From:	Stan Braxton
To:	Rules Coordinator
Subject:	Comments on proposed amendments to 16 TAC §3.15 and §3.58 (SB 1150), Item 477 – Green Collar Energy, LLC
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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 §3.15 (Surface Equipment Removal Requirements and Inactive Wells) and §3.58 (Certificate of Compliance and Transportation Authority; Operator Reports), implementing SB 1150 (Item 477)

Dear Rules Coordinator:

Green Collar Energy, LLC supports the Commission's goal of keeping inactive wells off the orphaned well list, and asks that the final rules keep a clear path for a new, bonded operator to take over orphaned wells and return them to production.

Green Collar Energy is an independent oil and gas operator based in Coshocton County, Ohio. We are evaluating orphaned wells in Texas, including wells in Duval County on leases that produced until their operator stopped reporting, with the aim of securing new leases from the mineral owners, posting financial assurance, and restoring the wells that can produce. Each well restored this way is a well the State does not have to plug.

OUR CONCERN: PROPOSED §3.58(a)(5)

As proposed, §3.58(a)(5) requires a transfer of an inactive well to be filed on a Form P-4 signed by an officer or agent of each operator involved, with a jointly signed affirmation that (A) the well complies with Texas Natural Resources Code §89.023 and §3.15, (B) the transfer was a business practice performed in good faith, and (C) the receiving operator will ensure continued compliance. The proposal contains no exception for a well whose operator cannot be found, refuses to sign, or has let its organization report (Form P-5) lapse.

That gap would close the Commission's existing route for taking over orphaned wells. Under the Commission's procedure for taking over an orphan well (https://www.google.com/url?q=https://www.rrc.state.tx.us/oil-and-gas/research-and-statistics/well-information/orphan-wells-12-months/procedure-for-taking-over-an-orphan-well/&source=gmail&ust=1794506768773000&sa=E), a Form P-4 may be filed with only the acquiring operator's signature when the delinquent operator's signature cannot be obtained, accompanied by a letter explaining why and proof of a good-faith claim to operate. Orphaned

wells are, by definition, wells whose operator has been delinquent for more than 12 months; that operator is rarely available to sign, and cannot truthfully affirm that the well is in compliance.

If the final rule requires both signatures in every case, an orphaned well could no longer move to a willing, bonded operator. It could only wait to be plugged at State expense, the outcome the preamble says these amendments are meant to prevent.

REQUESTED CHANGES

1. Keep a single-signature path for orphaned and abandoned wells. Add to §3.58(a)(5) that where the current operator's organization report has been delinquent for more than 12 months, or the current operator cannot be located after a diligent search or refuses to sign, the Form P-4 may be signed by the acquiring operator alone, with the explanation letter and proof of a good-faith claim to operate that the Commission requires today.

2. Let the acquiring operator make the affirmation alone in that case, and affirm to a plan rather than to present compliance. An operator taking over an orphaned well cannot honestly affirm that the well already complies. Allow the acquiring operator to affirm instead that it will bring the well into compliance with §3.15, by restoring it to production or plugging it, within a stated period set by the Commission.

3. Give a new operator of an orphaned 15/25 well time to file its own compliance plan. Because proposed §3.58(a)(6) makes a prior operator's history or hardship extension non-transferable, allow an operator that takes over an orphaned 15/25 well to file a compliance plan under proposed §3.15(h)(4)(C) with its Form P-4, so the well is not plugged before the new operator has a chance to restore it.

These changes keep the Commission's protections for ordinary transfers between active operators while preserving the one path that turns orphaned wells back into producing, bonded wells instead of State plugging costs. Thank you for considering these comments.

Respectfully submitted,

Stan Braxton
Green Collar Energy, LLC
Coshocton, Ohio
740-294-8162
stan@greencollarindustries.com