

From: [rcwebcontact](#)
To: [Rules Coordinator](#)
Subject: Draft Rules Informal Comment
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General Comment

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Comment

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3.8, 3.57 and Chapter 4

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Comments concerning draft rulemakings

I am opposed to Rule 8 for the following reasons and request it be reevaluated and amended. 1) The rule change would allow companies to SUGGEST new forms of oilfield waste recycling. Companies could propose alternative recycling methods NOT covered by the rules. 2) The rule change WOULD LIMIT who can protest permits such as: a) Only those who own land adjacent to a proposed waste pit or recycling facility would be notified of a company's intent to locate its facility there. b) ONLY PEOPLE who can prove they would suffer "actual injury or economic damage" from a waste pit would be allowed to protest a new facility permit. These people would have only 15 days to file a protest, from the time the company filed the application or last provided public notice, and the company would then have 30 days to either withdraw its permit application or request an administrative hearing to settle the dispute. 3) It would seriously LIMIT PUBLIC INPUT as shown above in #2 and the time limits are grossly insufficient for protest. This time limit of 15 days to protest is ludicrous for any citizen to gather the information to mount a protest -- and is designed specifically to defeat the protest process by an uninformed citizen. 4) The draft rules don't spell out the penalties when pits leak or operators violate the rules of their permit. THESE PENALTIES SHOULD BE INCREASED TO BE A DETERRENT instead of the ridiculously low nominal penalties now assessed. 5) CONFLICT OF INTEREST by the RR Commissioners. Commissioner Wright was the CEO and president of a Corpus Christi company called Environmental Evolutions, which hauls hazardous waste, and has investments in other hazardous waste companies, according to state filings. Wright's former director of public affairs, Kate Zaykowski,

helped facilitate the formation of a regulatory task force that included at least seven people from oil and gas and oilfield waste companies, including Pioneer Natural Resources and Waste Management, Inc. (Texas Tribune) 6) Mark Henkhaus, a consultant and former Railroad Commission employee who chaired a regulatory committee for the Permian Basin Petroleum Association, sent an email in August 2022 to a commission staff member raising concerns that an oil waste company may have been trying to craft the rules to its benefit. (Texas Tribune).

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