



DRILL-RIGHT TEXAS

BEST OIL & GAS DEVELOPMENT PRACTICES FOR TEXAS



Texas Oil & Gas

Accountability Project



DRILL-RIGHT TEXAS

BEST OIL & GAS DEVELOPMENT PRACTICES FOR TEXAS



Texas Oil & Gas

Accountability Project

P. O. Box 470567
Fort Worth, Texas 76147
940-389-1622

Texas Oil & Gas Accountability Project is a campaign of
EARTHWORKS • www.earthworksaction.org

Texas OGAP: www.earthworksaction.org/Texas_OGAP.cfm

Texas: A History of Resources

Texas is rich in oil and gas and we have a long history of developing these resources. We have a heritage of production. And, we have an unrivaled pride in our land -- from Pecos to Tyler. Most of Texas is privately owned and that is where our agriculture thrives, the wildlife run and our waters flow.

The Barnett Shale is booming across 19 counties in North Texas. Landowners in East Texas, the Pecos Region, and the Rio Grande Valley are seeing production increase just as rapidly. Landowners in these areas and across Texas are struggling to produce their minerals and protect landowner rights, agriculture, environmental integrity, and recreational opportunities, all of which are important to our way of life. While this production provides economic benefit to many landowners, county governments and the State of Texas, it also results in many detrimental impacts to the people, lands and waters of our state.

Drilling Right In the Face of Rapid Energy Development

The challenge facing Texas now is not *whether* to increase fossil fuel production – energy companies are already on a record-setting pace as they accelerate development. Rather, the challenge facing us today is how to protect our landowner rights, clean water, air and public health in the face of rapid energy development. We support “drilling right in Texas:” responsible energy development that protects private property owners, water, the environment, and public lands while enabling energy production. Drilling right in Texas, or “Drill Right” is a reasonable and planned approach to the long-term impacts of oil and gas development and can be achieved in Texas. We are leading in production; we should lead in landowner protections and best practices. In 2008, the Barnett Shale produced more than 12 billion dollars worth of oil and gas. We can afford to develop the resource and protect our landowners, communities and future prosperity. “Drill Right” means that some areas simply can't be drilled, such as unique areas of native prairie or our Great Plains. Where oil and gas is developed, “Drill Right” also means that the best oilfield practices must be pursued including:

1. Ensuring the integrity of private property rights for surface owners and surface users.

- Operators and landowners must negotiate upfront a surface use agreement with landowners and surface users (i.e., permittees and lessees) detailing the placement of pipelines, compressor stations, roads, well sites, and related facilities, and detailing the use of drilling products and chemicals as well as baseline testing of available water resources for quality and quantity.
- Oil and gas operators must restore water and soil damaged by exploration and production, and provide temporary water supplies during remediation.
- Surface owners must be notified in writing at least 120 days in advance of lease sales, Right of Way (ROW) negotiations, and development activities.
- Short and long term restoration and adequate compensation for surface damages is critical. This includes removal of any oilfield equipment.

2. Existing laws must be enforced and strengthened.

Air Quality Protection & Noise Standards

- Electric motors should be used to drive gas compressors and other stationary oil and gas-field infrastructure.
- Condensate tanks should be equipped with vapor recovery units and monitored for the control of VOC emissions.
- No-bleed pneumatic valves and fittings should be used on pipeline networks.



- Same-day response to emissions and health symptoms must be implemented and tracked. In areas where emissions exceed regulatory limits 24-hour continuous monitoring must be utilized to assess emissions and protect public health.
- Noise standards should apply to all exploration, development, work-over, transportation and refinement equipment, particularly in proximity to residences, businesses, schools, hospitals, nursing homes and churches. Low frequency noise complaints must be documented and mitigated.
- In concern for regional air quality, all immobile oilfield equipment that emits nitrogen oxides (NOX), volatile organic compounds (VOCs) or other Hazardous Air Pollutants (HAPs), owned and/or operated by an individual operator, should be regulated as a single source and for its cumulative effect.
- Waste gas and flaring must be defined and managed as an "air emission" and meet a state emissions standard.

