# STATE OF TEXAS

# CLASS V UNDERGROUND INJECTION CONTROL

# 1422 PROGRAM DESCRIPTION

## Class V Addendum

## Railroad Commission of Texas

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## I. PROGRAM SCOPE, STRUCTURE, AND COVERAGE

This addendum to the RRC's Class V program description incorporates program changes that reflect State statutory changes that authorize the Railroad Commission of Texas (RRC) to administer a Class V Underground Injection Control (UIC) program for spent brine return injection wells.

The United States Environmental Protection Agency (EPA) granted primary enforcement authority (primacy) to the State of Texas for the Underground Injection Control (UIC) Program under the Safe Drinking Water Act (SDWA) for Classes I, II, III, IV, and V in 1982. The Texas Commission on Environmental Quality (TCEQ) administers the UIC program for Class I, Class III (except for Brine Mining), Class IV and Class V (except geothermal return and *in situ* combustion of coal) injection well activities, except for those wells on Indian land, pursuant to section 1422 of the SDWA.

Texas received primacy for Class II wells under Section 1425 of SDWA on April 23, 1982, and designated the RRC as the lead agency to coordinate the state's SDWA Section 1425 UIC Program.

The RRC also regulates Class V geothermal return and *in situ* combustion of coal injection wells under a separate UIC program approved by EPA and published in the Federal Register on April 23, 1982.

Furthermore, the RRC administers the program regulating Class III Brine Mining injection well activities in the State of Texas, except for those wells on Indian lands, under section 1422 of the SDWA. A program revision application for Class III brine mining wells was submitted by Texas and approved by EPA, effective March 29, 2004.

The RRC is the state oil and gas regulatory agency and regulates mineral exploration and recovery. The TCEQ regulates public water supply and oversees injection wells not regulated by the RRC. Each State agency is responsible for administering the State program for the injection wells under its jurisdiction including, but not limited to, reports, permits, monitoring, compliance, and enforcement actions.

The RRC and the TCEQ have adopted a Memorandum of Understanding (MOU) that outlines the respective responsibilities of each agency concerning regulation of UIC wells. The agencies plan to amend the MOU to reflect current State statutes. The current MOU is provided in the state's primacy application.

In 2023 (Senate Bill 1186, 88th Legislature, RS, 2023), the Texas Legislature amended Section 27.036 of the Texas Water Code to clarify that the RRC's jurisdiction over brine mining includes the authority to regulate brine production wells and brine injection wells ("spent brine return injection wells") used for extraction of brine resources, including elements, minerals, salts, or other useful substances dissolved or entrained in brine, including, but not limited to, lithium, lithium ions, lithium chloride, halogens, or other halogen salts, but not including oil, gas, or any product of oil or gas. Such activities require re-injecting naturally occurring brines into the formation from which they were produced after the extraction of minerals. The bill also instructed RRC to seek primacy from EPA for Class V injection wells designed to inject spent brine into the same formation from which it was withdrawn after the extraction of minerals.

On January 29, 2025, the RRC adopted 16 Texas Administrative Code (TAC) §3.82, relating to Brine Production Projects and Associated Brine Production Wells and Class V Spent Brine Return Injection Wells, to implement Senate Bill 1186. The UIC portion of the rule will become effective upon approval by the EPA of an amendment to the RRC's Class V UIC Program to include spent brine return injection wells. The remainder of the rule became effective on February 18, 2025.

The RRC's UIC programs are designed to ensure the operators of injection wells properly site, operate, monitor, and close their wells in a manner that protects underground sources of drinking water (USDW's) from endangerment.

## II. IMPLEMENTING AGENCY ORGANIZATIONAL STRUCTURE

The Technical Permitting Section of the RRC's Oil and Gas Division implements the RRC's Class V UIC program. RRC staff have education, skills and in-house expertise with skills in the technical and policy areas relevant to evaluating Class V permit applications, including, but not limited to evaluating and issuing Class V permits, onsite inspection, compliance monitoring and overseeing Class V UIC wells throughout their life span. The state plans to implement a team approach to permitting by dividing permit applications among staff with the following relevant areas of expertise.

The Technical Permitting Section performs various permitting and technical advisory and compliance roles. Its activities are technical in nature, so the section employs engineers and geoscientists and other professionals. The Technical Permitting Section is in the RRC's Austin Headquarters.

The Geological Advisory Unit of the Technical Permitting Section is responsible for determining the depth of fresh water and underground sources of drinking water for compliance with surface casing requirements, injection well requirements, and plugging

requirements. The unit also performs special geological projects and provides technical support to the Oil and Gas Division and other groundwater focused agencies.

The Injection-Storage Permits and Support Unit of the Technical Permitting Section regulates several types of injection wells under the RRC's federally approved UIC program. UIC regulations mandate the consideration of a variety of measures to ensure that injection activities will not endanger underground sources of drinking water. The Injection Storage Permits and Support Unit is responsible for ensuring compliance with Statewide Rule 9, Statewide Rule 46, Statewide Rule 81, Statewide Rule 95, and Statewide Rule 97. This unit monitors injection well activities with the intent to reduce seismicity using data collection, validation, and analysis to prepare compliance reports and recommendations. In addition, the unit reviews monitoring and testing reports for every injection/disposal well permit in the state whether the well is active or inactive. The data submitted is used for monitoring purposes to ensure that operators comply with the permit requirements.

The Special Injection Permits Unit is responsible for administering the federally delegated UIC programs for Class III (Brine Solution Mining), Class V (geothermal, in-situ combustion of coal and lignite, and tar-based sands), and Class VI (Geological Storage of Carbon Dioxide). The Special Injection Permitting Unit will process permit applications, monitor permit compliance, and coordinate the Class V UIC Program. Activities of this unit include maintaining a well inventory, reviewing permit applications and issuing permits for injection wells, performing inspections, monitoring permit compliance, reviewing mechanical integrity test results and monitoring reports, initiating appropriate enforcement action, and reviewing plugging and abandonment of wells.

Additional sections in the Oil and Gas Division assist in administering the program.

The Administrative Compliance Section's primary responsibilities are to ensure that operating companies meet the requirements of Texas law necessary to participate in the activities under the jurisdiction of the RRC and to ensure that wells are fully documented and compliant with statutory and regulatory requirements. Any organization that is performing operations within the jurisdiction of the RRC is required to maintain a current Form P-5, Organization Report. The Organization Report must be filed initially and renewed annually. The organization must also provide the required financial security to cover its operations in Texas.

