

Ingrid Kelley

RRC Sunset committee
August 22, 2016

My name is Ingrid Kelley and I live in Arlington. I am here to briefly describe my encounter with the TX RRC.

On January 5, 2012, as I was riding my bicycle along the trail on Green Oaks Blvd. in North Arlington, I came across a shoddy set up of piping leading from a fire hydrant to a fracking well. It was taped at various points and was leaking at the fire hydrant. There was a foamy water puddle on the sidewalk and a dead bird lying next to the puddle. I took pictures and began calling agencies. I was directed to the TX Railroad Commission Region 5 in Kilgore by the TCEQ. I filed a report. Four days later, I received a phone call from an inspector from the RRC to clarify the exact location of the leak. At the time of his collection, there was a torrential downpour and it had been raining for hours. He told me that chemicals were found, but in safe quantities, not enough to indicate a problem. He found no signs of illegal activity at the site of 'contamination'. He attributed the dead bird to a heart attack from NYE fireworks. I pointed out that the sample was collected during a rain event that dumped 1-2 inches per hour. He didn't see any problems with that sample, so I told him to urinate in a cup and in a tub. He would likely find different levels. About 2 weeks after the inspection, Chesapeake buried the piping from the fire hydrant to the well, continuing to access the water for fracking.

I lost trust in the agency and found it odd that the drinking water for millions of people is regulated by an agency that oversees the Oil and Gas industry. Water and air protection should be a priority especially since water IS a lifesaving natural resource. There should not be conflict within regulatory agencies, especially when they are also regulating an industry that is threatening our water resource.

Local municipalities (county, city and local groundwater districts) should be able to inspect, monitor and enforce state laws. In the situation I came across, the Arlington water department and/or the Arlington Fire Department should have been the first responders able to investigate and collect data.

Furthermore there should be stricter penalties and fines that have incremental increases for repeat offenders. Violators should be responsible for 100% of clean up costs. There should be more transparency in enforcement data and in discovery for complaints and violations on searchable online databases.

Lastly, I endorse all of the changes proposed and submitted by the ~~Sierra Club~~ ^{Public Citizen} and ask that the Sunset Committee consider all their recommendations. They are the voice for our future as they zealously and conscientiously work to protect the public. Thank you.

From: [Sunset Advisory Commission](#)
To: [Janet Wood](#)
Subject: FW: Public Input Form for Agencies Under Review (Public/After Publication)
Date: Wednesday, August 24, 2016 4:56:09 PM

-----Original Message-----

From: sundrupal@capitol.local [<mailto:sundrupal@capitol.local>]
Sent: Wednesday, August 24, 2016 4:50 PM
To: Sunset Advisory Commission
Subject: Public Input Form for Agencies Under Review (Public/After Publication)

Agency: RAILROAD COMMISSION TEXAS RRC

First Name: Ingrid

Last Name: Kelley

Title: Ms.

Organization you are affiliated with: self

Email:

City: Arlington

State: Texas

Your Comments About the Staff Report, Including Recommendations Supported or Opposed:

To the Sunset Advisory Commission for the Railroad Commission of Texas,

I attended on Monday 8/22/16 the RRC hearing. After listening to testimony from the oil and gas industry I felt compelled to submit further comments.

The industry is quite content with the way things are and does not see a need for change. I heard comments such as, "if it isn't broken don't fix it" and "I have never heard a complaint about the RRC". Other comments alluded to the idea that Texas is an exemplar model for O&G industry. The back patting, compliments, and mutual admiration of the industry and the RRC was obvious during the initial hearing. I can't think of an industry that prides themselves in being so perfect that they don't need change. This very attitude of the O&G industry clearly explains why we, The Public Citizens of Texas, have been suffering under the domain of this reckless industry. Their actions affect the lives of everyone and compromises their health, safety, and environment. The testimony from the citizens continuing late into the evening, clearly indicated that there is a disconnect and there are serious problems/consequences. Lives have been adversely affected by the lack of regulation and accountability.

Had the industry had been prudent and concerned about the health and safety of American citizens, they would have conducted unbiased pre-fracking drilling health studies of the lives they were about to impact. There would have been a third party that did not pose a conflict of interest conducting those studies. Additionally, an unbiased entity testing water quality prior to and after the onset of business activity would have occurred with public disclosure.

All industries involved with the well-being of American citizens are constantly reviewing and analyzing their processes looking for ways to improve. They welcome input, change, and constructive criticism. Why is the O&G industry different? Let me reiterate, NO industry is that perfect. The healthcare, airline, and auto industries have been and continue to strive to improve their processes in order to protect the safety and quality of the people they serve. The O&G industry should not be an exception.

The boom of oil and gas exploration in Texas definitively created an economy that has and still does attract people from all over the world. However a different economy has been unwittingly created. That economy is in healthcare, pharmaceuticals, and environmental clean-up industries. The sad fact is jobs have been created in order to treat and rectify the problems that have been caused by lack of oversight and regulation.

The sunset review committees oversee a multitude of agencies in order to protect the public. Let the mission be loud and clear in establishing reform within the Texas Railroad Commission. Also, Please change the name. I've never felt the need to google the TX RRC. I just incorrectly assumed it dealt with railroads and didn't give it much thought at the voting polls. It wasn't until I personally dealt with the leaking back flow from a fracking well to a fire hydrant in Arlington TX that I became aware of the actual functions of the RRC. Leaving that name in place allows an industry to hide behind an assumed identity.

Thank you for your diligence, endurance, and patience during a long hearing.
Your service is very much appreciated.

Any Alternative or New Recommendations on This Agency: Please consider the recommendations submitted by Public Citizen, Sierra Club, Texas Campaign for the Environment, Earthworks and other environmental entities that I may have inadvertently omitted. Thank you.

My Comment Will Be Made Public: I agree