

**Kellie Martinec**

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**From:** Gil Bujano  
**Sent:** Wednesday, October 01, 2014 9:14 AM  
**To:** Kellie Martinec  
**Cc:** Leslie Savage  
**Subject:** FW: Earthquake RRC.PDF  
**Attachments:** Earthquake RRC.PDF; ATT00001.htm

fyi

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**From:** [REDACTED] [mailto:[REDACTED]]  
**Sent:** Wednesday, October 01, 2014 9:00 AM  
**To:** Gil Bujano  
**Subject:** Earthquake RRC.PDF

Can you please forward the following to the department that is handling the Comment Review on Seismic Activity. This is the same letter as sent on Monday. This one has Judge Garcia's signature. Thank you!



## *Frio County Commissioners Court*

500 E. San Antonio St.  
Pearsall, Texas 78061  
830/334-2154

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*"A Community in the Eagle Ford Region"*

September 29, 2014

Environmental/ Technical Review Services Section  
Oil and Gas Division  
Railroad Commission of Texas  
P. O. Box 12967  
Austin, TX 78711

RE: ***Energy Resources Committee / Texas Railroad Commission Comments  
Special Committee Charge – Review on Earthquake & Disposal by Injection***

***Dear Texas Railroad Commission and House Committee on Energy Resources  
On review relating to seismic activity***

Please accept this letter as **Comments To Consider for RRC Rule Changes** by allowing additional disposal by injection permit application in Frio County to correlate the recent legislative charge review as stated below. It is in the opinion of Commissioners Court of Frio County (Frio County) in response to the Legislative Charge by the House Committee on Energy Resources, special charge relating to seismic activity by review of the Disposal by Injection also applies regardless of non-recorded seismic activity.

As a result of numerous permitted injection wells, view the permitted wells are a matter of time due to what any scientist regards is already exceeding the carrying capacity of any given environmental boundary. Eventually these disposals wells will cause some form of disruption within the area injected landform and raises the potential contamination at a higher risk if the well overflow or leak.

We respectfully request your close review of Frio County's activity and the concerns we have noted by official opposition by Resolution Order, previous awareness we have issued through media channels and our continued efforts to oppose additional authorized waste in the county.

As you are aware, an earthquake was recently recorded in September 2014 in Charlotte, TX located in our neighbor county of Atascosa. The area which this earthquake occurred is no more than 10-20 miles in distance to Frio County boundary line. Most recently, we also have had various roadways spills and do anticipate more as the development energy continues to increase in addition to Mexico's crude oil if refined in the Eagle Ford region processing facilities. We have held public briefings relating to roadway spills and public safety concerns on IH-35 which could potentially also impose the mobility of commerce and development of energy industry

Furthermore, we are fully aware of the environmental concerns and issues the refinery now titled as "fractionations" in La Salle County, pipeline, terminals and added disposal facilities will impose as added cost, risk to public safety and environmental contamination if not properly managed.

As you continue to review your state administrative practices in issuing permits for disposal by injection, please closely regard the Health and Safety Code.361 with a solid waste plan. The counties can set up boundaries with allowable disposal. This should also allow disposal by injection to avoid exceeding the carrying capacity

by determining an amount that is environmentally justifiable. In addition, please regard the Health and Safety Code as it is defined to protect and promote water, health and public safety as the main objective of this code and specifically relating to enforcement.

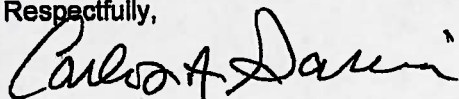
When injection wells are permitted, the above referenced code in our opinion is not regarded critically and with high standard when an area as in Frio County has the water quantity, type (aquifer) and quality to consider the priority to protect.

The concern of Frio County is the disposing of waste into a shallow oil and gas producing formation that has many old abandoned wells which are very susceptible to break-outs (i.e. potentially contaminating the Carrizo/Wilcox freshwater sands.) Understanding that the formation to be disposed into is brackish, and understanding this stratum is non-porous and potentially full, only enhances the potential for future break-outs.

