



**Comments of Virginia E. Palacios
Executive Director of Commission Shift
at the Railroad Commission of Texas
Public Comment Hearing on the
Proposed Amendments to Chapter 5, Relating to Carbon Dioxide (CO2)
July 19, 2023**

My name is Virginia Palacios and I'm the Executive Director of Commission Shift.

Today, I want to raise how environmental justice, "EJ," is addressed in the rule. I am requesting that the Railroad Commission extend this rulemaking process and hold public hearings throughout the state of Texas, in disadvantaged communities, at times when the public can attend, and in locations that are easy to access by public transportation. These hearings should discuss potential approaches to ensure that disadvantaged communities have an opportunity to meaningfully participate in permit application proceedings. These meetings should include two-way dialogue between community members and the agency.

Environmental justice is not defined in the current draft of the rule, but operators will be expected to conduct additional outreach to EJ communities that are within a proposed facility's Area of Review. After reading how the EPA addressed EJ in Louisiana's Memorandum of Agreement for the Class VI program, I think Texans may be better off if we developed rule language that is more specific and responds to the needs of EJ communities. Vague standards will be exploited, and operators will find ways to exclude community members who are likely to protest their applications.

Demographic factors play a role in how easy it is for people to engage in technical permit applications like those for Class VI wells. I live in the Eagle Ford Shale region, where Latinas like me who live next to high rates of flaring face 50% higher odds of preterm birth, the same is not true for women who are categorized as "white alone, non-Hispanic." This is just one example of how blanket rulemakings can affect Texans differently based on their demographics and centuries of discrimination.

Living on a ranch, I don't have access to unlimited high speed internet. Even though I live in a county that is over 90% Hispanic, the high school graduation rates for Hispanics here are lower than the state and national average.¹ Beyond these demographics, it's important to acknowledge that most people don't understand the jargon in the applications, and can't afford an attorney to help them engage successfully in a protest. The old system isn't working for anyone but the companies, and now is the time to change it.

¹ U.S. Census. American Community Survey. S1501 | Educational Attainment. 2021 ACS 1-Year Estimates. Webb County, Texas.