The Drilling Permits Unit of this section handles the processing of drilling permit applications (Form W-1) to drill a new well, recomplete an existing wellbore, or to re-enter a plugged well.

The Well Compliance Unit of this section handles audits of various forms for compliance with RRC rules. Completion reports (Forms

G-1 and W-2) are processed within the unit assigning RRC lease identification numbers. This unit ensures proper forms are filed throughout the life of the well until it is plugged. The Well Mapping Unit inputs updates and well location adjustments to the Public Geographic Information System (GIS) Viewer. The unit also processes the Form W-3 (Plugging Record) and maintains wellbore data.

The Field Operations Section oversees field activities under the jurisdiction of the RRC. Field Operations consists of Austin staff and nine district offices. District office duties include inspecting facilities, witnessing mechanical integrity tests, monitoring compliance, monitoring plugging and abandonment, investigating complaints from third parties or the public or discrepancies discovered by technical staff in reports filed with the RRC, investigating complaints from third parties or the public or discrepancies discovered by technical staff in reports filed with the RRC, and initiating appropriate enforcement action. There are over 185 Field Inspectors across the state that perform these inspections. The Field Operations Section uses the RRC's Inspection Compliance and Enforcement (ICE) Program to document inspections electronically. The use of ICE was implemented in 2015 and allows inspectors to access current operator, facility, and compliance information, and to track well/lease inspections and violation history while in the field. Technical staff in the district offices review completed inspections, assist operators and the public with questions or concerns, issue correspondence to operators, track compliance, and make referrals to Legal Enforcement as warranted.

In addition, the RRC's Office of General Counsel supports the Oil and Gas Division by pursuing legal enforcement for non-compliance, and conducting hearings as necessary on permit applications and enforcement actions.

Organizational charts are included in Appendix A.

Administration and program development for the UIC program is currently budgeted at $4,206,933. Federal funding (approximately $855,280) covers 20% of the cost, and the remaining 80% is state funded.

The table below illustrates how the RRC allocates these funds to various UIC program activities.

| Activity | Annual expenditures/Percent of budget |
|---|---|
| Permit application reviews and permit issuance. | 30% |
| Project oversight/review of operating, testing, and monitoring data and reports. | 35% |
| Inspections/witnessing construction or tests. | 5% |
| Data management. | 5% |

| | |
|---|---|
| Enforcement/compliance-related activities. | 10% |
| Program oversight/administration. | 15% |

Depending on the number of applications and permitted projects, the RRC estimates that administering the Class V Program for spent brine return injection wells will cost between $66,000 and $198,000 in the first year of primacy, and $132,000 in the second year with annual adjustments thereafter. The majority of these costs are associated with hiring additional staff to support the Class V program as the agency begins receiving applications. These costs include the Class V staff salary, computer reservoir modeling software training, and all other indirect costs associated with the administration of the program.

***Funding***

Implementation of the Texas Class V UIC program is funded through the Oil and Gas Regulation and Cleanup (OGRC) Fund and the federal UIC grant. The OGRC Fund is a special fund in the State treasury that was created by the 82nd Texas Legislature in 2001. The OGRC Fund is the primary source of programmatic funding for the Class V UIC well program. Sources of monies deposited into this fund pursuant to §81.067 of the Texas Natural Resources Code, include proceeds from financial security, fees and surcharges, cost recovery, interest earned on the funds deposited in the fund, and legislative appropriations. The Class V UIC program has been budgeted under the RRC's UIC Administration and Program Development category.

## III. PERMITTING, ADMINISTRATIVE AND JUDICIAL REVIEW PROCEDURES

***Permitting Procedures***

Class V spent brine return injection wells are regulated by the RRC pursuant to Section 27.036 of the Texas Water Code and 16 TAC §3.82 (Rule 82), which require all operators seeking to inject spent, naturally occurring brine produced by a brine operation into the same formation from which it was withdrawn after extraction of elements, salts, or other useful substances, including halogens or halogen salts, to obtain a permit prior to commencing injection activities.

The rule contains the provisions required by 40 Code of Federal Regulations (CFR) Part 145 for the RRC to obtain approval to conduct a Class V UIC Program for spent brine return injection wells under Part C of the Safe Drinking Water Act (42 U.S.C. 300h-300h-7, as amended). Rule 82 does not apply to the injection of hazardous waste as defined under 40 CFR Part 261.

The requirements contained in Rule 82 apply statewide to brine production projects. Brine production projects must be permitted in

accordance with Rule 82 before a person may construct or operate brine production wells or Class V spent brine return injection wells.

An applicant for a brine production project must first request a brine field designation from the RRC in accordance with 16 TAC §3.82(d)(3). A brine field is defined as a formation or the correlative depth interval designated in the field designation or rules that contains brine resources. The rule establishes statewide field rules for brine production fields including assignment of acreage, well spacing, and density provisions to promote the regular development of brine resources in a manner that does not damage the reservoir.

The applicant may then apply for a brine production project. A brine production project is a project the purpose of which is the extraction of brine resources from a brine field, and includes brine production wells, Class V spent brine return injection wells, monitoring wells, brine flowlines, and any equipment associated with the project. The brine production project area is defined as the surface extent of the land assigned to a brine production project.

An application for a brine production project must include an application for at least one Class V spent brine return injection well.

The rule at 16 TAC §3.82(d)(1) requires that all brine production wells and Class V spent brine return injection wells be completed within the brine production project area (the surface extent of the land assigned to a brine production project). All wells must be located no less than one-half mile from the boundary of the brine production project area and no less than one-half mile from any interest within the brine production project area that is not participating in the project. Special field rules or an exception obtained pursuant to 16 TAC §3.82(d)(4) may alter the spacing requirements.

An applicant for a brine production project must also comply with other RRC rules, including but not limited to, rules relating to drilling permits, well drilling and completion, directional and inclination surveys, and plugging. In addition to the requirements of 16 TAC §3.13 (Casing, Cementing, Drilling, Well Control, and Completion Requirements), all wells associated with a brine production project must use casing and cement designed to withstand the anticipated pressurization and formation fluids that are capable of negatively impacting the integrity of casing and/or cement such that it presents a threat to USDWs or oil, gas, or geothermal resources.

Under 16 TAC §3.82(c)(8), the requirements of 16 TAC §3.14 (Plugging) and §3.15 (Surface Equipment Removal Requirements and Inactive Wells), apply to all wells associated with a brine production project, except that the well operators must plug all wells associated with the project within one year of cessation of brine production project operations.

