



June 8, 2022

VIA EMAIL

Railroad Commission of Texas
Ms. Leslie Savage
1701 N. Congress
Austin, TX 78701

RE: Amend re: HB 1284 (2021), RRC's sole jurisdiction over carbon sequestration wells

Dear Ms. Savage:

Thank you for the opportunity to respond to the Commission's proposed amendment to 16 Texas Administrative Code (TAC) Chapter 5 and Pre-Application for Class VI Primacy from EPA, addressing statutory authority on the regulation of injection and geological sequestration and storage of anthropogenic carbon dioxide in Texas.

The Carbon Neutral Coalition (CNC) supports the proposed amendment designating the Railroad Commission of Texas (RRC) as the sole authority in the state over onshore and offshore injection and geologic storage of anthropogenic CO₂. CNC also supports the RRC application for primacy from the Environmental Protection Agency (EPA) for administration of the Class VI injection well program.

CNC stood in full support of House Bill 1284 in the 87th Legislative Session, and the proposed amendment is in agreement with the bill's statutory requirements. Streamlining the regulation of Class VI injection in Texas to one state agency, rather than two, will encourage and expedite the use of Carbon Capture, Utilization, and Storage (CCUS) in the state. As noted in the proposed amendments, interest in carbon capture and storage has increased in recent years. With a regulatory framework in place, Texas can make steps toward creating a thriving CCUS industry.

CNC's position is that Texas must support the CCUS industry to face the growing challenges of a global community demanding products that are lower carbon or carbon free, but the elimination of fossil fuels is not a feasible nor desirable objective. Texas industries, workforce, and economic structure are all reliant on the oil and gas industry. Texas can meet the energy in demand, but the requirements of the marketplace will also demand carbon neutrality, and CCUS is the backbone of that necessity. We can gain increased ability in meeting domestic demands while positioning Texas products preferentially in the global marketplace through lower carbon intensity production.



As energy demand continues to grow, supporting and growing the CCUS industry will be vital to ensure the fossil fuel industry meets increasing energy demand while simultaneously reducing carbon emissions. As stated in the proposed rules:

“Achieving meaningful reductions in CO₂ emissions while preserving the benefits of our energy-intensive economy cannot be accomplished without significant deployment of carbon sequestration.”

For the CCUS industry to be successful in Texas, there must be the regulatory, legal and economic framework built in the state to support it. CNC and our Advisory Board support the proposed rules and application for primacy from the EPA, as these are integral steps towards those goals, and to ultimately achieve carbon neutrality while preserving affordable, reliable energy and maintaining a strong economy. We welcome the opportunity to discuss these comments further if needed. Thank you for your consideration and support of the burgeoning CCUS industry in Texas.

Sincerely,

A handwritten signature in black ink that reads "Corby Robertson".

Corby Robertson, Jr.

A handwritten signature in black ink that reads "Susan Combs".

Susan Combs