

**From:** [Morita Bruce](#)  
**To:** [Rules Coordinator](#)  
**Subject:** Statewide Rule 8 and Chapter 4 waste management rules  
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Submitted as public comments by Morita Bruce, Texas resident:

I'm a retired engineer with significant experience in monitoring air, land and water for hazardous contaminants as well as cleaning up the contamination to make the area safe for other uses. I know it is much less expensive to prevent contamination than it is to clean up the mess once it's created. So the emphasis in these requirements must be on prevention.

Groundwater Monitoring must be done before, during and after operations. A baseline of monitors around the entire area in use should be required. Require that significant bonds and/or insurance be obtained to pay for the cleanup of any contamination. It is wrong to force taxpayers to pay for the damage caused by those who profit from the operations.

Notification and Setbacks should be expanded. People need time to understand what exactly is being planned so they can react, and it is the job of the RRC to listen to owners and nearby neighbors, whether or not their properties are "adjacent". Setbacks offer a extra protection and provide time for cleanup activities once monitors identify a problem that's developing.

"Leeway" options have been skewed towards letting drillers off the hook – at the expense of Texas taxpayers and landowners. Pits should require permitting, with nearby people and environs taken into consideration. Inspections and penalties should be strong enough to enforce compliance. We must not continue the degrading problem of the many abandoned wells that are destroying farms and families.

Finally, the regulations must use the word "shall" in all cases. As we know, only the word "shall" is legally enforceable. The terms should, must, will, ought to, etc. are unenforceable.