



# TEXAS LAND & MINERAL OWNERS ASSOCIATION

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**Jennifer Bremer**

November 3, 2023

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 respectfully submits this letter with informal comments to the proposed changes to 16 TAC Chapter 4, 16 TAC §3.8 and §3.57. TLMA also intends to file formal comments once the proposed changes are submitted to the Texas Register.

TLMA is a statewide advocacy organization that represents approximately 1,000 members who are mineral and royalty owners, landowners, farmers, and ranchers.

TLMA respectfully submits that the opportunity for additional transparency and public participation should be added to the Rules so that affected persons are afforded meaningful opportunities to review and evaluate an application, make their own findings, and present all information to the Commission for review, all prior to a hearing on the merits.


Furthermore, TLMA's position is that groundwater monitor wells should be required for all solid and produced waste recycling facilities, not only at the discretion of the Commission.

Due to the nature of the items that can be disposed of in a waste pit, TLMA also requests a provision that no waste should be disposed of without landowner permission.

TLMA objects to the use of geosynthetic clay liners as a substitute for naturally occurring, protective formations, particularly relating to areas "where there has been observable groundwater within 100 feet of the ground surface." Pits fail, and GCL liners are not a substitute for naturally occurring, protective subsurface lithology. Permitting a facility over a major or minor aquifer is not protective of public health, public safety, or the environment, but is a direct threat thereto.

Thank you for your consideration, and we are available to discuss the foregoing at your convenience. We look forward to submitting further comments during the formal rulemaking period.

Sincerely,

  
Jennifer Bremer

Executive Director

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