Operators of all Class V spent brine return injection wells must re-inject spent brine into the brine field from which the brine was

produced (16 TAC §3.82(c)(3)). All brine production wells and Class V spent brine return injection wells be drilled and completed or recompleted, operated, maintained, and plugged in accordance with the requirements of Rule 82 and the brine production project permit (16 TAC §3.82(c)(4)).

The rule at 16 TAC §3.82(e) contains the application requirements for a brine production project permit. Applications for a brine production project permit must be submitted to the Director and must include:

- the estimated maximum number of brine production wells and Class V spent brine return injection wells that will be operated within the project;
- the total number of acres included in the proposed brine production project area; the brine field from which the brine will be produced and spent brine reinjected;
- complete electric logs of representative brine production wells and the Class V spent brine return injection wells or complete electric logs of representative nearby wells;
- wellbore diagrams showing the completions that will be used for brine production wells and Class V spent brine return injection wells;
- information to characterize the brine field; and
- information to characterize the proposed confining zone.
- proposed operating data;
- a letter from the Geologic Advisory Unit stating that the use of the brine field for the injection of spent brine will not endanger usable quality water or USDWs;
- an accurate plat showing the entire extent of the area of review (AoR), reflecting the location, to the extent anticipated at the time of the application, of each well within the AoR that the applicant intends to use for the brine production project;
- an additional plat showing the outline of the brine production project area, showing ownership of tracts in the brine production project area and tracts and leases within the AoR to be used to provide notice of the permit application under 16 TAC §3.82(f).

An application for a brine production project permit must:

- include the name, mailing address, and physical location of the project.
- include the applicant's name, mailing address, phone number, Organization Report number, and a statement indicating whether the applicant operator is the owner of the project.
- specify the proposed use or uses for the brine produced by the project.
- specify the estimated maximum number of brine production wells and Class V spent brine return injection wells that will be operated within the brine production project.

- designate the total number of acres included in the proposed brine production project area, which shall equal not less than 1,280 acres per brine production well unless special field rules provide otherwise.
- specify the brine field, including the top and bottom depths of the field throughout the AoR.
- include complete electric logs of representative brine production wells and Class V spent brine return injection wells or complete electric logs of representative nearby wells.
- include wellbore diagrams showing the completions that will be used for brine production wells and Class V spent brine return injection wells, including casing and liner sizes and depths and a statement indicating that such wells will be drilled, cased, cemented, and completed in accordance with the requirements of Rule 13. The statement shall also include information to demonstrate that the casing and cement used in the completion of each brine production well and each Class V spent brine return injection well is designed to withstand the anticipated pressurization and formation fluids that are capable of negatively impacting the integrity of casing and/or cement such that it presents a threat to USDWs or oil, gas, or geothermal resources. The wellbore diagrams must show the proposed arrangement of the downhole well equipment and specifications of the downhole well equipment.
- include information to characterize the brine field, including the thickness and areal extent; lithology, grain mineralogy, and matrix cementing of the brine field; effective porosity; vertical and horizontal permeability; the occurrence and extent of natural fractures and solution features; chemical and physical characteristics of the fluids contained in the brine field that may potentially impact casing or cement; the bottom hole temperature and pressure; formation fracture pressure; a description of the proposed well stimulation program, if applicable, and a determination that the well stimulation will not compromise containment of the brine field; the vertical distance separating the top of the brine field from the base of the lowest USDW; a demonstration that the brine field into which the spent brine will be injected is the same formation from which the brine will be produced; and any other information necessary to characterize the brine field.
- include information to characterize the proposed confining zone
- include the proposed operating data, including the maximum daily brine production rate; the maximum daily injection rate and maximum injection pressure; and the proposed test procedure to be used to determine mechanical integrity of the Class V spent brine return injection wells.
- include a letter from the RRC's Geologic Advisory Unit stating that the use of the brine field for the injection of spent brine will not endanger usable quality water or USDWs.
- include a plat showing the entire extent of the AoR; the location, to the extent anticipated at the time of the application, of each well within the brine production project area that the applicant intends to use; the type, location, and depth of all wells of public record within the AoR that penetrate the top of the brine field. The applicant shall include the following information with the map: a tabulation of the wells showing the dates the wells were drilled and the current status of the wells; completion

records for all wells and plugging records for plugged and abandoned wells; and a corrective action plan for any known wells in the AoR that penetrate the brine field and that may allow fluid migration into USDWs from the brine field for which the applicant cannot demonstrate proper completion, plugging, or abandonment. The Director may approve a phased corrective action plan;

- include a subsurface structure map and/or cross sections, including faulting and pinch-outs, showing the contour of the top of the brine field and the lines of cross section.
- include a printed copy or screenshot showing the results of a survey of information from the United States Geological Survey (USGS) regarding the locations of any historical seismic events within a circular area of 100 square miles (a circle with a radius of 9.08 kilometers) centered around the proposed injection well location.
- include a proposed plugging and abandonment plan.
- include any other information the Director may reasonably require to enable the RRC to determine whether to issue a permit for the brine production project, including the associated brine production wells and Class V spent brine return injection wells.

The applicant for a brine production project permit is not required to submit applications for individual production and injection well permits at the same time the applicant files the brine production project permit application. Rather, the applicant is required to submit the information required for a brine production project (16 TAC §3.82(e)(3)) and an application for at least one injection well. Unless the permit states otherwise, the operator may operate additional brine production wells and Class V spent brine return injection wells as part of the brine production project after the brine production project permit is issued; however, the operator must obtain individual permits for each of those wells prior to commencing operations.

The operator of a Class V spent brine return injection well must file a permit application for an individual well prior to commencement of injection operations into any Class V spent brine return injection well within the brine production project area. The requirements for obtaining a Class V spent brine return injection well permit are in 16 TAC §3.82 (e)(3) and (4). The application must be signed by the owner or operator of the facility and must contain sufficient information to allow a determination of whether or not migration of the injection fluid outside of the injection zone will occur. The application must include the following:

- the well identification and, for a new well, a location plat;
- the location of any well drilled within one-half mile of the injection well after the date of application for the brine production project permit and the status of any well located within one-half mile of the injection well that has been abandoned since the date the brine production project permit was issued, including the plugging date if such well has been plugged
- complete information on wells that penetrate the receiving formation within the AoR.
- a corrective action plan for any poorly constructed or abandoned and unplugged wells within the AoR

- a description of the well configuration, including casing and liner sizes and setting depths, the type and amount of cement used to cement each casing string, depth of cement tops, and tubing and packer setting depths
- a survey of information from the United States Geological Survey regarding the locations of any historical seismic events within a circular area of 100 square miles centered around the proposed injection well location
- characteristics of the injection fluid
- nature of the receiving formation
- injection pressures and rate of injection of fluid.
- a description of any additives used in the brine production project and reinjected with the spent brine into the Class V spent brine return well
- proposed plugging and abandonment plan
- any other information required by the brine production project permit

Rule 82(c) specifies the persons authorized to sign and certify applications and reports related to the brine production project.

