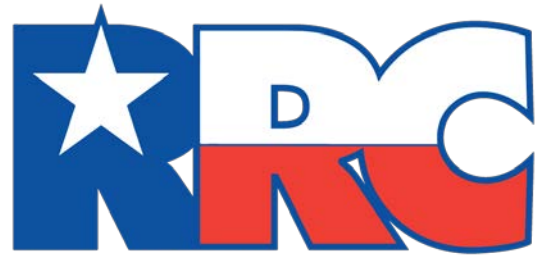


2022

OILFIELD CLEANUP PROGRAM
ANNUAL REPORT



LEADING TEXAS ENERGY
OIL & GAS ★ COAL ★ PIPELINES
RAILROAD COMMISSION OF TEXAS

CHRISTI CRADDICK, CHAIRMAN
WAYNE CHRISTIAN, COMMISSIONER
JIM WRIGHT, COMMISSIONER



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ASSISTANT EXECUTIVE DIRECTOR AND
DIRECTOR, OIL AND GAS DIVISION
CLAY WOODUL
ASSISTANT DIRECTOR, FIELD OPERATIONS

RAILROAD COMMISSION OF TEXAS OIL AND GAS DIVISION

January 18, 2023

Dear Members of the 88th Legislature:

The Railroad Commission of Texas is pleased to present its *FY 2022 Annual Report on the Oil Field Cleanup Program* for your review. This report describes the Commission's progress toward plugging and remediating abandoned well sites across Texas. State statute requires that the Commission submit this report to the Legislature on an annual basis.

The Railroad Commission formally adopted this report in an open meeting held on January 18, 2023.

The Railroad Commission remains committed to the success of the Oil Field Cleanup Program and to the protection of the state's land and water resources through activities funded by the Oil and Gas Regulation and Cleanup Fund. This report is posted on the Commission's website; however, should you have any questions about the material presented, please contact R.J. DeSilva, Director of Communications, at (512) 673-8219. Thank you for the opportunity to share detail about the Railroad Commission's oil field clean-up activities and your continued interest in the Commission.

Sincerely,

DocuSigned by:

Christi Craddick

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Christi Craddick
Chairman

DocuSigned by:

Wayne Christian

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Wayne Christian
Commissioner

Attest:

DocuSigned by:

Callie Farrar

3581C80DFDE0476

Secretary

DocuSigned by:

Jim Wright

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Jim Wright
Commissioner

Table of Contents

Executive Summary	3
Background	4
Orphan Wells in Texas	4
Figure 1: Wells monitored by the Railroad Commission	4
Table 1: Change to orphaned well population FY 22	5
Table 2: Well Categories.....	5
Table 3: Change to orphaned well population FY 06–FY 22.....	6
Figure 2: Orphaned well population August 2004–August 2022	7
State Managed Cleanup Program.....	7
Oil and Gas Regulation Cleanup Fund (OGRC).....	7
Oil Field Cleanup Activities Data	8
1. Performance Goals for the Oil and Gas Regulation and Cleanup Fund.....	8
Table 4: Fiscal Year 2022 Performance Goals	8
2. Number of Orphaned Wells Plugged with State-Managed Funds, by District:	9
Figure 3: Regional map of Railroad Commission district offices	9
Figure 4: Wells plugged and paid by RRC district FY 2022	10
3. Number of Wells Orphaned, by District:	11
Figure 5: Orphaned wells by district, FY 2022	11
4. Number of Inactive Wells Not Currently in Compliance with Commission Rules, by District:	12
Figure 6: Non-compliant wells FY 2022.....	12
5. Status of Enforcement Proceedings for Wells in Violation of Commission Rules, by District:.....	13
Table 5: Enforcement proceedings by district.....	13
6. Number of Surface Locations Remediated, by District:.....	14
Figure 7: Remediation Activities FY 2022.....	14
7. Oil and Gas Regulation and Cleanup Fund Expenditures for Oil Field Cleanup Activities:	15
Table 6: FY 2022 OGRC Expenditures for Oil Field Cleanup Activities*	15
8. Orphaned Well Plugging Prioritization Methodology:	16
Table 7: Well Plugging Priority System.....	17
Table 8: Number of wells plugged by priority	18
9. Projection of the amount of money needed for the next biennium for plugging orphaned wells, investigating, assessing, and cleaning up abandoned sites, and remediating surface locations.	18
10. Number of Sites Successfully Remediated Under the Voluntary Cleanup Program, by District:	18

Executive Summary

The Railroad Commission (RRC) is deeply committed to protecting the environment and natural resources of this state. One of the most important ways the RRC achieves this is through the restoration of land used in energy production to a safe, productive condition. Although most oil and gas wells that are no longer productive are plugged by responsible operators, the RRC administers Texas' Oil Field Cleanup Program to plug abandoned wells. First established in 1984, RRC's Oil Field Cleanup Program has plugged over 43,000 abandoned wells across Texas.

Section 81.069, Natural Resources Code, requires that the Railroad Commission submit to the Legislature and make available to the public this report reviewing the extent to which Oil and Gas Regulation Cleanup Fund (OGRC) dollars have enabled the Commission to better protect the environment through oil field cleanup activities. The OGRC funds the plugging and remediation activities of the Oil Field Cleanup Program. The Commission is proud to report that OGRC funds were used to better protect the environment in areas across Texas in FY 2022. Key highlights within the Commission's FY 2022 report are as follows:

