

Waste Hauler Frequently Asked Questions and Permit Processing Time Savers

The following questions, answers and tips have been compiled to help you save time in processing your application.

1. **Who needs an oil and gas waste hauler permit?** Anyone that transports oil and gas waste for hire and for disposal by any method other than by pipeline off a lease, unit, or other oil and gas property.
2. **Do I need a waste hauler permit if I am hauling oil and gas waste for use in connection with drilling or servicing an oil and gas well?** No.
3. **Do I need a waste hauler permit to haul in Texas if most of my business is conducted out of state?** Yes.
4. **Do I need a motor carrier registration?** Contact the Texas Department of Transportation Motor Carrier Division at their toll free number at 1-800-299-1700 or their website at <http://www.txdot.gov> for information.
5. **How do I get a permit?** Complete and file the Form WH-1 (Application for Oil and Gas Waste Haulers Permit), Form WH-2 (Oil and Gas Waste Haulers List of Vehicles) and Form WH-3 (Oil and Gas Waste Haulers Authority to Use an Approved Disposal/Injection System). You can download forms from the Commission's website at <http://www.rrc.state.tx.us/forms>, or obtain a copy of the forms by contacting the Commission.
 - Call 512-463-6755 if the name of your company as reflected on your P-5 Organization Report begins with numbers or the letters A through L.
 - Call 512-463-6545 if the name of your company as reflected on your P-5 Organizational Report begins with the letters M through Z.
6. **Can I get a permit if I only file a Form WH-1?** No. You must file a Form WH-1 and a Form WH-2. You must also file a Form WH-3 if you wish to dispose of oil and gas waste at disposal systems other than the following:
 - Disposal systems operated under authority of a minor permit issued by the Commission; and
 - Disposal systems permitted by another state agency or another state.
7. **How much does a new or renewal permit application cost?** There is a non-refundable fee of \$100.00 that must be filed with each new permit application and permit renewal application. EFFECTIVE MAY 1, 2012, A SURCHARGE OF 150% HAS BEEN IMPOSED ON THE APPLICATION FEE to implement the provisions of Senate Bill 1 (82nd Legislature, First Called Session, 2011), which mandated the Commission impose reasonable surcharges on Commission fees.

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Revised September 2012 to Edit Question 5

Revised April 2012 to Edit Questions 5, 7, and 8

Revised December 2010 to Add Question Numbers 23 and 24

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Accordingly, for applications received on or after May 1, 2012, the total application fee will now be \$250. Please make checks payable to: RAILROAD COMMISSION OF TEXAS. More information on the surcharge can be found at the following link:

<http://www.rrc.state.tx.us/forms/reports/notices/Surcharges-021412.pdf>

8. **How much does it cost to amend a permit to change the operator name?** There is a non-refundable fee of \$100.00 that must be filed with each permit amendment application to change the operator name. EFFECTIVE MAY 1, 2012, A SURCHARGE OF 150% HAS BEEN IMPOSED ON THE APPLICATION FEE to implement the provisions of Senate Bill 1 (82nd Legislature, First Called Session, 2011), which mandated the Commission impose reasonable surcharges on Commission fees. Accordingly, for applications received on or after May 1, 2012, the total application fee will now be \$250. Please make checks payable to: RAILROAD COMMISSION OF TEXAS. More information on the surcharge can be found at the following link:
<http://www.rrc.state.tx.us/forms/reports/notices/Surcharges-021412.pdf>
9. **How much does it cost to amend a permit to delete or add a vehicle(s), or delete or add a disposal system(s)?** There is no fee.
10. **How do I submit a fee payment?** You may pay by check or money order payable to “Railroad Commission of Texas”.
11. **Are there any other forms I need to file with the Commission?** Yes. Complete and file Form P-5 (Organization Report) along with the appropriate financial security. You can download the form from the Commission’s website at <http://www.rrc.state.tx.us/forms>, or by contacting the P-5 department at 512-463-6772. Only the P-5 department can answer questions concerning the Form P-5.
12. **Can I walk-in a waste hauler application and obtain a permit the same day or the next day?** No.
13. **How long does it take to get a permit?** The Commission has 30 days from the date the application is received to give written notice to you indicating that either the application is complete and accepted for filing, or the application is incomplete. If the application is complete, the Commission has another 15 days to complete the final review. Filing a complete application helps us shorten the application processing time.
14. **Can I email or fax Forms WH-1, WH-2 and WH-3?** No. All applications must contain an original signature.
15. **How can I help the permitting process?**
 - File application early in your planning stage.
 - File complete application.
 - Make sure that Form WH-1, Form WH-2 and Form WH-3 each contain an original signature.
 - Have an active Form P-5 on file with the Commission.

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- Make sure that the hauler completes Part I of the Form WH-3 and the system operator completes Part II of the Form WH-3.
- Be aware that the system operator on Form WH-3 must have an active Form P-5 in order for authority to be issued to haul to the disposal/injection system(s).
- Be aware that the system operator on Form WH-3 must be the current system operator as identified on the Form P-4 for authority to be issued to haul to the disposal/injection system(s).
- Be aware that non-commercial disposal wells can only be added to a waste hauler permit if the hauler includes with the Form WH-3 a letter stating that only waste that will be hauled to that disposal system is waste originating from wells belonging to the owner of that disposal system.
- Avoid filing duplicate Forms WH-3. The waste hauler should file the Form WH-3.
- File all Forms WH-3 at the same time when requesting to amend a permit to add disposal systems.
- Make plenty of copies of permit to keep on hand at office so that each vehicle will have a permit to carry.

- 16. Does my waste hauler permit allow me to haul oil and gas waste to a disposal system(s) operated under authority of a minor permit issued by the Commission without filing a Form WH-3? Yes.**
- 17. Does my waste hauler permit allow me to haul oil and gas waste to disposal system(s) permitted by another state agency or another state provided the Commission has granted separate authorization for disposal without filing a Form WH-3? Yes.**
- 18. How do I amend a permit to change the operator name?** The new operator must file Form WH-1, Form WH-2 and Form WH-3.
- 19. Can I use the same waste hauler permit number when I renew a permit or change the name on a permit?** Generally, the number may be kept the same. However, if the permit has been inactive for two years or greater a new number must be assigned.
- 20. How do I amend my permit to delete or add a vehicle?** Draw a line through any vehicle you no longer use on your Permit Attachment A (Waste Haulers Vehicle Identification). Complete and submit a new Form WH-2 for any new vehicle you wish to have added.
- 21. How do I amend my permit to delete a disposal/injection system(s) that is shown on my current permit or add a disposal/injection system(s) that is not shown on my current permit?** Draw a line through any disposal/injection system you no longer use on your Permit Attachment B (Approved Disposal/Injection Systems). Complete and submit a new Form WH-3 for any new disposal/injection system you wish to have added.
- 22. How do I renew my permit?** The Commission's Austin office will mail a renewal notice to you approximately 60 days before your permit expires. The notice will include a pre-preprinted Form WH-1, lists of approved vehicles and approved disposal/injection systems, and instructions on the renewal process.

- 23. Does my permit expire if I submit my renewal request prior to the permit expiration date?** No. As required in § 2001.054(b) of the Texas Government Code, the permit remains in effect if your renewal request is received before the permit expiration date and the Commission has not yet acted on the application.
- 24. Should I call for the status of my application?** It is not always necessary to call for the status of your application (Refer to Question Number 23). If you do call please be prepared to provide the operator name, permit number if assigned, and reason for calling. In addition to providing this information in any telephone message, please also include your phone number and email address.