With the increase of hydraulic fracturing in this County, the need for disposals has greatly increased; therefore, increasing the potential for aquifer contamination through degraded casing/cementing, unknown well bores, and natural faulting.

It is the opinion of the County Commissioners that disposals be limited to deep formations with no potential usable water, and only in newly drilled wells with proper casing and cementing under careful scrutiny by your Commission. It is our desire for your Commission to understand our concerns, and we hope that you will review the disposal of any waste into any formation with potential for usable water and consider avoiding serious environmental damages before it becomes too late.

Respectfully,



Carlos Garcia,  
Frio County Judge

CC: Members of Commissioners Court  
Member of the Energy Resource Committee  
Members of the RRC, Commissioners  
Ron Green, Frio County, Hydrologist  
City of Pearsall and City of Dilley  
Dale Stein, Frio County Engineer

Opposition - Injection Wells  
Frio County, March 25, 2013

## RESOLUTION

**Whereas**, Frio County is located 50 miles south of San Antonio, Texas located in the Eagle Ford shale region as one of fourteen active counties in production of oil and gas exploration; and

**Whereas**, Frio County regional setting is convenient to accommodate effective time and distance transportation feasibility which serves as a major corridor to accommodate international commerce, world tourist and most recent developed for its prime real estate developed to serve a wide array of energy service providers; and

**Whereas**, Roadways in Frio County are being utilized by heavy truck traffic to facilitate mobility, energy exploration service suppliers with clearance to navigate with an approximate or less than two hour travel time; thus allowing energy related companies to allow efficient operation cost; and

**Whereas**, Frio County is currently comprised of slightly under 20,000 in population and equal in combination of age groups whom value the quality of life in a rural setting with residents who are native to Frio County of two or more generations; and

**Whereas**, The Frio County community has two or more generation residency status with a projected increase of newcomers at an average of 550 permanent / transient workers by 2015; and

**Whereas**, The county residents are concerns about environmental impacts implicating public safety relating to service activities associated with Eagle Ford exploration; and

**Whereas**, proposed business objective, collection and transportation of frack waste also references as "produced water" transported in volume size per day imposes greater public and environmental safety risk; and

**Whereas**, Waste haulers and injection storage waste facilities including separation of chemicals may impose negative environmental impacts and an inconvenience to neighbors through potential transportation, roadway, land, water and air pollution; and

**Whereas**, Increased heavy truck traffic hauling waste imposes greater risk to road deterioration, truck regulation safety, environmental law and pollution control and local emergency management to chemical response; and

**Whereas**, County government does not have zoning and land-use management rules to enforce in unincorporated areas unless, a violation has occurred within the guidelines of the Health and Safety Code, or Water Code; and

Whereas, increased heavy truck traffic hauling waste imposes greater risk to road deterioration, truck regulation safety, environmental law and pollution control and local emergency management to chemical response; and

Now Therefore, Frio County express request of the 83<sup>rd</sup> State Legislature to consider the following recommendations for amendments to proposed legislative intent related the following.

1. Recycled water separated from oil/gas waste must provide notice to the political subdivision about concentration levels and/or content when processed, discharged into a water source and location, hauled and disposed of in the host county of the injection disposal well location.
2. Injection well violation or notice of intent imposed by the Texas Railroad Commission and Texas Commission and Environmental Quality provide in notice to the County Judge Office or political subdivision.
3. Injection well operators to consider a "service fee" for every disposal made at a facility of injection in contract terms and agreement between the county and the injection well operator.
4. Community outreach and awareness be available to counties regarding dispose injection at well facilities to be conducted by officials representing Texas Railroad Commission and energy companies. The awareness must provide advance awareness of chemicals contained in produced water also called "frack water."

