

From: [Tommy McNew](#)
To: [Rules Coordinator](#); [Tommy McNew](#)
Subject: URGENT-Statewide Rule 8
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Attachments: [Landowner Letter 8 27.docx](#)

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Attention Rules Coordinator,

I am a Texas Landowner, farmer, former rancher, producing mineral owner, Texas Native with land that has been in our family for over 120 years. I am also a landowner with an ongoing commercial waster disposal facility on my property that is managed with the upmost environmental safety in mind. My ancestors came by wagon to Texas for a better life and we have all been great conservators of this land in the Great State of Texas for all of their lives, my parents life, my life and the lives of our family for years to come. Please find the attached letter of comments in regards to Statewide Rule 8 with request to revisit its proposed updates regarding the use of authorized pits. There are areas around our lands that have become unusable land for my entire life and probably many of my future families lives due to these pits and contaminates that have been allowed to be buried for years. Help save our water, wildlife, cattle, environment not only for now but our future.

Thomas "Tommy" McNew tdm156@yahoo.com 503-888-5523 cell 270-574-0754 e-fax

Date: 8-31-2024

Chairman Christi Craddick
Commissioner Wayne Christian
Commissioner Jim Wright

Dear Commissioners:

I want to first thank you for your efforts to update the regulations for oilfield waste, formerly known as Statewide Rule 8. Your foresight and commitment to protecting the environment, public health, and our most precious state resource, water, is admirable.

As a landowner with ongoing commercial waste disposal activity on my property, I am grateful for the additional protections your staff added for commercial disposal and believe the regulations ensure the protection of my property and groundwater.

However, I am also a landowner with significant oil and gas operations and accompanying non-commercial waste disposal activity on my property, and I find the new regulations leave landowners unprotected. Specifically, I respectfully request the commission revisit its proposed updates regarding the use of authorized pits to strengthen regulations in the following two areas:

1. Establish uniform requirements for construction, operation and closure standards of all authorized pits.

As I read it, the updated rule imposes no construction, operation or closure requirements on these pits. While the new pit registration requirement may be helpful in identifying pit locations, it will not curb the inherent hazards to the land and water beneath associated with permanent burial of waste. Reasonable liner requirements, construction and closure standards, pre-closure testing of waste, and groundwater monitoring are the best ways to protect our land and water.

2. Require landowner notification and consent.

It seems reasonable to require operators to notify and obtain a landowner's permission before permanently burying waste on their land. For the uninformed, it is believed that these pits contain only cuttings and mud, but in reality, there are trace amounts of benzene, arsenic, metals, diesel, and high levels of chlorides. When buried in place, these substances inhibit the regrowth of vegetation and risk water contamination. Furthermore, landowner permission has long been required for landfarming so it would stand to reason that the same standard should apply to permanent burial.

Reserve pits may be smaller than commercial disposal pits, but they contain the same waste and pose a similar risk to groundwater yet are almost entirely unregulated.

In conclusion, it is my belief that reasonable regulations for authorized pits will protect our groundwater and the environment while still allowing Texas' thriving energy industry to lead from the front.

Respectfully,

Thomas McNew

cc: Rules Coordinator, Railroad Commission of Texas