

July 31, 2023

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VIA EMAIL: RULESCOORDINATOR@RRC.TEXAS.GOV

Rules Coordinator
Office of General Counsel
Railroad Commission of Texas
P.O. Box 12967
Austin, Texas 78711-2967

Re: Comments on Proposed Amendments to 16 TAC Chapter 5

Dear Rules Coordinator:

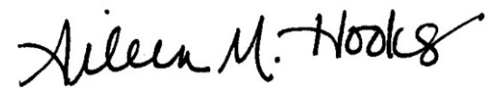
The Texas Industry Project (“TIP”) appreciates the opportunity to submit the following comments on the Railroad Commission of Texas’s (“RRC’s”) proposed amendments to 16 Texas Administrative Code (“TAC”) Chapter 5, related to the injection and geologic sequestration or storage component of the carbon capture and storage (“CCS”) process. TIP is composed of 58 companies in the chemical, refining, oil and gas, electronics, forest products, terminal, electric utility, transportation, and national defense industries with operations in Texas.

TIP believes that CCS is a critical tool for reducing carbon dioxide in the atmosphere, and that Texas is uniquely situated to become a national leader in CCS. TIP understands that the RRC’s proposed amendments to its Chapter 5 rules are intended to (i) support the RRC’s application for primary authority (“primacy”) to enforce the federal Class VI Underground Injection Control (“UIC”) program in Texas by ensuring that the RRC’s rules are at least as stringent as the Environmental Protection Agency’s (“EPA’s”) Class VI rules and (ii) respond to comments from EPA on the RRC’s current CCS rules. Because efficient permitting of CCS operations is important to TIP members, TIP strongly supports both the proposed amendments and the RRC’s request for primacy to administer the Class VI UIC program in Texas.

Furthermore, TIP endorses the comments submitted by the Texas Oil and Gas Association (“TXOGA”) regarding the proposed amendments and urges the RRC to give those comments serious consideration, particularly as they relate to the RRC’s existing statutory authority under Chapter 27 of the Texas Water Code to authorize Class VI applicants to employ the full suite of financial assurance mechanisms contemplated in 40 CFR 146.73.

We appreciate your consideration of these comments. If you have any questions, please do not hesitate to contact me.

Respectfully,

A handwritten signature in black ink that reads "Aileen M. Hooks". The signature is written in a cursive style with a prominent initial "A" and a long, sweeping underline.

Aileen Hooks