COMMISSION SHIFT

November 6, 2026

Submitted via email to: rulescoordinator@rrc.texas.gov

Subject: Public hearings now required under Tex. Gov't Code 2001.029 in re: Amend §§3.15 and 3.58 re: Senate Bill 1150 (89th Legislative Session, 2025)

Dear Rules Coordinator:

As of November 5, 2026, more than 25 persons have filed comments requesting that public hearings be held on the Commission's proposed substantive amendments of Rules 15 and 58 to bring them into conformity with SB1150.[1]

Therefore, Texas Government Code § 2001.029 commands the Commission to hold public hearings on this rulemaking to receive comment. These public hearings have not yet been scheduled, and adequate notice must be given before they are held.[2]

Furthermore, Texas Government Code § 2001.023(a) & (b) requires the Commission to give ***at least*** 30 days' notice of its intent to adopt a rule, with the date of notice measured from the date of publication in the Texas Register.[3]

As such, Commission Shift recommends that the Commission give no less than two weeks notice for the public hearings. In other words, the public hearing dates should be set for no earlier than November 20, and public hearings should be held every day until the close of the comment period, with the deadline to submit comments extended to ***a minimum*** of the business day ***after*** the final hearing date so that interested persons may address any additional topics that arise during the hearings.

Two weeks notice is essential for interested person to have sufficient time to arrange for travel to Austin, especially given the busy upcoming holiday season. The Commission should also arrange for virtual hearings to be held for those who cannot travel to Austin. All hearings

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[1] *See* Comments Received. https://www.rrc.texas.gov/general-counsel/rules/proposed-rules/comments-received/comments-received-for-315-and-358-sb1150/

[2] Tex. Gov't Code § 2001.029(b) ("A state agency shall grant an opportunity for a public hearing before it adopts a substantive rule if a public hearing is requested by: . . . at least 25 persons[.]"). https://statutes.capitol.texas.gov/?tab=1&code=GV&chapter=GV.2001&artSec=2001.029

[3] *Id.* § 2001.023(a), (b); § 2001.025 (effective date of notice). Moreover, this 30-day minimum length of notice is also reinforced by § 2001.034, which allows an abbreviated notice and hearing process for emergency rules but ***only if*** the agency: "(1) finds that an imminent peril to the public health, safety, or welfare, or a requirement of state or federal law, requires adoption of a rule on fewer than 30 days' notice; and (2) states in writing the reasons for its finding under Subdivision (1)," neither of which the agency has done here, nor would such findings be applicable to this rulemaking.

must provide for participation in both English and Spanish; the Commission should offer translator & translation services, as was provided for the Chapter 4 waste rulemaking. Moreover, the hearings should be held at times convenient for the public to attend: we request the in-person and virtual public hearings be held in the evenings and across multiple days, to maximize public participation.

We appreciate your prompt attention to this need to ensure robust public participation, extend the comment deadline, and set public hearings to receive comment as statute requires.

/s/ Julie Range
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