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**Jennifer Bremer Owen**

October 15, 2024

Rules Coordinator  
Railroad Commission of Texas  
Office of General Counsel  
P.O. Drawer 12967  
Austin, TX 78711-2967

To the Honorable Chairman and Commissioners of the Railroad Commission of Texas:

Texas Land and Mineral Owners Association ("TLMA") respectfully submits this letter with formal comments to the proposed changes to 16 TAC Chapter 4, 16 TAC §3.8 and §3.57.

TLMA is a statewide advocacy organization that represents approximately 600 members who are mineral and royalty owners, landowners, farmers, and ranchers.

First, TLMA is thankful for the Railroad Commission's work to update the regulation of oil and gas waste and its attempts to protect the lands and groundwater in Texas through the proposed changes to Statewide Rule 8.

However, TLMA is disappointed to see that the proposed formal rule provides fewer protections to groundwater and surface owners than the 2023 informal rule. While modernizing the Railroad Commission's rules is necessary, the proposed formal rule still lags significantly behind industry standards. Many of our landowners require environmental practices above and beyond the latest proposal, however, the Commission's rules must work to protect all landowners including those with lesser negotiating power or subject to antiquated leases. Additionally, TLMA believes that the proposed formal rule and any environmental rules should apply to all types of production and all operators.

Additionally, TLMA opposes any disposal of waste without the landowner's notification and consent due to the nature of the items deposited in waste pits. Texas' landowners strive to be prudent stewards of the land but cannot do so if they are unaware of the waste buried in their land that can impact vegetation, soil, and groundwater. Allowing the burial of waste without landowner consent does not promote Texas as the leader in private property rights. Further, the continuation and growth of a successful energy industry alongside the protection of private property rights is attainable in Texas, but proper regulations will help the parties work together.

TLMA also requests that all authorized pits, including reserve pits and mud circulation pits, have the same standards and requirements for construction, operation, and closure. All pits, no matter what type, have the potential to catastrophically impact the groundwater supply – a resource that is already under extreme stress throughout parts of Texas.

Finally, due to the significance of the proposal, TLMA encourages the Commission to reconsider the protections removed from the informal rulemaking and require all operators to act in the best interests of the land, environment, and groundwater.

TLMA appreciates the opportunity to submit these comments on the proposed rule changes. Thank you for your consideration, and we are available to discuss the foregoing comments at your convenience.

Sincerely,

A handwritten signature in black ink that reads "Jennifer Bremer Owen". The signature is written in a cursive, flowing style.

Jennifer Bremer Owen  
Executive Director