

Kellie Martinec

From: rrcwebcontact@gmail.com
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To: rulescoordinator
Subject: Comment Form for Proposed Rulemakings



Comments Form for Proposed Rulemakings

Date Submitted

Thursday, August 11, 2016 11:11:45 AM

Submitted By

Jim Bradbury

201 Main Street, Suite 600
Fort Worth, TX 76102

Phone: 817 339 1105

Fax:

Email: [REDACTED]

I request my e-mail address remain confidential

Amend §3.15--inactive wells and return to production

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To: Railroad Commission of Texas
c/o Alexander C Schoch, GC
Kimberly Corley, ED

I have review the proposed rule changes to Section 3.15 regarding equipment removal and Inactive Wells. At the outset, I have no comment or opposition the non substantive changes proposed or the elimination of the now outdated phase in. I do however believe that the main proposed changes are misguided and portend significant harm to private property owners in the State of Texas.

As the Commission itself has recognized addressing older no producing or inactive wells is a chronic problem in terms of regulation, funding and enforcement. These wells possibly pose the greatest threat to the surface, groundwater and the private property interests of the surface owner. The process required to compel the proper plugging and closure of a well and related surface equipment is extremely burdensome for landowners. The

difficulty for the Commission is no less.

While the stated reason for these changes is to assist the industry during times of low oil prices, the rule changes are permanent and not tied to any market trigger based on oil price. Further the savings to the Commission and the industry are slight compared with the risk potential associated with lowering the standard.

The rule proposal does not contain any evidence that individual operators or surface landowners have suggested or made a showing that on balance the rule change is needed. The need is just presumed.

As to the changes themselves, the proposal lowers the current standard by 50% for showing a well is active. I do oppose that change as unnecessary and because the lower standard will enable operators to avoid their obligation to surface owners to properly address wells that are no longer effectively producing. But by far the most problematic changes to the rule are the addition of a standard that a well producing "any" quantity of oil and or gas will be considered an active well. That is no standard at all and will in effect enable operators now and into the future to effectively avoid the important obligation to close what are obviously inactive wells. That standard should be eliminated entirely. It poses a permanent change to the detriment of private property rights of Texas landowners.

The rule currently contains ample procedural options for producers and the Commission to delay or avoid the rule requirements upon a proper showing. Any producer struggling under the pressure of low prices can easily request that the commission alter the requirement of the rule.

Thank you for considering these comments.

/s/

Jim D. Bradbury

James D. Bradbury, PLLC

Railroad Commission of Texas | (877) 228-5740 | 1701 N. Congress, Austin, Texas 78701