If no timely protest is received from an affected person, the Director may administratively grant a permit for a brine production project, including the associated wells, if the applicant provides sufficient evidence to demonstrate that the brine production project will not endanger USDWs or human health or the environment.

If the Director administratively denies a permit application, a notice of administrative denial will be mailed to the applicant. The applicant may request a hearing. After any hearing, the administrative law judge and technical examiner will recommend final RRC action.

Rule 82 sets standards and procedures for issuance, denial, modification, revocation and reissuance, and termination of Class V spent brine return injection well permits. In accordance with Rule 82(h), a permit may be modified, revoked and reissued, or terminated by the RRC either upon the written request of the operator or upon the RRC's initiative, for specified reasons and under specified conditions. A permittee must file an application to amend a brine production project permit if the permittee wishes to make substantial changes such as changes to the exterior boundaries of, or maximum number of wells authorized in, the brine production project area or alter permit conditions. Except for minor modifications, the RRC will follow the applicable procedures in Rule 82(h)(1). In the case of a modification, the RRC may request additional information or an updated application. If a permit is modified, only the conditions subject to modification are reopened. The term of a permit may not be extended by modification. In the case of a revocation and

reissuance, the RRC will require a new application. If a permit is modified, only the conditions subject to modification are reopened. If a permit is revoked and reissued, the entire permit is reopened and subject to revision, and the permit is reissued for a new term.

The Director may make minor modifications to a permit administratively. Minor modifications include changes to correct clerical or typographical errors, or make minor changes to clarify any description or provision in the permit; require more frequent monitoring or reporting; make minor changes to construction requirements; or allow a transfer of the permit where the Director determines that no change in the permit is necessary other than a change in the name of the permittee.

The following are causes for terminating a permit during its term, or for denying a permit renewal application: failure to comply with any condition of the permit or Rule 82; failure to disclose fully all relevant facts in the permit application or during the permit issuance process, or misrepresents any relevant fact at any time; a material change of conditions occurs in the operation or completion of the well, or there are material changes in the information originally furnished; or the RRC determines that the permitted injection endangers human health or the environment, or that pollution of USDWs is occurring or is likely to occur as a result of the permitted injection.

***Reviewing Class V Permit Applications***

Class V UIC permit applications for spent brine return injection wells will be reviewed by RRC staff and issued in accordance with Rule 82.

Rule 82(g) outlines the process for review of brine production project permit applications. When the RRC receives a permit application, staff will review the application to determine if it contains all the information outlined in Rule 82. Staff will note any deficiencies and, if necessary, will request additional information from the applicant. A notice of deficiency will state the additional information necessary to complete the application, and a date for submitting this information. The application will be deemed withdrawn if the necessary information is not received by the specified date, unless the Director has extended this date upon a request from the applicant. The Director will not begin processing a permit application until the application is complete.

After confirming that all the required application information has been submitted, agency staff will perform an administrative review to determine that the submitted data is accurate and of high quality, has undergone appropriate quality assurance procedures, is representative of the project and the site, and is sufficiently complete to support a full technical evaluation. Next, staff will conduct a full technical evaluation of the submitted information concerning the injection well, and the proposed operations to ensure that the project will be protective of USDWs.

During the technical evaluation, RRC staff will review the application to determine whether the applicant has provided data sufficient to demonstrate the effectiveness of the injection and confining zone(s). RRC staff will determine if the applicant needs to provide additional evaluation data or monitoring plans beyond that required in Rule 82. The RRC may require additional data prior to permit approval, which could include geophysical data to support geologic interpretation, groundwater information to support hydrogeological interpretation, and plans to monitor seismicity, groundwater, reservoir pressures or plume extent, or any other plans deemed necessary based on site-specific conditions.

The RRC will review the applicant's information regarding the plugging record for all artificial penetrations within the AoR that may penetrate the confining zone to determine which abandoned wells have been plugged in a manner that prevents the movement of $CO_2$ or other fluids that may endanger USDWs. Such plugging record will consist of a systematic listing of permanent or temporary abandonment of water, oil, gas, test, exploration and waste injection wells, and may contain a well log, description of amounts and types of plugging material used, the method employed for plugging, a description of formations which are sealed and a graphic log of the well showing formation location, formation thickness, and location of plugging structures. For all known wells in the AoR that penetrate the top of the brine field for which the operator cannot demonstrate proper completion, plugging, or abandonment, the Director will require corrective action if necessary to prevent movement of fluid into USDWs. Corrective action may be phased, if a phased corrective action plan has been approved by the Director.

***Public Participation***

Public outreach and education is a priority in the RRC's UIC program. The program is currently conducting outreach efforts to local governments and the public through various formats, including a RRC website explaining Class V well requirements and related permitting requirements. Public workshops are held when important information needs to be disseminated to the public and have been conducted to educate interested parties about the Class V Rule. In addition, public media is used as an outreach tool to educate the public, local government officials, consultants, and other interested parties. The RRC will fully incorporate robust and ongoing opportunities for public participation. For example, the RRC will provide notice of proposed Class V wells and tailor public participation to specific community needs and interests. Tailored public participation activities may include scheduling public meetings at times convenient for residents with appropriate translation services where needed, enabling face-to-face or written feedback on permit applications early in the review process, Please see Appendix G for Public Outreach and Community Engagement.

After RRC staff determines that the application is complete, Rule 82(f)(2) requires that the applicant mail or deliver notice of the brine production project permit application to:

- operators on tracts adjacent to the brine production project area;
- owners of all leases of record for tracts that have no designated operator in the brine production project area and within the brine field;
- owners of record of unleased mineral interests in the brine production project area and within the brine field;
- all surface owners identified on the plat described in Rule 82(e)(3)(N)(v);
- the city clerk or other appropriate city official of a city for which any portion falls within the brine production project area;
- the county clerk of any county or counties for which any portion falls within the brine production project area; and
- any other person designated by the Director.