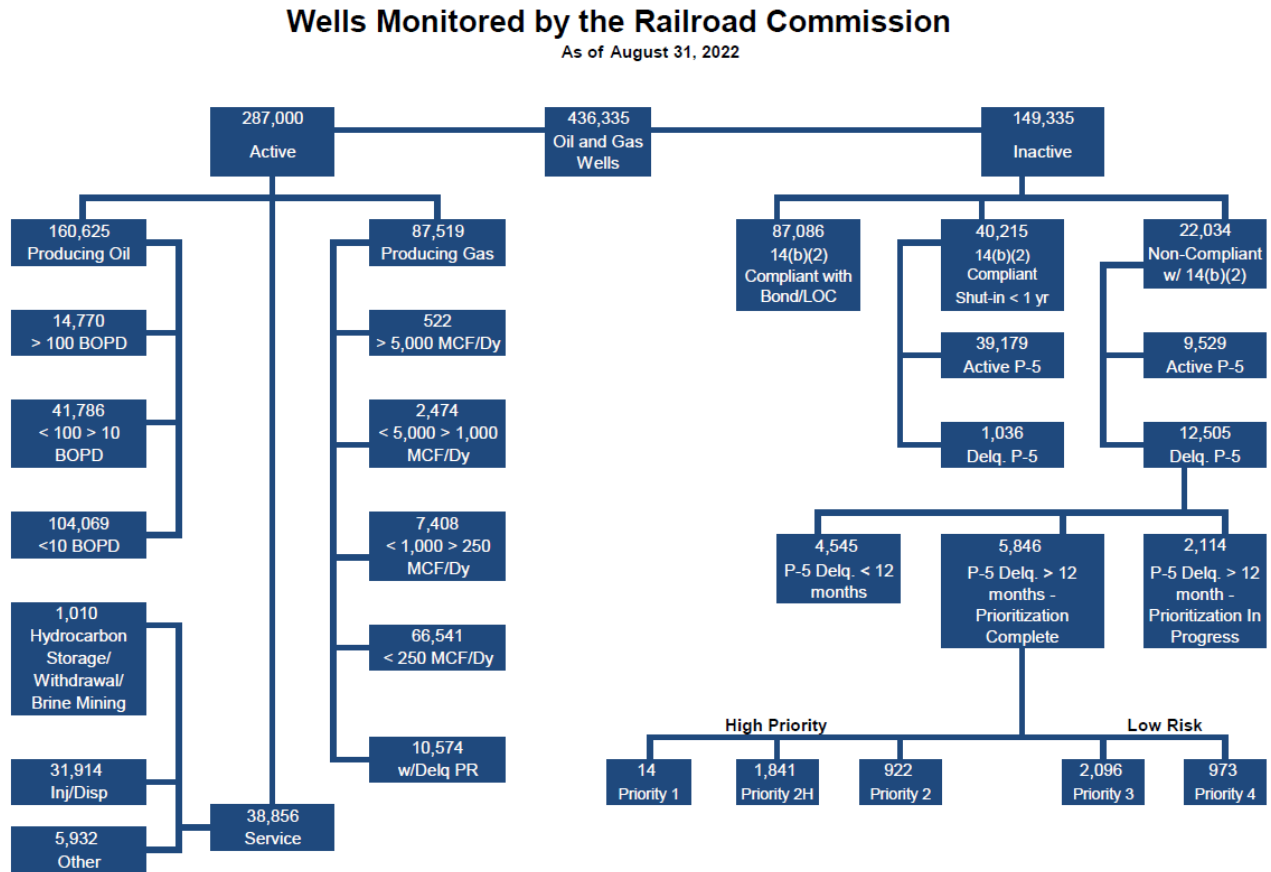
- RRC plugged 1,068 abandoned wells in FY 2022, exceeding the agency's annual performance measure by 68 wells.
- In FY 2022 RRC exceeded each of its performance goals relating to well plugging and site remediation. The agency achieved 106 percent of its target performance for well plugging, 123 percent of its target for abandoned site investigation and clean up, and 101 percent of its target for surface locations to be remediated.
- As of August 2022, there were 7,960 abandoned, orphaned wells in Texas. While this represents a decline in the total orphaned well population over the past decade, with unprecedented volatility experienced by the energy industry in 2022, the abandoned well population increased by 944 wells during fiscal year 2022.
- RRC's well plugging expenditures totaled \$29.5 million for fiscal year 2022.
- The number of inactive wells not in compliance with RRC rules has decreased over the past 18 years. In fiscal year 2003, there were 24,202 non-compliant wells. By August 2022 that number was reduced to 22,034 wells, while the total number of wells in the state increased by 76,828.
- During fiscal year 2022, RRC identified 2,216 abandoned oilfield sites as candidates for state-managed remediation. RRC conducted 245 cleanup activities on those sites.

Background

Orphan Wells in Texas

As of August 2022, the Commission tracked 436,335 active and inactive oil and gas wells across Texas. Of this total, 149,335 wells are inactive, while the other 287,000 are active. Figure 1 illustrates the categories of active and inactive wells monitored by the Railroad Commission.

Figure 1: Wells monitored by the Railroad Commission



Inactive, shut-in oil and gas wells account for 34 percent of the total well population. The majority of these inactive wells are compliant with Commission rules. Operators of record plug most of the compliant inactive wells and some of the non-compliant inactive wells as required by the Commission. Of the 149,335 inactive wells, 7,960 are defined by the Commission as orphaned wells. An orphaned well is any oil or gas well that is inactive and not backed by an operator’s financial assurance represented by a P-5 with the Commission.

These 7,960 orphaned wells eventually require plugging by the Commission with OGRC funds and/or other state and federal funds. These wells are plugged through the Commission’s State Managed Plugging Program.

The number of orphaned wells is a dynamic number that changes daily, as wells move into and out of compliance with Commission rules. The Commission attempts to capture this dynamic number with a monthly count of the orphaned well

population. Table 1 depicts these changes throughout fiscal year 2022. Table 2 defines each of the categories listed in Table 1. The Commission began the fiscal year with 7,016 orphaned wells, as shown in Table 1. While Commission plugging operations, operator changes, P-5 renewals, and other factors decreased the aggregate orphan well population throughout the year, other factors, principally operators with delinquent P-5s, contributed more wells to the state’s orphaned well counts. The Commission ended FY 22 with 7,960 orphaned wells. This represents an increase of 944 wells during fiscal year 2021.

