not prevent stormwater entry.

**Source of Materials for Dike Construction** – Specify the source of the materials used for constructing the dikes and berms.

- Check the box for 'Excavated from a pit' if the materials were sourced directly from a pit.
- Check the box for 'Adjacent borrowed pit' if materials were taken from a nearby pit.
- Check the box for 'Off-site excavation' if the materials were sourced elsewhere, and provide a brief description of the material used.

#### Groundwater Information within one (1) Mile

Indicate whether a groundwater monitoring plan has been submitted by checking "Yes." Indicate whether no shallow groundwater was found by checking "No." In the space provided, please summarize the information reviewed regarding shallow groundwater results. It is helpful to include a brief narrative of the sources consulted, such as the Texas Water Development Board (TWDB) and on-site well logs.

### PART IV Certification and Signature

#### i. Certification and Signature

Read the certification statement, then sign the application and enter the title of the person signing. Print the name of the signer, and then select the date when the applicant signed. Note, Chapter 4 does not require 'wet-ink signatures'; signatures may be digital.