The applicant must also publish notice of the brine production project permit application in a form approved by RRC once each week for two consecutive weeks in a newspaper of general circulation of any county or counties for which any portion falls within the brine production project area. The first notice shall be published at least 14 days before the protest deadline in the notice of application.

The notice must include the following information: (i) the county or counties within which the brine production project area is located; (ii) a copy of the plat required by 16 TAC §3.82(e)(3)(M) of this section; (iii) the name of the brine field; (iv) the depth to the top of the brine field; (v) the proposed life of the brine production project; and (vi) a statement that an affected person may file a protest within 30 days of the date of the notice and any interested person may submit comments to the RRC within 30 days of the date of the notice.

In addition, the RRC will notify any states, tribes or territories within the AoR of the Class V project and document the results of any consultation.

Notice of an application will allow at least 30 days for public comment. Beginning on the date of the notice, any affected person has 30 days to protest the application, and any interested person has 30 days to submit written comments.

After public notice requirements have been satisfied and public comments have been considered and addressed, the RRC will issue or deny the permit application.

Once an applicant complies with the notice required to obtain a brine production project permit and the permit has been issued, no notice is required when filing an application for an individual injection well permit for any Class V spent brine return injection well covered by the brine production permit unless otherwise provided in the permit or unless the individual injection well has an exception

such that the injection well is located closer than one-half mile from the boundary of the brine production project, in which case notice must be provided to any new entity located within the AoR of the injection well.

***Hearings***

In accordance with 16 TAC §3.82(f)(4), the RRC will hold a hearing when: (i) the RRC receives a written protest from an affected person within 30 days after notice of the application is given; (ii) the Director denies the application and the operator requests a hearing within 30 days of the notice of administrative denial; (iii) the Director issues the permit and the operator requests a hearing to contest certain permit conditions; or (iv) the Director determines that a hearing is in the public interest. Notice of a hearing will be given at least 30 days before the hearing. The public comment period will automatically be extended to the close of any hearing. After hearing, the administrative law judge and technical examiner recommend final Commission action. The Commissioners consider the recommendation in a posted open meeting.

***Administrative and Judicial Review of Permits***

Administrative reviews of Class V permits will take place in accordance with Chapter 2001, Texas Government Code and Title 16, Part 1, Chapter 1 of the Texas Administrative Code.

Judicial reviews of Class V permits would be conducted in accordance with Chapter 2001, Texas Government Code.

## IV. PERMIT, PERMIT APPLICATIONS, REPORTING AND MANIFEST FORMS

***Permit Conditions***

Rule 82(i) contains the standard permit conditions that will be included in a brine production project permit. In addition to these conditions, Rule 82(j) includes conditions for Class V spent brine return injection wells. Injection operations may not begin in any new Class V spent brine return injection well until the operator has submitted a completion report to the Director, and the Director has reviewed the completion report and found the well to be in compliance with Rule 82 and the conditions of the permit. If the permittee has not received notice from the Director that the well is in compliance with Rule 82 and the permit within 45 days of submission of the completion report, the permittee may begin injection operations.

Permit conditions include tubing and packer requirements, limits on maximum allowed injection pressure, corrosion protection requirements, monitoring of annulus pressure, notice requirements, record retention requirements, reporting and certification requirements, and plugging requirements. The RRC may establish additional conditions on a case-by-case basis as necessary.

## V. COMPLIANCE TRACKING AND ENFORCEMENT PROGRAM

***Compliance Tracking***

Compliance tracking will, at a minimum, include on-site inspections conducted by authorized agents of the RRC and a review of operating and monitoring reports submitted in compliance with the RRC's Class V rules and the permit to verify that the construction, completion, operation, maintenance, and closure of Brine Production Projects are performed according to approved plans and specifications and meet all permit and regulatory requirements. The RRC has a UIC database and UIC application database that it currently uses for all injection wells under the jurisdiction of the RRC. The RRC is currently developing requirements for replacement or enhancement (including online submission) of the existing UIC database structure as part of the RRC's Mainframe Transformation Program. Modifications to facilitate Class V permit compliance tracking are a part of that effort.

The RRC's current Mainframe database, on which development began in 1979, is used to store oil and gas well data, and also tracks UIC compliance schedules (e.g., annual UIC permit reporting and mechanical integrity tests). During the mid-2000s development began on web forms and Oracle databases so that well operators could submit forms to the RRC and staff could review the information in a web browser. The Oracle systems ultimately store finalized submissions in the Mainframe for compliance routines. The Oracle systems also power a public GIS and web queries, enhancing public access to the RRC's data. In 2020, the RRC began developing an automated system for tracking UIC permit applications. The UIC Permit Application system includes application data (e.g., proposed well location, construction, and injection zone top and bottom). These data are used for automated analysis to evaluate compliance, including complex spatial analysis used for assessing seismic hazard. This system also tracks permit compliance not already tracked by the compliance systems in the Mainframe (for example, unique permit conditions). The RRC is currently developing requirements for replacement or enhancement (including online submission) of the existing UIC database infrastructure as part of a multi-year Mainframe Transformation Project.

***Review of Plans and Reports***

The RRC will verify that the construction, completion, operation, maintenance, and closure procedures are performed according to approved plans and specifications and meet all permit and regulatory requirements. The RRC will review plans and reports to ensure compliance with the approved plans, regulations and permit conditions. Review of plans and reports will include:

- well construction, completion, operation, maintenance, and closure activities;
- results of required logging and testing, including mechanical integrity testing;
- monitoring, operating and maintenance data;
- bottomhole pressure reports and updated evaluations of the effects of injection on the injection zone, including fluid volume, injection rate, and injection pressure data;
- workover plans and workover reports;
- revisions to plugging plan and plugging reports; and
- any other plans or test results connected with the proper construction, operation, and maintenance of the injection well.

***Inspections***

The RRC will conduct site inspections and examination of records under the authority of §27.071 (relating to power to enter property) and §27.072 (relating to power to examine records), Texas Water Code. These statutes require an operator to allow the RRC or an authorized representative of the RRC, upon the presentation of credentials, during normal working hours, to enter the premises where a regulated facility is located, or where records are kept under the conditions of the permit, and inspect the facilities, review and copy reports and records required by the permit, collect fluid samples for analysis, and perform any other function authorized by law, regulation, or permit.

Site inspections will be conducted by the agency's authorized agents to verify or witness construction, operation and/or testing/maintenance procedures. Inspections may be announced or unannounced. The RRC will conduct inspections to witness construction, testing, maintenance and operation procedures; observe and document the condition of the injection wells, facilities, and monitoring wells, and determine compliance with any plans or permit conditions; and witness corrective action.