Table 1: Change to orphaned well population FY 22

Month of activity	Sep-21	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22	Apr-22	May-22	Jun-22	Jul-22	Aug-22	Summary
Beginning Population (from previous month)	7,016	7,486	7,436	7,457	7,845	8,251	8,462	8,096	7,979	7,925	8,012	7,934	7,016
Plugged	(83)	(71)	(111)	(61)	(75)	(192)	(55)	(131)	(142)	(87)	(86)	(43)	(1,137)
Returned to Active Status	(1)	0	0	0	0	0	(1)	(1)	(2)	(1)	0	(1)	(7)
Operator Change	(32)	(18)	(24)	(28)	(11)	(10)	(43)	(25)	(82)	(13)	(84)	(37)	(407)
P-5 Renewal	0	(18)	(30)	0	0	0	0	0	0	0	(15)	(2)	(65)
Other Reasons	0	0	0	0	0	0	0	0	0	0	0	0	0
Originally Delq P5 > 12 months	0	0	0	0	(3)	0	(552)	(29)	(34)	(4)	0	(3)	(625)
Originally Delq P5 < 12 Months	552	47	137	462	445	293	176	47	196	175	102	108	2,740
Wells Added to Population	34	10	49	15	50	120	109	22	10	17	5	4	445
Ending Population	7,486	7,436	7,457	7,845	8,251	8,462	8,096	7,979	7,925	8,012	7,934	7,960	7,960

Table 2: Well Categories

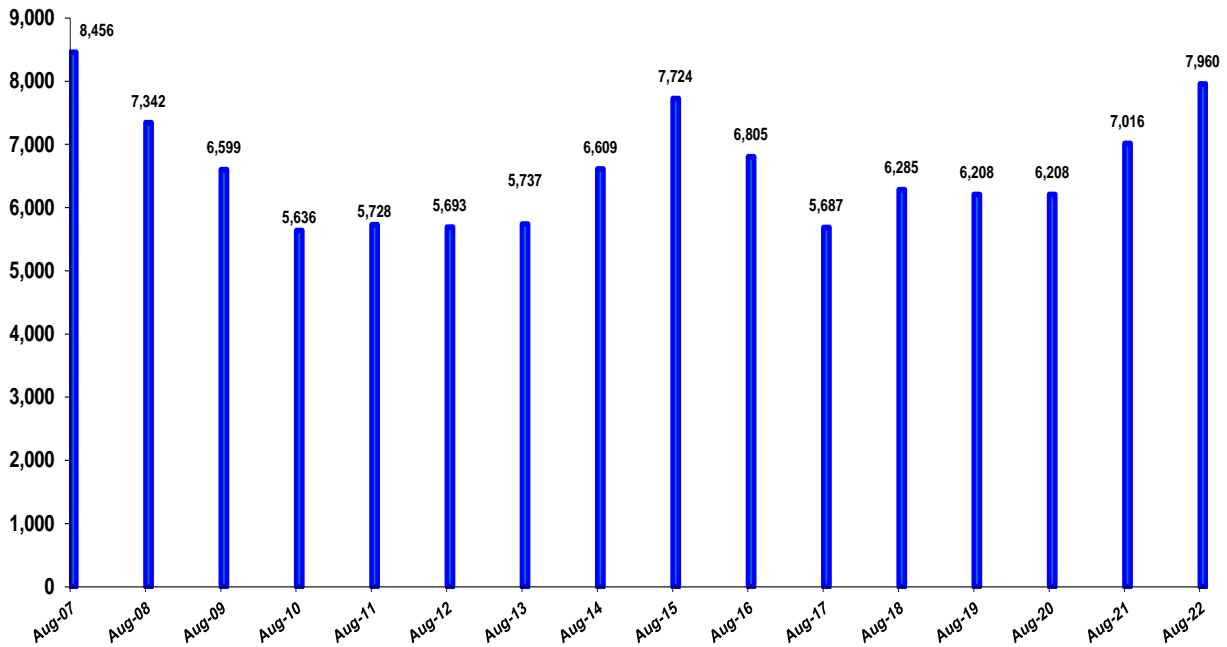
Plugged	Plugged and abandoned
Returned to Active Status	Active producing or service well
Operator Change	P-4 Operator Change was filed and approved. An operator change will not be approved unless the new operator has sufficient bond amount on file to cover the new wells and has an active P-5.
P-5 Renewal	The operator of record renews their P-5.
Other Reasons	Supporting documentation filed to correct shut-in date, well activity, etc.
Originally a Delq P5 > 12 Months	The P-5 for the operator of these wells had originally been shown delinquent for more than 12 months but data now reflects the delinquent date is less than 12 months. (The last P-5 filed date was revised and is now delinquent less than 12 months.)
Originally Delq P5 < 12 Months	The P-5 for the operator of these wells had originally been shown delinquent for less than 12 months but data now reflects the delinquent date is greater than 12 months
Wells Added to Population	Wells not considered orphaned at the end of the previous month but are considered orphaned at the close of this month.

Table 3 highlights the changes in the state’s orphaned well population from September 1, 2007 through August 31, 2022 (FY 2008 to FY 2022). Since fiscal year 2008, 25,239 orphaned wells were removed from the inventory, while 24,743 new orphaned wells were added to the inventory. One of the Commission’s regulatory goals is to eliminate the threat of pollution posed by orphaned unplugged wells and to minimize the number of orphaned wells requiring plugging with OGRC funds, or other state and federal funds. Figure 2 illustrates that despite the Commission’s effort towards reducing the number of abandoned wells in Texas a persistent influx of wells to the orphan population the overall decline is only 496 from the start of fiscal year 2008 to the end of FY 2022 in August, decreasing from 8,456 to 7,960. The population increased substantially during the COVID-19 pandemic with 1,700 wells added to the population during fiscal years 2021 and 2022. At the end of fiscal year 2020, there were 6,208 wells in the population, which experienced a 28 percent increase as the delayed impacts of the pandemic affected the oil and gas industry.

