



# Title 16 Texas Administrative Code Chapter 4 Subchapter A Oil and Gas Waste Management

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# Chapter 4 – Implementation



- December 17, 2024 – Rules Adopted by Commission
- July 1, 2025 – Rules Effective
- Website: [www.rrc.texas.gov](http://www.rrc.texas.gov)
  - Search: “All About Chapter 4”
  - Webinar videos, slides, links to rules, forms, Q&A, etc.
- Questions? Email us at [EPSch4@rrc.Texas.gov](mailto:EPSch4@rrc.Texas.gov)

# All About Chapter 4



All About Chapter 4

rrc.texas.gov/oil-and-gas/applications-and-permits/environmental-permit-types/all-about-chapter-4/

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## Chapter 4 Waste Management Rules

All About Chapter 4

Environmental Permits & Support

Oil & Gas Division

### Upcoming Chapter 4 Webinars

May 7, 2025 – 9 am

(Click the above to register)

### Webinar Q&A

Updated Weekly

Chapter 4 Q&A\_last update 04172025

### Chapter 4 Forms

Public comments can be submitted on proposed new forms to implement Chapter 4 rules and amended Waste Hauler forms. Click on Oil & Gas Forms on this page:

<https://www.rrc.texas.gov/forms/proposed-form-amendments/>

### Authorized Pits

Content Coming soon

## Chapter 4 Timeline

December 17, 2024 – adopted by the Commission (Adopted rules)

The Commission adopted the proposed Chapter 4 rule changes on December 17, 2024.

The linked file contains the "Adoption of amendments to 16 TAC §3.8 and various other rules in Chapter 3 and new rules and amendments in 16 TAC Chapter 4."

This document contains the changes to Rules 8, 14, 22, 30, 57, 91, and 98, as well as new Chapter 4, Subchapter A, and amendments to Subchapter B.

This file also contains the comment summaries and responses to comments required by the Texas Administrative Code.

January 3, 2025 – new rules published in the Texas Register (50 TexReg 33-113)

# Where Can I Find Chapter 4?



- A clean and complete set of the July 1 rules is not readily available.
  - On July 1 it will be available [https://texas-sos.appianportalsgov.com/rules-and-meetings?interface=VIEW\\_TAC&part=1&title=16](https://texas-sos.appianportalsgov.com/rules-and-meetings?interface=VIEW_TAC&part=1&title=16)
- Currently, we have the adopted version
  - Includes all rule-making commentary (291 pages)  
[https://www.rrc.texas.gov/media/ws3jli0x/ogc-admin-item-618\\_conference\\_orders\\_17dec.pdf](https://www.rrc.texas.gov/media/ws3jli0x/ogc-admin-item-618_conference_orders_17dec.pdf)

# Chapter 4 – Subchapter A



- Statewide Rules 8 and 57 were moved into Chapter 4, Subchapter A
  - Division 1 – General (starts with §4.101)
  - Division 2 – Definitions
  - Division 3 – Authorized Pits
  - Division 4 – Requirements for all Permitted Waste Management Operations
  - Division 5 – Additional Requirements for Commercial Facilities
  - Division 6 – Additional Requirements for Permitted Pits
  - Division 7 – Additional Requirements for Landfarming & Landtreating
  - Division 8 – Additional Requirements for Reclamation Facilities
  - Division 9 – Miscellaneous Permits
  - Division 10 – Waste Transportation
  - Division 11 – Surface Water Protection (ends with §4.197)

# Chapter 4 – Subchapter B (Commercial Recycling)



- Subchapter B
  - Division 1 – General & Definitions
  - Division 2 – On-Lease Commercial Solid Recycling
  - Division 3 – Off-Lease or Centralized Solid Recycling
  - Division 4 – Stationary Commercial Solid Recycling
  - Division 5 – Off-Lease Commercial Fluid Recycling
  - Division 6 – Stationary Commercial Fluid Recycling
  - Division 7 – Beneficial Use of Drill Cuttings

# Chapter 4 – Webinars



- Webinars
  - April 2: Chapter 4 Overview ✓
  - April 9: Authorized Pits ✓
  - April 30: Permits, Part 1 (yesterday) ✓
  - May 7: Permits, Part 2 (next Wednesday)
- Webinar Resources Online
  - Recorded Videos
  - Presentation Slides

# Chapter 4 – Q&A



Page 2 of 19

- Webinar Q&A
- [EPSch4@rrc.texas.gov](mailto:EPSch4@rrc.texas.gov)

