

**Kellie Martinec**

---

**From:** Nichole Saunders <[nsaunders@edf.org](mailto:nsaunders@edf.org)>  
**Sent:** Monday, September 29, 2014 11:18 AM  
**To:** rulescoordinator  
**Cc:** Scott Anderson  
**Subject:** EDF Comments on RRC Proposed 3.9 and 3.46 Amendments O&G Docket No. 20-0290951  
**Attachments:** EDF RRC Induced Seismicity Comments Sept 2014.pdf

Dear Rules Coordinator,

Please accept the attached comments from the Environmental Defense Fund, filed on behalf of Scott Anderson, Senior Policy Director, Climate and Energy Program.

**Nichole Saunders**  
Attorney  
U.S. Climate and Energy

**Environmental Defense Fund**  
301 Congress Ave., Suite 1300  
Austin, TX 78701  
T 512-691-3459  
F 512-478-8140  
[nsaunders@edf.org](mailto:nsaunders@edf.org)

This e-mail and any attachments may contain confidential and privileged information. If you are not the intended recipient, please notify the sender immediately by return e-mail, delete this e-mail and destroy any copies. Any dissemination or use of this information by a person other than the intended recipient is unauthorized and may be illegal.



September 29, 2014

Via Electronic Submission to Railroad Commission of Texas

Rules Coordinator  
Office of General Counsel  
Railroad Commission of Texas  
P.O. Box 12967

Re: Comments on proposed amendments to §3.9 and §3.46 relating to Disposal Wells, and Fluid Injection into Productive Reservoirs, to incorporate requirements related to seismic events for disposal wells (39 Tex. Reg. 6761, at 6775 (Aug 29, 2014))

O&G Docket No. 20-0290951

Dear Rules Coordinator:

The Environmental Defense Fund appreciates the opportunity to comment on proposed amendments to Rules 9 and 46. The changes will help the Commission anticipate and respond to situations where injection activities could induce seismic activity and we support the proposals.

At the same time, we note that important questions remain as whether the Commission is collecting sufficient seismic data (see comments submitted in this docket by the USGS).

Important questions also remain as to how the Commission should and will apply these rules in the future. It is one thing to provide authority for the agency to act quickly to “modify, suspend or terminate” a permit and another thing to decide precisely what to do in particular circumstances. Given the current state of knowledge, however, we believe the Commission is right to leave these questions open for now.

We applaud the Commission for taking these initial steps and encourage the agency to continue to study the issue and develop protocols for responding to future seismic events.

Respectfully submitted,

Scott Anderson  
Senior Policy Director, Climate and Energy Program  
512-691-3410