Table 3: Change to orphaned well population FY 08–FY 22

Fiscal year	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	Total
Beginning Population (from previous FY)	8,456	7,342	6,599	5,636	5,728	5,693	5,737	6,609	7,724	6,805	5,687	6,285	6,208	6,208	7,016	8,456
Plugged	(1,085)	(1,278)	(1,139)	(317)	(878)	(197)	(200)	(287)	(1,957)	(2,417)	(1,254)	(1,698)	(1,361)	(1,279)	(1,137)	(16,484)
Returned to Active Status	(13)	(6)	(5)	(3)	(1)	(7)	(3)	(93)	(12)	(9)	(8)	(5)	(4)	(40)	(7)	(216)
Operator Change	(360)	(359)	(214)	(114)	(183)	(230)	(169)	(229)	(188)	(310)	(273)	(1,118)	(326)	(354)	(407)	(4,834)
P-5 Renewal	(33)	(42)	(84)	(56)	(395)	(59)	(8)	(43)	(162)	(101)	(77)	(43)	(185)	(347)	(65)	(1,700)
Other Reasons	(6)	(2)	(6)	(13)	0	(1)	0	(73)	(1)	(5)	0	(1)	(1)	0	0	(109)
Originally Delq P5 > 12 months	0	0	0	(1)	(14)	0	(1)	0	(1,213)	(5)	0	(1)	(33)	(3)	(625)	(1,896)
Originally Delq P5 < 12 months	318	902	443	501	1,030	494	1,177	1,715	2,472	1,607	1,987	2,614	1,640	2,201	2,740	21,835
Wells Added to Population	65	42	42	95	406	44	76	125	142	128	223	175	270	630	445	2,908
Ending Population	7,342	6,599	5,636	5,728	5,693	5,737	6,609	7,724	6,805	5,687	6,285	6,208	6,208	7,016	7,960	7,960

Figure 2: Orphaned well population August 2007–August 2022



State Managed Cleanup Program

In addition to plugging orphaned wells, the Commission administers a state-managed cleanup program. This program is also funded with OGRC dollars. The program is responsible for the assessment and cleanup of oil field wastes and pollution at abandoned oil and gas sites. The majority of cleanups typically involve removing waste from surface equipment (tank batteries, separator, etc.) and remediating affected soils at abandoned well sites. Cleanup activities often follow well plugging activities. Funds are also used to cleanup abandoned pits, reclamation facilities and other types of sites such as abandoned natural gas processing plants, leaking pipelines, unidentified/illegal dumping of waste, and emergency cleanups.

Sites may enter the program as orphaned wells are identified, through a referral from the Operator Cleanup Program or State Funded Plugging Program, or as complaints from members of the public. When a new site enters the program, District Office Cleanup Coordinators perform a Site Assessment, detailing what pollution threats exist at each site. After the assessment phase, the SMCU team along with its contractors develop a work plan and a work order is issued to the contractor to complete the work under the oversight of the District Office Cleanup Coordinator (DOCC). The program also utilizes contracts with professional engineering firms to provide engineering design services and complex environmental investigations.

Oil and Gas Regulation Cleanup Fund (OGRC)

OGRC Fund revenue is derived primarily from regulatory and permitting fees paid by the oil and gas industry. The Fund also includes revenue from certain enforcement penalties, reimbursements, and proceeds from the sale of equipment and hydrocarbons salvaged from well plugging and site remediation operations. Additionally, the Commission seeks other funding sources from state and federal agencies to supplement the activities of the Oil Field Cleanup Program. Although the OGRC Fund finances most of the Oil Field Cleanup Program activities, several site remediations documented in this report were funded with federal monies under Subtitle C of Brownfields Revitalization Act and Section 319 of the Clean Water Act Non-Point Source grant.

Oil Field Cleanup Activities Data

The following information on the Oil Field Cleanup Program is reported annually as required by §81.069, Natural Resources Code.

1. Performance Goals for the Oil and Gas Regulation and Cleanup Fund.

Through the legislative appropriations request process, the Commission established performance goals for fiscal year 2022 as detailed in Table 4. In FY 2022 the Commission exceeded each performance goal relating to well plugging and site remediation.

Table 4: Fiscal Year 2022 Performance Goals

Measure	Performance Target	Actual Performance	Percent of Target Achieved
Number of orphaned wells to be plugged with state-managed funds	1,000	1,068	107%
Number of abandoned sites investigated, assessed, or cleaned up with state funds	200	245	123%
Number of surface locations to be remediated	2,200	2,216	101%

2. Number of Orphaned Wells Plugged with State-Managed Funds, by District:

In fiscal year 2022, the Commission plugged and closed files on 1,068 wells with OGRC funds. The total number of wells plugged represents those wells that were physically plugged, invoiced by the plugging contractor, and approved for payment through August 31, 2022. A total of 1,114 wells were physically plugged during fiscal year 2022 with 1,068 invoiced and paid during fiscal year 2022.

The Commission plugged wells in every agency district in FY 2022. Figure 3 identifies the boundaries of all agency districts. Figure 4 details the numbers of wells plugged by district during fiscal year 2022.

