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General Comment

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Chapter 5 (HB 1284, 2021)

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Comments concerning proposed rulemakings

My name is Geoffrey Reeder. I am a lifelong resident of the State of Texas. I oppose the Railroad Commission (RRC) taking over jurisdiction of carbon dioxide sequestration from the United States Environmental Protection Agency. Other opponents have addressed the technical reasons why the RRC should not be granted this authority and I will not repeat those here. My reason for opposing the delegation of authority is more pragmatic. The RRC currently regulates disposal facilities permitted to accept oilfield wastes. The RRC has failed, and continues to fail, to protect human health and the environment by ensuring those facilities comply with their permits and applicable environmental rules and regulations. For example, the McBride Operating site near Waskom, Texas has been found in violation of their permit in multiple inspections and continues to operate accepting waste. Some of that waste appears to be flowing offsite into adjacent wetlands. Another example is the Blackhorn Environmental Services facility located in south Texas. According to RRC records, this facility has accepted waste without the proper documentation and perhaps received waste it is not permitted to receive. Multiple complaints to the RRC about these facilities remain unresolved and the facilities continue to receive waste material. It is unknown why the RRC has failed to bring these sites into compliance or have them cease operating. Is the number of personnel sufficient to inspect waste facilities on a regular basis? Does the RRC staff have the proper training to adequately enforce the rules? Does the RRC simply ignore the non-compliance issues? In the proposed rules, there is no requirement for a professional geoscientist or professional engineer to review and approve the design of a sequestration facility. The proposed rules allow operators to self certify their proposed design complies with the applicable regulations. There is little to ensure the public is

protected. If the RRC were allowed to assume jurisdiction over carbon dioxide sequestration there is no reason to assume the oversight of that waste stream would be managed properly.

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