After initial inspections, the RRC will inspect Class V spent brine return injection wells annually and at the discretion of the RRC to identify any existing problems or prevent potential problems from developing that may cause or lead to violations; update RRC records on the facility; verify operational procedures, including testing; investigate unauthorized injection activities; respond to complaints; and maintain a regulatory presence with the operator and landowners in the area of the project.

***Complaints***

The RRC encourages the public to report problems or concerns through the RRC's complaint procedures. Complaints are accepted in a variety of formats, including phone calls, emails, letters, social media, or visits to the district offices. The RRC places a high priority on the timely investigation and resolution of complaints.

Complaints involving potential violations of the RRC's rules and permit conditions are investigated by the appropriate RRC district office. Complaints involving an imminent threat to public health and safety or the environment are investigated immediately. Other pollution-related complaints are investigated within 24 hours. Complaints not involving pollution or safety are investigated within 72 hours. Any identified violations are addressed through the RRC's enforcement procedures.

The complainant receives written updates on the progress of the investigation and any related enforcement action. The complainant is also notified when the complaint is closed. A complaint is closed when the RRC determines that the well or other facility is operating in compliance with the rules and permit or that any violations have been corrected. In the event the matter is referred to the Legal Enforcement Section, the district office notifies the complainant to contact that section for further information.

***Enforcement Procedures***

Any person violating RRC Class V rules, any condition of a Class V permit, or any rule or order of the RRC is subject to enforcement action. The agency is responsible for initiating, pursuing and resolving enforcement actions. Enforcement proceedings may result in modification, revocation or suspension of any permit issued under authority of the UIC Program.

RRC staff may use one or more of the available enforcement mechanisms depending on the nature of the violations and how quickly the violations are resolved. The agency will attempt to handle all minor violations through informal means, such as correspondence between agency staff and the alleged violator. Violations of Rule 82 may subject the operator to penalties and remedies specified in the Texas Water Code, Chapter 27, and the Natural Resources Code, Title 3.

APPENDIX H describes the enforcement mechanisms available to the RRC and enforcement procedures. These mechanisms may be used individually or in combination, sequentially or simultaneously, as appropriate to achieve a timely, full, and fair resolution.

## VI. SCHEDULE FOR ISSUING CLASS V PERMITS

The RRC anticipates that, during the first two years after approval of the State Class V program, permit applications for approximately __ Class V wells may be submitted, including applications for __ Class V wells in the first year and applications for __ Class V wells in the second year.

The RRC expects that reviewing Class V permit applications will require approximately __ months to issue a permit under proposed staffing levels and with full applicant cooperation.

## VII. STATE PRIORITIES FOR ISSUING CLASS V PERMITS

This is a new program and no Class V spent brine return injection wells are in operation. The agency anticipates that during the first two years after approval of the state Class V spent brine return injection well program, approximately --- well permits will be issued by the agency. Priority in the application queue will be based primarily on the relative date of submittal and then weighted by application completeness and size and nature of the project.

## VIII. MECHANICAL INTEGRITY TESTING REQUIREMENTS

Rule 82 states that no person may perform injection operations in a Class V spent brine return injection well that lacks mechanical integrity. Both internal and external mechanical integrity shall be demonstrated before injection operations begin. Internal mechanical integrity must be demonstrated annually thereafter and after any workover that involves the removal of the tubing. External mechanical integrity must be demonstrated every five years. The Director may require mechanical integrity testing if the Director has reason to believe that the well lacks mechanical integrity. The permittee must notify the appropriate RRC district office at least 48 hours before performing a mechanical integrity test.

The permittee must provide for a demonstration of internal mechanical integrity of the wellhead, casing, tubing, and annular seal assembly, if present, using either a pressure test at a surface pressure of not less than 100 psig above the maximum expected operating surface pressure of the well or an equivalent test approved by the Director.

The permittee must use one of the following methods to demonstrate the absence of significant fluid movement into USDWs through vertical channels adjacent to the Class V spent brine return injection wellbore (external mechanical integrity): (i) the results of a

temperature or noise log; or (ii) where the nature of the casing precludes the use of a temperature or noise log, cementing records demonstrating the presence of adequate cement to prevent such movement.

The Director may allow the use of other methods of demonstrating mechanical integrity with the approval of the Administrator of the EPA obtained pursuant to 40 CFR §146.8(d).

The permittee must file a complete record of the test and an evaluation of the test results with RRC in Austin within 30 days after the test. Mechanical integrity must be demonstrated to the satisfaction of the Director. In evaluating the results, the Director will review monitoring and other test data submitted since the previous mechanical integrity test.

If the permittee or the Director finds that the well fails to demonstrate mechanical integrity, the permittee must halt injection immediately unless the Director allows continued injection because the permittee establishes that injection can continue without endangering USDWs. The operator must report the failure of mechanical integrity to the Director within 24 hours from the time the permittee becomes aware of the failure. A written plan to restore mechanical integrity shall be submitted to the Director within 15 days of the failure to demonstrate mechanical integrity. All wells that fail to pass a mechanical integrity test must be repaired or plugged and abandoned within 90 days of the failure date.

The RRC will review monitoring and other test data submitted since the previous evaluation. The RRC expects to review the results of approximately 10 MITs each year during the first two years after approval of the State Class V spent brine return injection well program.

## IX. PROCEDURES TO NOTIFY OPERATORS OF THE REQUIREMENT TO APPLY FOR AND OBTAIN A PERMIT

There are currently no Class V spent brine return injection wells in Texas. The RRC rules and statutes require a Class V permit for the construction, operation, and closure of Class V wells.

## X. INJECTION WELL INVENTORY

The RRC maintains a current database of injection wells on a networked computer system. There are currently no permitted Class V

spent brine return injection wells in Texas. Class V spent brine return injection wells will be included and identified as such in the system. As modifications occur to wells during the operational lifetime of each well, the information contained in the database will be updated accordingly.

There are currently only three (3) Class V wells in the State of Texas subject to the jurisdiction of the RRC (Chapter 141 of the Texas Natural Resources Code). These wells inject fluids in association with geothermal resource recovery.

The RRC also has authority to regulate wells used for the *in situ* combustion of coal (Article 5920-11 V.A.C.S.), but there are no wells in the state currently injecting fluids for this purpose in the State.