Figure 3: Regional map of Railroad Commission district offices

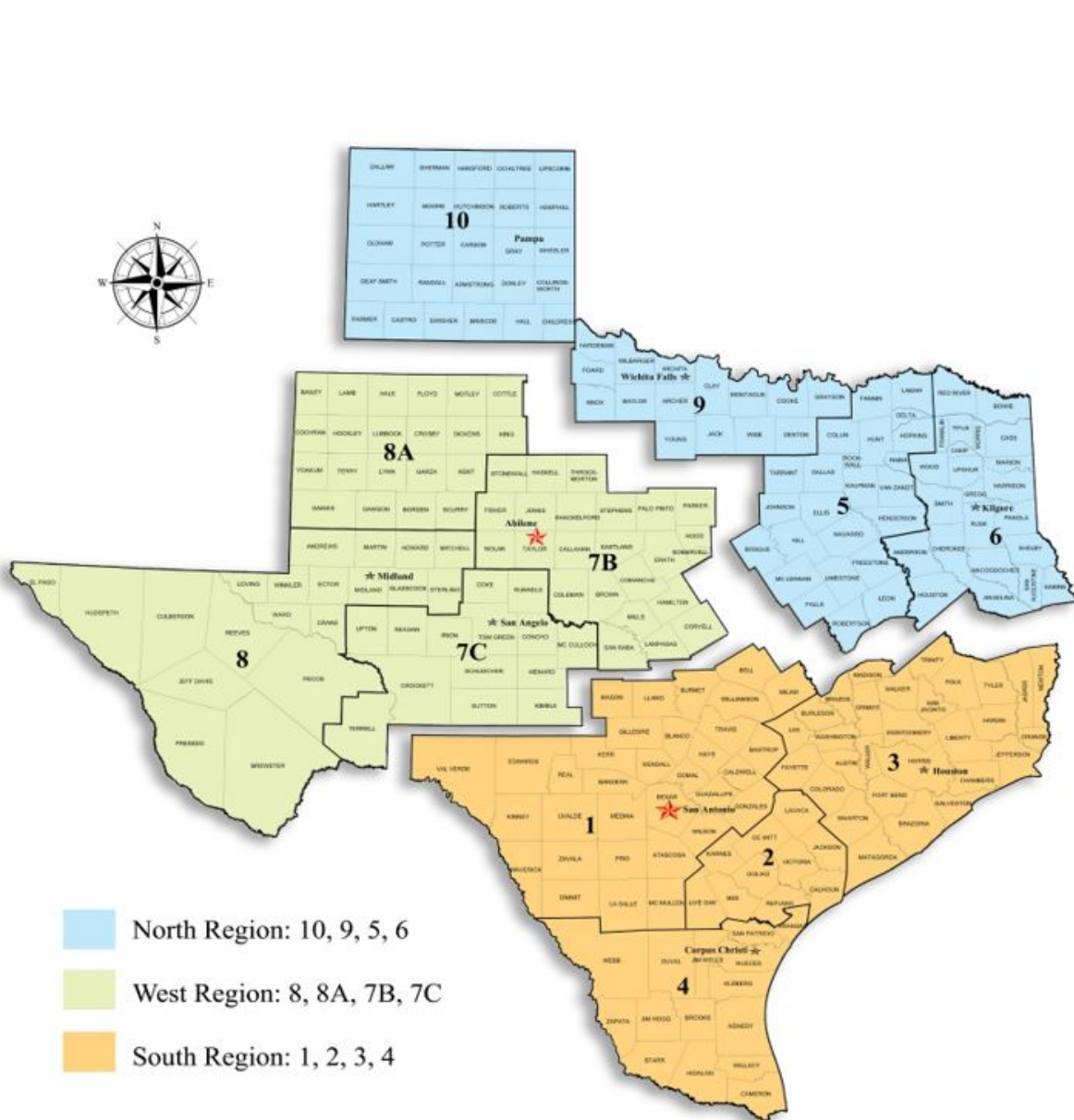
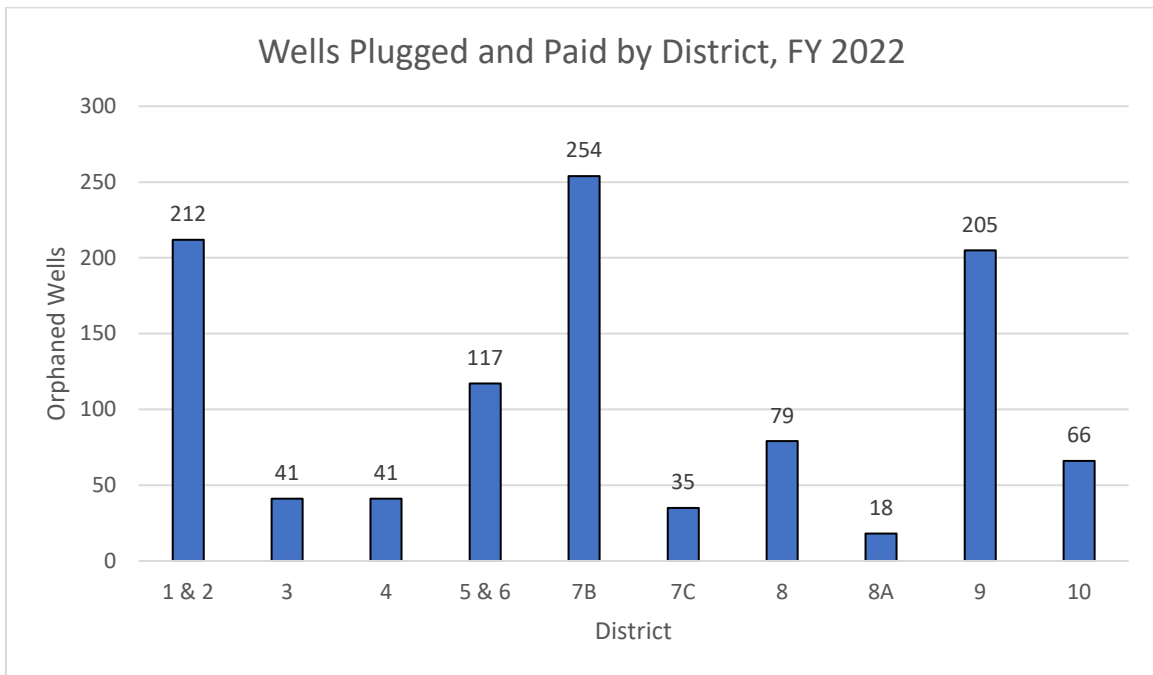


