

Sunset Advisory Commission  
P.O. Box 13066 Austin, Texas 78711  
ATTN: Senator Glenn Hagar, Jr. Chair

December 21, 2010

Dear Senator Hagar,

I have a recommendation pertaining to the permitting process for Class 1 injection wells. Currently the permitting process is not segregated by "Commercial" and "Non-Commercial". The commercial class 1 injection wells are simply driven on making money by disposing other companies' waste into the ground. "Non-commercial" class 1 injection wells would be from companies disposing their own waste, knowing exactly what is going into the ground (ground they own), and naturally are inclined to more responsible disposal techniques.

Separate the Class 1 injection well permit application by "Commercial" or "Non Commercial" which will open a door to potential additional legislation and regulation for Class 1 injection wells by commercial companies, which Texas now severely lacks. Think about it like this: We are all trusted to throw away spent radio batteries in a responsible way, using hazardous waste disposal methods, but how many of us REALLY do this, not regulated? I would be willing to bet 95% or more of households throw their spent radio batteries into the regular trash to be taken away by neighborhood trash pickup. And the neighborhood trash pickup company can only trust that the trash they are taking to the regular dump is all non-hazardous. Yet a household that must dispose of it's own trash into it's own backyard compactor/composter will NOT be so inclined to throw that hazardous battery into the trash pile on their property. They will make certain the hazardous trash is disposed of properly. The same thing goes with "Commercial" and "Non Commercial" Class 1 injection well processes, unfortunately. This separation will be a start in correcting this tragic lack of regulation. The next step of implementing regulations and legislation will not be so difficult and much easier to justify.

On a personal note, TCEQ's mission statement, their purpose of existence to protect natural resources and the name "Environmental Quality" bring "environmental and public health protection" to mind. I have seen a very different set of actions from TCEQ over the last few years while involved with fighting Texcom's business plans to install commercial Class 1 injection wells in Conroe oil field. TCEQ's Executive Director and workers have been meeting time over time, sharing notes, conference rooms, lunch etc. with Texcom during this whole process of hearings and permitting. Why is this? Why is it that even after it is proven that Texcom falsified their application stating they owned the mineral interest rights (inaccurate by "mistake" was the legal response) even though they did not NOR was there an attempt to contact the true mineral interest owners, the TCEQ's Executive Director group STILL recommends allowing the permit.

Is this how the TCEQ is going to "protect" our natural resources and strive to ensure clean air and water, their purpose of existence and goal: by allowing any permit, even if it is proven falsified to be allowed by any company to inject other companies' waste in our ground? We are doomed to be poisoned from what I have seen.

We can only hope that the Rail Road Commission will rescind their letter of “no-harm” which would then make the permit incomplete and therefore TCEQ would be unable to approve.

I came to the Sunset Review hearing on Thursday, December 15<sup>th</sup> but was unable to stay after 9pm when the public was finally up to comment: I could only take one day of vacation and unable to stay late enough for my turn.

Thank you for the opportunity to submit my comment by email.

Paula Sewall