Will there be recordings of the webinars that we can watch after the fact?	The RRC Communications department will be posting the webinar series to the website soon. (Update: Webinar 1 video: <a href="https://youtu.be/N5fPa4Qqr1Q">https://youtu.be/N5fPa4Qqr1Q</a> ; Webinar video: <a href="#">(103) EPS Webinar 2 Authorized Pits 04 09 2025 - YouTube</a> ; Upcoming Webinars: <a href="https://www.rrc.texas.gov/announcements/041025-webinars-on-chapter-4-rules-and-form-revisions/">https://www.rrc.texas.gov/announcements/041025-webinars-on-chapter-4-rules-and-form-revisions/</a> )
Is there a web site location that I can review the current authorized pits by operator number?	No, this is not a functionality that is available on the RRC EPS website.
How is treated produced water (vs raw produced water) defined under the new rule?	DIVISION 2. DEFINITIONS 10 §4.110. Definitions, (73) Produced water--The water that was present in a subsurface formation and was brought to the surface during oil and gas exploration and production activities (raw produced water). §4.110. Definitions, (92) Treated fluid--Fluid oil and gas waste that has been treated to remove impurities such that the fluid can be reused or recycled. Treated fluid that is abandoned or disposed of is classified as an oil and gas waste. Once treated fluid is reused or recycled, it is not classified as an oil and gas waste (can be treated produced water).
Does the RRC know how operators should/ would register pits without a drill permit associated with that pit location?	§4.113. Authorized Pits, (e) The operator shall register all authorized pits with the Commission. (1) The Director shall establish a registration system for authorized pits by July 1, 2025. (A) New authorized pits constructed after July 1, 2025 shall register by <b>mailing or emailing to Technical Permitting</b> the registration form established by the Commission. (B) By July 1, 2027, the Director will establish an online system for operators to register and for the Commission to maintain a record of



# Chapter 4 – Forms



- Proposed Forms
  - Published <https://rrc.texas.gov/forms/proposed-form-amendments/>
  - Announcement on our homepage
  - RRC is taking comments for 30 days
  - ★ FORMS WILL NOT BE FINAL BY JULY 1 !
  - Forms conversation will go longer

New Forms		Revised Forms	
EP-1	Authorized Pit Registration	WH-1	Application for Oil and Gas Waste Hauler's Permit
EP-2	Authorized Pit Schedule B Worksheet	WH-2	Oil and Gas Waste Hauler's List of Vehicles
EP-3	Authorized Pit Schedule B Bond Form	WH-3	Oil and Gas Waste Hauler's Authority to Use Approved Disposal/Injection System
EP-4	Authorized Pit Schedule B Letter of Credit Form		
EP-5	EP Application Overview		
EP-6	Compliance Report		
EP-9	Waste Profile		
EP-10	Waste Manifest		

# Chapter 4 – Effective Date



- **The New Rules Take Effect on July 1, 2025**
- Permits issued on or after July 1 will be issued under Chapter 4
- Permits in process prior to July 1 may need to be considered under Chapter 4
- Contested permits pending in Hearings will be issued under Chapter 4
- Chapter 4 provides some transition instruction, including:
  - §4.113(c) – Rule 8 authorized pits
  - §4.115(d) – Rule 8 non-commercial fluid recycling pits
  - §4.121(b) – Rule 8 permits
  - §4.170(a)(7) – Rule 8 reclamation plant permits

# Authorized Pits



- Registration
  - Form-based
  - Not an application process
- Schedule A Authorized Pits
  - Reserve
  - Mud Circulation
  - Completion/Workover
  - Makeup Water
  - Fresh Mining Water
  - Water Condensate
- Schedule B Authorized Pits
  - Produced Water Recycling

# Authorized Pits - Registration



- Form EP-1
- Fillable PDF
- Email (or mail) to RRC
- Script to scan into a database
- Issue registration via Email
- Change/terminate registration via same process
- Legislative request for online system



**RAILROAD COMMISSION OF TEXAS**  
Oil & Gas Division | Technical Permitting  
Authorized Pit Registration/Change Form

Form EP - 1  
(Rev. 04/29/25)