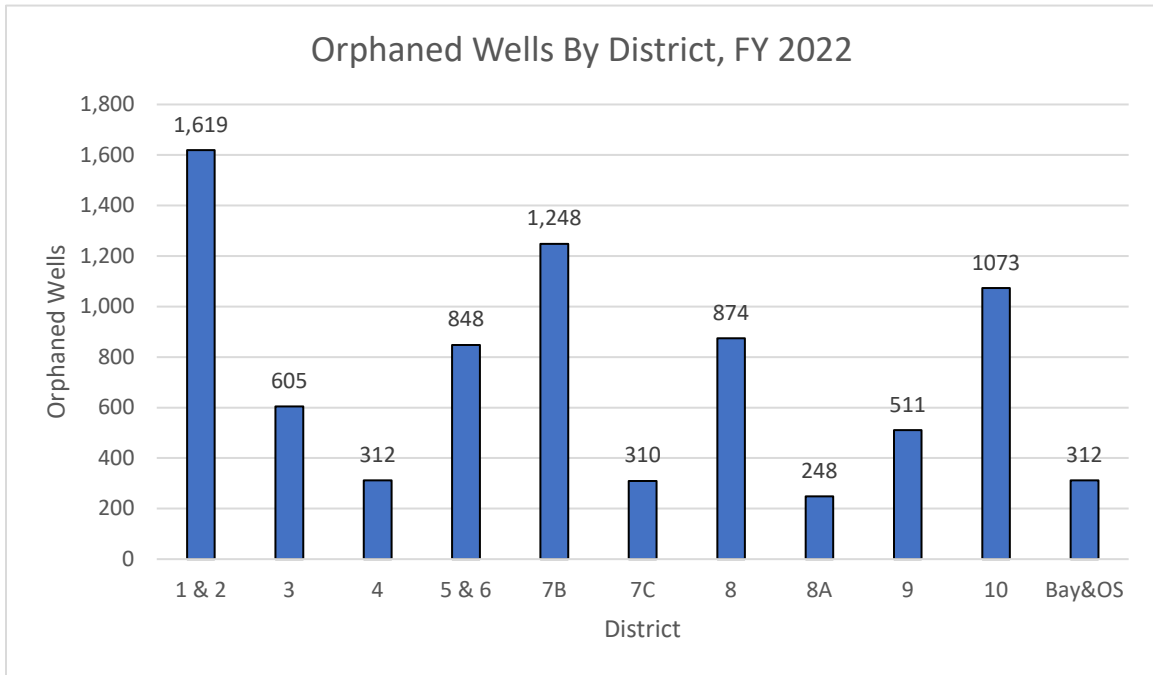
Figure 4: Wells plugged and paid by RRC district FY 2022



3. Number of Wells Orphaned, by District:

As of August 2022, the Commission’s count of abandoned, orphaned wells equaled 7,960. Figure 5 illustrates the number of orphaned wells by agency district at the end of August 2022.

Figure 5: Orphaned wells by district, FY 2022

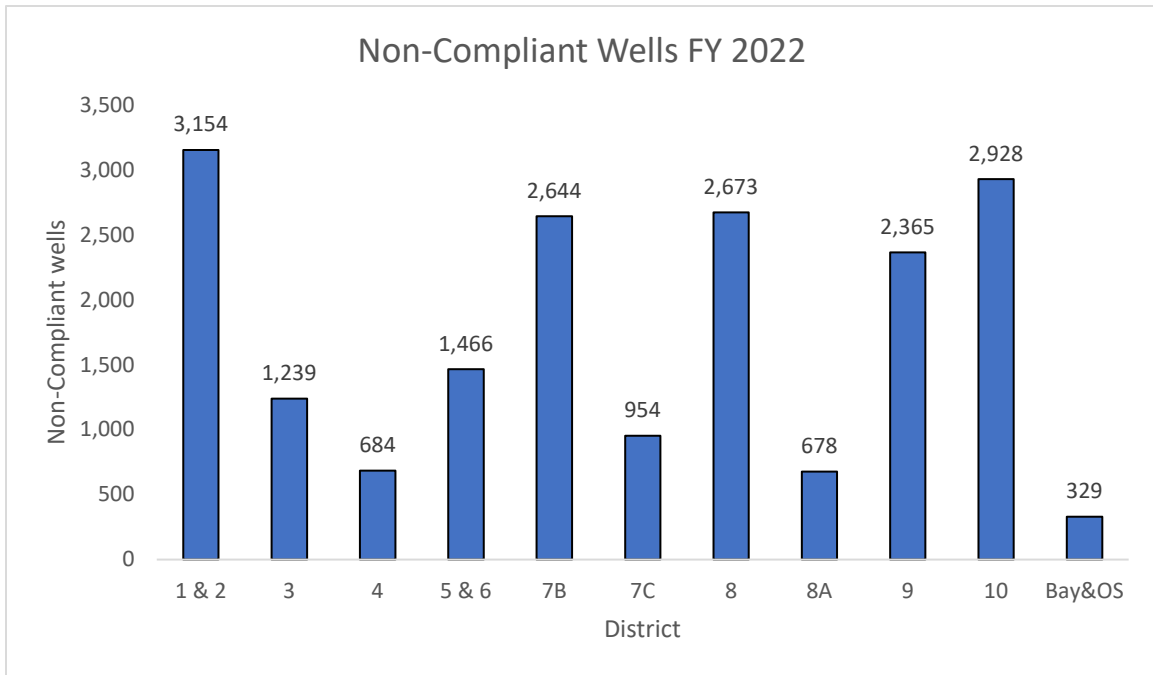


In addition to the 7,960 orphaned wells, there are also an unknown number of old, unidentified wells in Texas that were not recorded with the Commission. These include antiquated wells that were dug in the decades following Spindletop. As these wells are located, the Commission initiates plugging operations in accordance with the well plugging priority system, which is based on the threat the well poses to the environment and public safety. In fiscal year 2022, 89 previously unidentified abandoned wells were plugged with OGRC funds. These unidentified wells accounted for 8.3 percent of all wells plugged by the Commission for that fiscal year.