Water, Soil and Surface Protection

- Water quality in drilling areas must be protected by the use of closed-loop drilling systems (i.e. pitless drilling) and water-based drilling fluids.
- Oil and gas operators must use available technologies such as directional drilling, horizontal drilling, multiple wells per drilling pad, and smaller well pads to reduce surface impacts. Concentrating wells reduces heavy truck traffic in neighborhoods, and fragmentation of rangeland, farmland and wildlife habitat.
- Water resources, air, soil, property and the public health must be protected by requiring the full public disclosure of drilling, stimulation and completion products (e.g., the complete chemical constituents used).
- Substitutions for toxic oil and gas field materials (e.g., proppants, solvents, friction reducers, acid neutralizers, paints, etc.) must be used when non-polluting options are available.
- Incidents of water, soil and vegetation contamination must be avoided by eliminating on-site disposal of waste.
- Cementing, casing and monitoring of active wells and injection wells are critical to protecting our water quality. Operators must be required to meet the highest cement and pipe standards and take financial responsibility for their integrity in perpetuity and comply with surface casing and mechanical integrity requirements, including the performance and filing of 3-D Cement Bond Logs and location of perforations.
- Proper management and disposal of produced and flow-back water must require that any wastewater re-injected into the ground is re-injected into an aquifer or formation of equal or lesser quality, to prevent degrading higher quality ground water. Additionally, operators should be required to monitor domestic water wells within one mile of saltwater disposal wells for BTEX, TPH, Chlorides, and chemical constituents used in the drilling process. Copies and results of these labs must be provided to landowners, groundwater conservation districts and other interested parties.
- Recycling of flow-back water must be performed in compliance with regulations that prohibit contamination of surface and ground water resources and soils.
- Interim and final reclamation of well sites and related facilities, including restoring topsoil and native vegetation to their original state, is critical for landowners, neighborhoods and communities. Oil and gas operators must begin reclamation no later than one month after a rig has left the site and full reclamation must be complete within six months.
- Where networks of pipes are used to transport flow-back and produced water for hauling to disposal sites, pipeline "pigging" should be performed to evaluate pipe thickness and leak detection and monitoring must be in place.



Human Safety and Quality of Life Protections

- To ensure safety and quality of life for residents, oil and gas wells must be “setback” at least 1,000 feet from a house or other domestic structure.
- Drilling and production should be located away from residences, businesses, schools, hospitals, nursing homes, and churches. Specific local regulations should be in place to ensure safety and emergency preparedness.
- Increase Local, State and Federal regulations to ensure the safety of human health and the environment as a result of oil and gas development

Wildlife, Wetland and Habitat Protection

- Remote monitoring and control devices must be installed to limit access by persons other than essential gas field personnel in and near wildlife habitat, wetlands, winter range, birthing and rutting areas, and other environmentally sensitive areas. Drilling activities must be avoided during periods of intensive wildlife use on public lands. Drilling activity must carefully comply with lease and permit stipulations and limit or exclude public access on oil and gas field roads.
- Whenever practical, bury utilities, particularly in and near areas of sensitive species critical habitat. Minimize the disturbance footprint by burying utilities along the road rather than cross-country.
- Any aerial power lines should be spaced to prevent or minimize wildlife mortalities. Existing power poles should be modified to prevent perching.
- Any pits or tanks that are in use should be fenced and covered to prevent entry by birds and other wildlife, including amphibians.

Protect the public interest.

- At all stages of oil and gas development, the public should receive published notice and adequate opportunities to provide input. In Texas, a first step in enhancing our public input process would require landowner and resident and adjacent landowner and resident notification of pits, and fulfilling inspection report requests by mail and email. Inspection, enforcement, plugging, permitting and other relevant files should be retained long-term by public agencies and be accessible to the public.
- An equal emphasis in Texas should be placed on inspection, enforcement and bonding, as well as permitting wells. This emphasis will require that state permitting agencies have at least one inspector for every 500 active, inactive and known abandoned wells, with convenient public access to reports. Emphasis should also be placed on local governments' appropriate and compatible role in inspection and enforcement.
- Texas must require “full cost” bonding.
- Application permit fees should reflect the need for adequate plugging and clean up funds.
- Before new drilling is approved, the responsible agencies should fully analyze and disclose all potential impacts to allow for meaningful public input into decisions affecting the people and environment of our state. Such analysis should include cumulative impacts analysis and full consideration of other land uses such as ranching, farming, cultural and wildlife management.
- Environmental justice factors must be taken into consideration during planning processes, including consideration of existing pollution levels, race, cultural factors, income and demographics.



A New Energy Tomorrow

In the struggle to meet our energy demands, we need to balance the interests of the oil and gas industry and mineral owners with the rights of landowners, and the rights of Texans to have clean air and water. We can't afford to continue damaging our air, land and water. We need an energy policy that requires clean and safe energy development and encourages conservation, fuel efficiency and renewable energy. Join us in putting the operators and landowners on the same side of this important issue.