Carlos A. Garcia  
Carlos A. Garcia, County Judge

Jesus "Chuy" Salinas  
Jesus "Chuy" Salinas, Precinct 1

Richard Graf  
Richard Graf, Precinct 2

Ruben Maldonado Precinct 3  
Jose "Pepe" Flores  
Jose "Pepe" Flores, Precinct 4

ATTEST:

Angie Tullis  
Angie Tullis, County Clerk  
By: E. Com 3/20



**Opposition – Injection Wells and  
Commercial Surface Disposal Facilities  
Frio County, May 13, 2013**

**RESOLUTION**

**Whereas, Frio County is located 50 miles south of San Antonio, Texas, within the boundaries in the Eagle Ford Shale Region, and is one of fourteen counties active in the production of oil and gas; and**

**Whereas, Frio County's setting is central in the Eagle Ford Shale Region, not only allowing it to serve as a major corridor for international commerce and world tourism, but also most recently to serve as a major thoroughfare and destination for the companies active in the oil and gas exploration in the area; and**

**Whereas, this central location within the Eagle Ford Shale Region is causing roadways in Frio County to be over utilized by the transportation vehicles and heavy machinery utilized by these companies; and**

**Whereas, Frio County is currently comprised of slightly under 20,000 in total population with citizens who value the quality of life in a rural setting, with many families who have resided in Frio County for two or more successive generations; and**

**Whereas, the Frio County community has a projected increase of 550 permanent or transient workers by 2015; and**

**Whereas, the county residents are concerned about the environmental impacts of these oil and gas exploration activities and fear that they may have a direct impact on public safety; and**

**Whereas, business that are involved in the production, transportation, separation, distribution, or disposal of the byproducts or waste generated by the oil and gas exploration activities are potentially hazardous in that they lead to negative environmental impacts through the creation, emanation, or transmission of air, land and water pollution; and**

**Whereas, increased heavy truck traffic generated by these businesses lead to a greater risk of road deterioration, traffic accidents, environmental impacts and pollution emanation; and**

**Whereas, Texas county governments do not have zoning or land-use management powers to enforce in the unincorporated areas of their respective counties, unless, a violation has occurred within the guidelines of the Health and Safety Code, or Water Code; and**

**Whereas, Texas counties are not allowed to impose and collect impact fees for certain land uses or commercial purpose construction by state law, which would provide counties the income to increase public service, infrastructure, or restore green space development to promote the integrity of rural quality of life in Frio County; and**

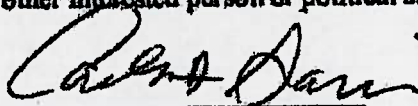
Whereas, County governments in the Eagle Ford Shale area require policy to allow for proper and orderly planning aimed to restore, protect and preserve by managing the oversight of land development and potential environmental impacts to ensure the safety of its citizens; and

Whereas, waste disposal permits, waste disposal facilities, injection wells and oil and gas surface disposal (reclamation) facility applications are increasing throughout the Eagle Ford Shale Region, and especially throughout Frio County, the Texas Railroad Commission has failed to act appropriately to limit these activities; and

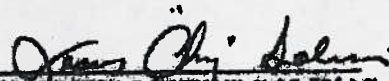

Whereas, Frio County is closely monitoring pending applications and has concerns about the capacity of the environment to withstand any additional environmental impacts cause by any granted permits, waste injection wells and waste separation facilities; and

Whereas, Frio County has had an exponential increase of injection well applications approved by the Texas Railroad Commission within the last eight months and also has more such waste injection, reclamation, and separation facilities than other counties similarly situated in the Eagle Ford Shale Region.


Now Therefore, Frio County Commissioners Court, agree to oppose all injection well and surface disposal (reclamation) facility permit applications effective May 13, 2013, Public notice shall be printed in local news source and announcement shall be delivered to state elected leadership not limited to include other interested person or political subdivision of the state.



**HON. CARLOS A. GARCIA**  
County Judge

  
**HON. JESUS "CHUY" SALINAS**  
Commissioner, Precinct No. 1  
**HON. RICHARD GRAF**  
Commissioner, Precinct No. 2  
**HON. RUBEN MALDONADO**  
Commissioner, Precinct No. 3  
**HON. JOSE "PEPE" FLORES**  
Commissioner, Precinct No. 4

**ATTEST:**

  
**HON. ANGIE TULLIS**  
Frio County Clerk  
Ex officio Clerk of the  
Frio County Commissioners Court