4. Number of Inactive Wells Not Currently in Compliance with Commission Rules, by District:

The number of known inactive wells not in compliance with Commission rules as of August 2022 totals 22,034. The number represents wells that remain shut-in beyond the initial 12-month shut-in period authorized by Commission 16 Texas Administrative Code §3.14(b)(2) [Statewide Rule 14(b)(2)] and do not have a plugging extension, regardless of whether the operator’s Organization Report is active or delinquent. Figure 6 shows the number of non-compliant wells by district at the end of August 2022.

Figure 6: Non-compliant wells FY 2022



5. Status of Enforcement Proceedings for Wells in Violation of Commission Rules, by District:

In fiscal year 2022, the Commission referred a total of 451 non-compliant wells to the Office of the Attorney General (OAG) for collection. Table 5 depicts the number of wells, by district, in violation of the Commission's plugging rule that have been referred to the Office of General Counsel—Legal Enforcement Section for enforcement and/or the OAG for collection. The wells referenced here are in various stages of enforcement/collection.

Table 5: Enforcement proceedings by district

ENFORCEMENT PROCEEDINGS	1/2	3	4	5/6	7B	7C	8/8A	9	10	Total
STATUS										
1. Awaiting RRC review	74	10	0	5	16	4	8	78	0	195
2. Awaiting Hearing	61	30	5	23	84	14	38	42	3	300
3. Awaiting Final Order	46	66	2	6	78	26	79	73	0	376
4. Wells Referred to AG	47	23	1	3	167	45	49	105	11	451
Total Wells Still in Violation	228	129	8	37	345	89	174	298	14	1322
TIME PERIOD										
5. In Enforcement < 2yrs	181	90	6	32	178	43	125	192	3	850
6. In Enforcement > 2yrs & < 5yrs	0	16	1	2	0	1	0	1	0	21
7. In Enforcement > 5yrs	0	0	0	0	0	0	0	0	0	0
Total Wells Still in Enforcement	181	106	7	34	178	44	125	193	3	871

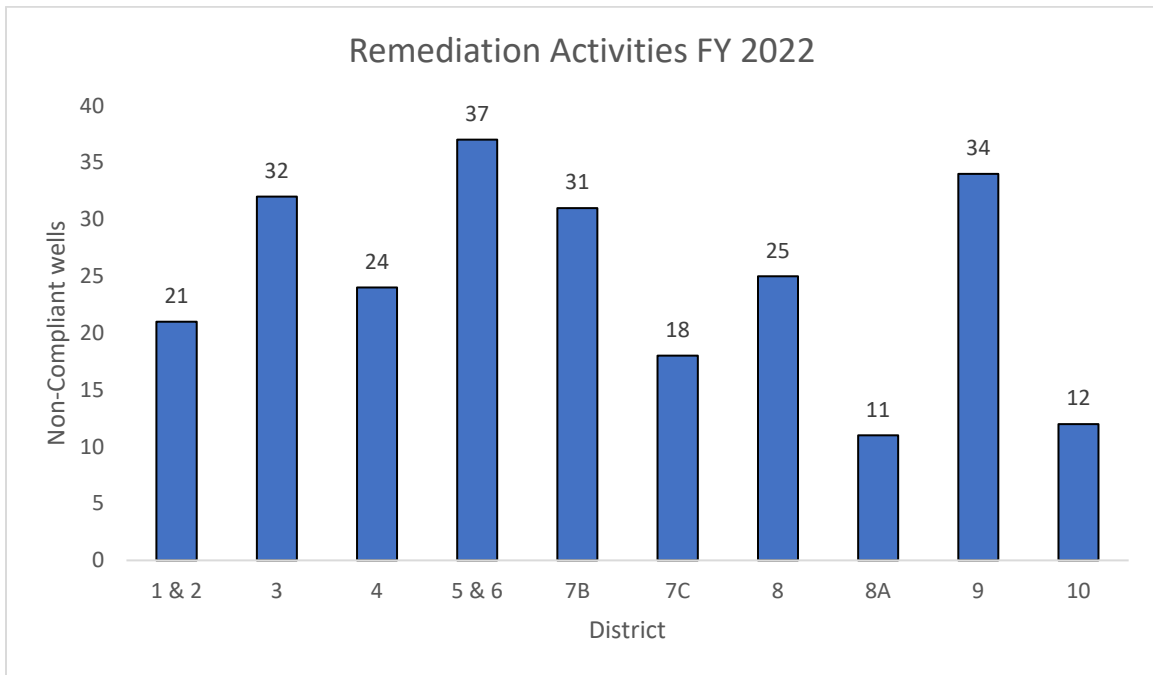
6. Number of Surface Locations Remediated, by District:

During fiscal year 2022, the Commission conducted 245 cleanup activities through the State Managed Cleanup Program. This includes all remediation activities invoiced by contractors that were approved and processed by the Commission before August 31, 2022. State-managed remediation activities included the following:

- 230 routine remediation operations and
- 15 site assessment investigations.

Figure 7 depicts these 245 activities by district for fiscal year 2022.

Figure 7: Remediation Activities FY 2022



7. Oil and Gas Regulation and Cleanup Fund Expenditures for Oil Field Cleanup Activities:

The Commission spent \$48,169,219.99 from the Oil and Gas Regulation and Cleanup Fund (OGRC) on oilfield cleanup activities in FY 2022. These included expenditures for abandoned well plugging through the State Managed Plugging Program, and for site remediation activities through the State Managed Cleanup Program. In addition to these expenditures, \$120,857.45 of OGRC funds were encumbered for cleanup activities in FY 2022. Table 6 provides a line-item description for OGRC expenditures and encumbrances for FY 2022.