<b>Organization Information</b>			
Organization Name:		P-5 No.	
<b>Purpose for Filing</b>			
<input type="checkbox"/> New Registration <input type="checkbox"/> Change Registration <input type="checkbox"/> Terminate Registration			
Effective Date   Click or tap to enter a date.			
<b>Pit Type</b>			
<b>Schedule A – Authorized Pit</b>			
<input type="checkbox"/> Reserve		<input type="checkbox"/> Makeup Water	
<input type="checkbox"/> Mud Circulation		<input type="checkbox"/> Fresh Mining Water	
<input type="checkbox"/> Completion/Workover		<input type="checkbox"/> Water Condensate	
<b>Schedule B – Authorized Pit</b>			
<input type="checkbox"/> Produced Water Recycling			
<b>Pit Information</b>			
Pit Name or ID used by Operator			
Pit Capacity		bbl	
<b>Pit Dimensions</b>			
length	ft	depth avg.	ft
width	ft		
Expected depth to groundwater from the bottom of the pit		ft	
Location (NAD 83, decimal degrees)			
Latitude			
Longitude			
<b>Pit Location</b>			
District		County	
<b>Associated RRC Facility No</b>			
API No.			
Lease No.		Lease Name	
Gas Plant Serial No.			
No RRC Identifier <input type="checkbox"/>			
Certification: I certify that I am authorized to complete this registration/change form, that this form was prepared by me or under my supervision and direction, and that the data and facts are true, correct, and complete to the best of my knowledge.			
Name		Title	
Signature		Date	Click or tap to enter a date.
Email		Phone No.	

# Authorized Pits – Schedule A



- §4.114(1) Pit Contents
- §4.114(2) Pit Construction
  - Designed, constructed, and maintained to prevent migration
  - Any authorized pit that contains fluid with more than 3,000 mg/liter of total dissolved solids, or any authorized pit located in areas where groundwater is present within 50 feet of the bottom of the pit shall be lined.
- §4.114(3) Pit Closure
  - “...shall ensure closure activities do not increase the potential for pollution.”
  - Dispose of all oil and gas wastes which are in the pit in a permitted manner or in a manner authorized by §4.111 of this title.

# Authorized Pits – Schedule B Registration



- Forms EP-1 and EP-2
- See §4.115(c) – Financial Security Requirements
- Bond: Form EP-3
- Letter of Credit: Form EP-4
- For Schedule B Authorized Pits, a registration number will not be issued until the financial assurance has been received and validated.



## RAILROAD COMMISSION OF TEXAS

Oil & Gas Division | Technical Permitting  
Authorized Pit Schedule B Worksheet

Form EP - 2  
(Rev. 04/29/25)

Organization Name: \_\_\_\_\_ P-5 No. \_\_\_\_\_

### Schedule B Authorized Pit Financial Security §4.115(c)(3)

(A) A person operating **five or fewer pits** may file a performance bond, letter of credit, or cash deposit in an amount equal to \$1.00 per barrel of total pit capacity.

Total Number of Pits \_\_\_\_\_  
Total Capacity of All Pits \_\_\_\_\_ bbls  
Total Financial Security \$ \_\_\_\_\_

(B) A person operating **more than five pits** may file a performance bond, letter of credit, or cash deposit in an amount equal to:

- ☐ (i) the greater of \$1.00 per barrel of water for ten percent of an operator's total produced water recycling pit capacity or \$1,000,000

Total Number of Pits \_\_\_\_\_  
Total Capacity of All Pits \_\_\_\_\_ bbls  
Total Financial Security \$ \_\_\_\_\_

- ☐ (ii) \$200,000 per pit, capped at \$5,000,000

Total Number of Pits \_\_\_\_\_  
Total Capacity of All Pits \_\_\_\_\_ bbls  
Total Financial Security \$ \_\_\_\_\_

	Pit ID by Operator	Total Pit Volume (barrels)	RRC Tracking/Registration No.
1.			
2.			
3.			
4.			

# Other Important Elements



- Waste Profiles and Manifests (Division 10)
  - Start with the Generator!
  - Not required to use RRC forms
  - May use electronic systems
  - Not required to submit to RRC
- Permitted Facility Application Requirements are in
  - Division 4 and
  - Divisions 5 through 8 as applicable
- Notice for Permit Applications
  - Once “Administratively Complete”
- Intent is to capture all RRC jurisdictional waste

# Other Important Elements



- Guidance is in development
  - Adapting the existing online Surface Waste Management Manual for Chapter 4
- More Engagement?
- Rulemaking (?)
  - Chapter 4 Errata
  - Rule §3.78 Fees & Financial Security
  - Legislation



# 2025 Regulatory Conference



- Monday, July 14 - Wednesday, July 16, 2025
- Kalahari Resorts & Conventions, Round Rock, Texas
- Registration Open
- <https://www.rrc.texas.gov/about-us/organization-and-activities/activities/workshops-and-conferences/2025-rrc-regulatory-conference/>
- Environmental Permits will have a booth!
  - To discuss Forms, Guidance, and other comments and suggestions.

# Questions?



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