The RRC will continue to inventory, assess, and report to EPA regarding this category of injection well pursuant to 40 CFR 146.52. The ____ well currently operating is authorized pursuant to the rules and statutes administered by the RRC. Any such Class V wells which begin operating in the state are authorized in accordance with these rules and statutes so as to prevent the contamination of USDWs in a manner adversely affecting public health. If the operation of such well is causing or will cause a violation of primary drinking water standards, an order may be entered as necessary to prevent the violation, or enforcement action may be taken (Chapter 141 of the Texas Natural Resources Code and Article 5920-11, §§5, 30, and 32).

## XI. EXEMPTED AQUIFERS

The primary focus of the UIC program, as promulgated under the authority of the SDWA, is to protect underground sources of drinking water (USDWs). An aquifer or a portion thereof which meets the criteria for an "underground source of drinking water" may be determined under 40 CFR §144.7 to be an "exempted aquifer" if it meets the criteria in paragraphs (a) through (c) of 40 CFR §146.4. Even if an aquifer has not been specifically identified by the RRC, it is a USDW if it meets the definition above. The RRC adopted 40 CFR §144.7 and §146.4 by reference (Rule 82(e )(5)). Following a determination that a request for an aquifer exemption meets the requirements at 40 CFR §144.7(d) and §146.4, the RRC will forward the request to EPA Region 6. No designation of an aquifer exemption will be final unless approved by the EPA Administrator as a program revision. However, the RRC does not anticipate that such exemptions will be necessary.

## XII. FINANCIAL RESPONSIBILITY

Rule 82 requires owners and operators of Class V spent brine return injection wells to demonstrate and maintain financial resources to

perform all required corrective action and plug the injection well. The state regulations allow the use of bonds and letters of credit. No permit will be issued if the applicant does demonstrate sufficient financial assurance. Rule 82(c)(9) requires all operators of wells drilled and operated in association with a brine production project to comply with the requirements of Rule 78 as the requirements are applicable to brine production projects, except that, prior to spudding, the operator must provide financial security in an amount estimated to plug each well in the brine production project after cessation of brine production project operations. For an operator of a brine production project who has satisfied its financial security requirements by filing a cash deposit, the RRC must refund to the operator the amount estimated to plug each well following its plugging if the amount of the deposit remaining after the refund would be sufficient to plug all remaining wells in the brine production project.

**APPENDIX A: Organizational Charts**

**APPENDIX B: Form W-2, Oil Well Potential Test, Completion or Recompletion Report, and Log**

**APPENDIX C: Form H-10, Annual Disposal/Injection Well Monitoring Report**

**APPENDIX D: Form H-5, Disposal/Injection Well Pressure Test Report**

**APPENDIX E: Form W-3A Notice of Intention to Plug and Abandon**

**APPENDIX F: Form W-3, Plugging Report**

**APPENDIX G: Public Outreach and Community Engagement**

## APPENDIX H ENFORCEMENT MECHANISMS AND PROCEDURES

Any person violating RRC Class V rules, any condition of a Class V permit, or any rule or order of the RRC is subject to enforcement action. The agency is responsible for initiating, pursuing and resolving enforcement actions. Enforcement proceedings may result in modification, revocation or suspension of any permit issued under authority of the UIC Program.

RRC staff may use one or more of the available enforcement mechanisms depending on the nature of the violations and how quickly the violations are resolved. The agency will attempt to handle all minor violations through informal means, such as correspondence between agency staff and the alleged violator.

Compliance and enforcement actions for violations may be initiated by the UIC Unit. District office inspectors assist by monitoring the status of compliance efforts in the field. District offices also may initiate enforcement actions and will closely monitor violations identified through inspections until they are resolved. The agency's primary concern will be those violations that may have significant effects on the environment, that may endanger USDWs, and that affect public health and safety.

RRC staff may use one or more of the available enforcement mechanisms depending on the nature of the violations and how quickly the violations are resolved. The agency will attempt to handle all minor violations through informal means, such as correspondence between agency staff and the alleged violator.

The following paragraphs briefly describe the enforcement mechanisms available to the RRC. These mechanisms may be used individually or in combination, sequentially or simultaneously, as appropriate to achieve a timely, full, and fair resolution.

*Organization Report*
Before conducting any activity under the RRC's jurisdiction, a company must file an organization report (Form P-5) providing basic information on the company and its principals. The organization report must be renewed annually. The RRC uses the information provided with the organization report to identify and track the operations of the company within the State. A company without a current organization report may not conduct operations in Texas.

Along with this report, the company must provide financial security conditioned that the operator will plug wells and perform other necessary remedial action in accordance with RRC rules, permits, and orders. The operator of a Class V well must maintain financial responsibility requirements.

If an organization has outstanding violations or has failed to maintain the required financial assurance, the RRC may suspend the

authority of the organization, the principals, and any other company regulated by the RRC that has common principals to operate in the State. The RRC may refuse to accept an organization report, may sever a certificate of compliance (see below), or may revoke a permit if: (1) the organization remains non-compliant with an outstanding order finding a violation; or (2) a person who holds a position of ownership or control in the organization has, within the preceding seven years, held a position of ownership or control in another organization that has an outstanding order finding a violation during the period of ownership or control.

If the organization has not complied with a RRC Enforcement Order, state law prohibits the RRC from accepting Organization Report renewals, certain permit applications (including Drilling Permits among others) and requests for a certificate of compliance for any wells the organization operates. The statute also applies to the individuals in control of the organization: any other companies controlled by a tagged person are similarly barred from filing with the RRC. The restrictions imposed by §91.114 effectively bar that company (and those who control it) from continuing those activities beyond the current year, as an active organization report is required for a company to conduct operations subject to the RRC's jurisdiction. The RRC tracks outstanding violations to ensure organizations and their officers and owners are held accountable under this authority. (*See* Tex. Nat. Res. Code Ann. §91.114.)

*Notices of violation*
Except for certain violations that may be resolved quickly through a phone call, the RRC will formally notify an operator of a violation in writing via U.S. Mail or as an attachment to an e-mail. The notification will specify a deadline for compliance. After the deadline for compliance, the agency will return to the location or review RRC records to verify compliance.

*Cancellation of Certificate of Compliance*
The operator of any well in the State must file a certificate of compliance (Form P-4) certifying that the well is being operated in compliance with RRC rules, permits, and orders. If the RRC identifies a violation, the RRC may cancel the certificate of compliance. See Tex. Nat. Res. Code Ann. §§91.701- 91.707. Before cancelling the certificate, the RRC must provide the operator with notice of the violation by certified mail and provide at least 10 calendar days to achieve compliance or request a hearing.