*Table 6: FY 2022 OGRC Expenditures for Oil Field Cleanup Activities**

Category	Expenditures	Encumbrances	Total
Salaries and Wages	\$5,589,048.50	\$-	\$5,589,048.50
Payroll-Related Benefits	\$1,757,447.45	\$0.00	\$1,757,447.45
Professional Fees	\$404,531.74	\$852.05	\$405,383.79
Training	\$15,284.32	\$2,220.34	\$17,504.66
Travel	\$39,671.13	\$0.00	\$39,671.13
Motor Vehicle	\$292,797.31	\$1,080.82	\$293,878.13
Other Operating Costs	\$184,262.86	\$22,214.40	\$206,477.26
Well Plugging / Site Remediation Contracts	\$39,886,176.68	\$95,341.89	\$39,981,518.57
GRAND TOTAL – OGRC FUND	\$48,169,219.99	\$120,857.45	\$48,290,077.44

*All FY 2022 OGRC expenditures for Well Plugging and Site Remediation strategy excludes indirect costs.

- Includes expenditures for Site Remediation, architectural and other contracted services.
- Financial Information current as of November 3, 2022.

8. Orphaned Well Plugging Prioritization Methodology:

The Commission uses a priority methodology to rank wells for plugging to ensure that those wells posing the greatest threat to public safety and the environment are plugged first. The priority system includes four factors relating to the threat a wellbore poses to public safety and the environment:

1. Well Completion;
2. Wellbore Conditions;
3. Well Location with respect to sensitive areas; and
4. Unique Environmental, Safety, or Economic Concern.

Table 7 lists the factors used in this prioritization system. The sum of all factors provides a total weight, which determines a well's plugging priority. Wells receive a priority of 1, 2H, 2, 3, or 4, where 1 is the highest priority. The priority system assigns leaking wells the highest priority (an automatic priority 1) and assigns an automatic priority 2 if the well fails a fluid level test.

Table 7: Well Plugging Priority System

	FACTOR	Weight
1	Well Completion	
A	Unknown (no well records)	15
B	No surface casing or set above base of deepest usable quality water	10
C	Additional casing string not adequately cemented to isolate usable quality water	5
D	Injection or Disposal Well	10
E.	Well penetrates salt/corrosive water bearing formation or abnormally pressured formation	5
F.	Well in H2S Field	5
G	Age: Well drilled \geq 25 years ago	5
	Total: (40 points max)	
2	Wellbore Conditions	
A	Well is pressured up at the surface (tubing or prod casing)	10
B	Bradenhead pressure exists *	5
	Auto 2H if UQW not protected and fluid at BH is not UQW	
C	Measured fluid level	
D	Fluid level at or above the base of deepest usable quality water.	50
E.	Fluid level less than 250' below base of deepest usable quality water (NA if 2D applies)	15
F.	MIT Failure	5
G	H-15 (MIT) never performed or test > 5 years old (NA if F applies)	3
H	Inadequate wellhead control/integrity	5
	Total: (75 points max)	
3	Well location with respect to sensitive areas:	
A	H2S well with Public area ROE** Automatic Priority 2H	
B	In Marine Environment	10
C	Within 100' or river, lake, creek, or domestic use fresh water well (NA if B applies)	5
D	Between 100' and 1/4 mile of river, lake, creek, or domestic use fresh water well (NA if C applies)	3
E.	Located within agricultural area.	2
F.	Well located in known sensitive wildlife area.	3
G	Well located within city or town site limits.	10
	Total (20 points max)	
4	Unique environmental, Safety, or Economic Concern	
A	Adjacent to active water flood or disposal well at or above completion interval.	5
B	Logistics (poor roads, encroaching public, etc.)	5
C	Well contains junk.	5
D	P-5 Delinquent > 5 years	5
E.	Other (attach explanation)	1-20
	Total: (20 points max)	

Total Weight

Priority 1 = Leaking Well [based upon definition]
Priority 2H = Higher Risk well [based on definition and/or total weight of 75+]
Priority 2 = Total Weight of 50-75
Priority 3 = Total Weight of 25-49
Priority 4 = Total Weight < 25

*BH pressure is sustained.

**2H if public areas could be impacted based on 16 Texas Administrative Code §3.36 [Statewide Rule 36] definition.

Undetected/continuous leak possible.

Table 8 shows the number of wells plugged with OGRC funds by priority during fiscal year 2022 and between fiscal years 1992 and 2022. In September 2001, the Commission implemented the High Risk Well Testing Program, established by SB 310 (77th Legislature, 2001) and began concentrating its well plugging efforts on priority 1 and 2 wells. This continued through fiscal year 2022.

Table 8: Number of wells plugged by priority

	Fiscal Year 2022	Fiscal Years 1992 – 2022
Priority 1	32	3,611
Priority 2H	402	6,960
Priority 2	297	12,370
Priority 3	335	9,553
Priority 4	2	4,063
Priority 5*	0	1,651
Total	1,068	38,208

*No longer used (Priority 5 category eliminated in fiscal year 2001)

9. Projection of the amount of money needed for the next biennium for plugging orphaned wells, investigating, assessing, and cleaning up abandoned sites, and remediating surface locations.

Senate Bill 1, the General Appropriations Act, provided \$55.95M for fiscal year 2022 and \$56.15M for fiscal year 2023 to plug 1,000 wells per year and remediate 200 sites per year.

10. Number of Sites Successfully Remediated Under the Voluntary Cleanup Program, by District:

During fiscal year 2022, the Commission issued Certificates of Completion for nine (9) sites in the Voluntary Cleanup Program. The number of sites completed by Commission district are as follows:

- District 3: 5
- District 4: 2
- District 5/6: 2