



November 3, 2023

Rules Coordinator  
Railroad Commission of Texas  
Office of General Counsel

Via Email: [rulescoordinator@rrc.texas.gov](mailto:rulescoordinator@rrc.texas.gov)

On behalf of Recover Inc. (“Recover”), I would like to thank you for the opportunity to discuss and comment on the proposed changes to Statewide Rule 8 (16 TAC, Chapters 3 & 4) (SWR8).

Recover was founded over fifteen years ago and has developed a solvent extraction technology to process oil-based drilling waste. Recover’s technology extracts and recycles the hydrocarbons, and creates cleaned drill cuttings (“RecoverDry™”) while substantively reducing the GHG emissions that would be released into the atmosphere. Recover currently operates an oil-based drilling waste recycling facility in Canada. To expand, Recover has a shovel ready \$75 million project in the middle of the Midland Basin, directly on an industrial landfill owned by a large industrial waste company. Beyond the first project, Recover expects to deploy over \$750 million into the ten expansion projects within the state of Texas.

Over the past month Recover has spent considerable time reviewing the draft rules. Recover is pleased with these amendments as they will both modernize industry practice and equitize the requirements that are placed on recycling companies like Recover.

## **1. Notification Requirements**

For Recover to obtain its permit from the Railroad Commission of Texas, a substantive notification process was required. Recover contacted all stakeholders and property owners within 0.5 miles of Recover’s proposed facility and provided them with a full copy of the permit application, including a detailed description of Recover’s air monitoring and pollution control plan. This notification process is consistent with the requirements in other jurisdictions. Historically, there were no such notification requirements placed on the use of drilling pits to the landowner or adjacent landowners. Furthermore, in comparison, drilling pit waste contains environmentally more harmful materials than RecoverDry™. ***Recover is pleased that the new proposed rules more closely equalize the requirements for the disposal of this waste stream.***



## 2. Groundwater Monitoring Wells or Leak Detection

When Recover builds facilities in Texas, it is required to drill groundwater monitoring wells to ensure that no hydrocarbons escape into the local environment, which is consistent with other jurisdictions. In comparison, historically there were no such groundwater monitoring requirements placed on the use of drilling pits, which contain environmentally more harmful materials than RecoverDry™. *Recover is pleased that the new proposed rules equalize the requirements for the disposal of this waste stream.*

## 3. Closure Requirements

When Recover builds facilities in Texas, one of its biggest operating costs is the disposal of RecoverDry™, which contains chlorides and trace amounts of hydrocarbons, thus necessitating the disposal of this waste into an industrial landfill. These requirements are also consistent with other jurisdictions. In comparison, historically there were no such closure requirements placed on the use of drilling pits, which contain the same level of chlorides and 30-times more hydrocarbons than RecoverDry™. *Recover is pleased that the new proposed rules equalize the requirements for the disposal of this waste stream.*

We appreciate the opportunity to provide these comments on Statewide Rule 8 (16 TAC, Chapters 3 & 4) (SWR8). Thank you for your time and attention.

Sincerely,

**Recover Inc.**

A handwritten signature in blue ink, appearing to read 'Stan Ross'.

Stanley Ross  
President & CEO