If the certificate of compliance is cancelled, the RRC may place a physical seal on the well. In practice, a seal is one of the most effective enforcement tool available to the RRC because the operator suffers an immediate impact. The seal is not removed and the operator may not resume operations until the well is returned to compliance and the operator pays a reconnection fee.

*Permit actions*
State law authorizes the agency to modify, suspend, or terminate a permit based on violations of RRC rules, permits, or orders. These

actions will be taken through a RRC order after notice and opportunity for hearing, unless the permit holder agrees to the action.

*Legal Enforcement*
The final enforcement stage, typically reserved for non-compliance that is egregious or may endanger USDWs, is the issuance of an Enforcement Order in which a penalty is assessed.

Under §27.1011 of the Texas Water Code (relating to Administrative Penalty), if a person violates the provisions of Chapter 27 (the Injection Well Act) or a rule, order, license, permit, or certificate issued under Chapter 27, the person may be assessed a civil penalty by the RRC of up to $10,000 a day for each violation. Each day a violation continues may be considered a separate violation for purposes of penalty assessments.

A major violation is a safety or pollution related violation that causes a significant impact to public safety and/or the environment; is accompanied by conditions that indicate a significant impact to public safety and/or the environment is imminent; or is the result of deliberate disregard of RRC rules and regulations related to public safety or environmental protection. A violation of any category of major violations will not automatically dictate that the State seek a penalty; each case will be evaluated on its own merit. In recommending a penalty, the Enforcement Section will consider factors such as: the seriousness of the violation, the environmental and potential hazard to the health or safety of the public, the demonstrated good faith of the permittee or person charged, the previous record of the violator; the economic benefit to the violator of non-compliance; degree of fault; and the costs incurred during reclamation; and mitigating circumstance in determining the amount of the penalty.

Incoming referrals are assigned to an enforcement attorney, who evaluates the legal sufficiency of the alleged violations based on the evidentiary support and proceeds with an enforcement action when evidentiary support exists. The RRC's General Rules of Practice and Procedure are found in Texas Administrative Code, Title 16, Part 1, Chapter 1. These rules govern the service of process, notice of hearings, default judgments, and motions for rehearing in Legal Enforcement's contested cases. The RRC adopted these rules pursuant to the Administrative Procedure Act's requirements. (Gov't Code § 2001.004)

The Legal Enforcement Section seeks to achieve compliance and assess appropriate administrative penalties for proven violations. The Legal Enforcement Section primarily achieves these goals either through settlement, or a hearing. Based on the severity of the violation and/or the operator's history of prior violations, the Legal Enforcement Section may initiate the process with reasonable attempts to settle the matter through voluntary compliance and reduced administrative penalties. Legal Enforcement consults with the regulatory division to determine its penalty recommendation. Operators that comply with the settlement provisions enter an Agreed

Order, which is submitted for the RRC's approval.

If settlement attempts are unsuccessful, or if the facts do not warrant settlement negotiations, the Legal Enforcement Section files a complaint and serves the operator with the complaint and a notice of opportunity for hearing. If the operator fails to answer the complaint or schedules a hearing and fails to appear, the Legal Enforcement Section seeks a default order. A final default order includes findings of facts, conclusions of law, and the recommended penalty and compliance terms. The default order is appealable to the district court if an operator files a motion for rehearing with the RRC within 25 days of the default order being signed and that motion is denied either expressly or by operation of law. If the operator fails to file a motion for rehearing within this time, the default order is final and not appealable to the district courts. If the operator files a motion for rehearing within the required time and the RRC grants the motion for rehearing, the default order is vacated, and the case is referred back to the Legal Enforcement Section.

If no settlement is reached, the case proceeds to hearing before an Administrative Law Judge (ALJ) and a Technical Examiner (TE). This process begins with the Legal Enforcement Section serving the operator a notice of hearing and complaint via certified mail. After a noticed hearing, at which the operator appears, the ALJ and TE prepare a proposal for decision (PFD) for the Commissioners to consider at a Commissioners' Conference duly posted with the Secretary of State. The PFD is the ALJ's and TE's recommendation to the RRC regarding how the case should be decided based on applicable law and technical analysis of the facts presented at hearing. The PFD includes findings of fact and conclusions of law to support the recommended decision, and a penalty recommendation and compliance terms. The PFD is circulated to the parties to allow time for exceptions and replies to be filed prior to presentation to the RRC. The PFD and any exceptions and replies filed are provided to the Commissioners prior to conference. At a regularly noticed conference, the ALJ and TE present the PFD to the Commissioners and answer any legal or technical questions regarding the PFD's recommendations and points raised in the exceptions and replies. Operators have an opportunity to request oral argument before the Commissioners. The Commissioners then vote whether to accept, reject, or modify the PFD. At least two Commissioners must agree to determine the outcome. The PFD's recommendation—and any modifications adopted by the Commissioners—are included in a final order signed by the Commissioners.

The procedure for motions for rehearing and appeals to the district court regarding default orders also apply to final orders. If the Commissioners grants a motion for rehearing, the case is referred to the Hearings Division and the hearing process repeats consistent with any instructions contained in the order granting the rehearing.

Once an order becomes final, if the operator fails to timely comply with the order's terms, the Legal Enforcement Section may refer the order to the Office of the Attorney General (OAG). The OAG may file suit in Travis County District Court seeking payment of

administrative penalties per the terms of the order. The OAG may also seek civil penalties, attorneys' fees, court costs, and interest. The Legal Enforcement Section assists the OAG in trial preparation, hearings, and appeals. A warrant hold may also be placed on the delinquent operator through the Texas Comptroller of Public Accounts. The warrant hold will direct state funds due to an operator to the RRC to reduce or pay off the debt. The operator will be notified prior to the placement of a warrant hold. The RRC may also refer debts to an independent debt collection agency.

*Emergency orders*
Section 551.045 of the Texas Government Code authorizes the RRC to issue an emergency order when there is an emergency or when there is an urgent public necessity, including an imminent threat to public health and safety. Under Section 551.047, a governmental body who calls an emergency meeting of the governmental body or adds an emergency item to the agenda of a meeting of the governmental body, must notify the news media of the emergency meeting or emergency item.

Compliance and enforcement activity is tracked through the RRC's Inspection, Compliance and Enforcement (ICE) database and the Cases database, which is maintained by RRC staff.