

ANNOUNCEMENT

(Released jointly by the Texas Commission on Environmental Quality and Railroad Commission of Texas, July 28, 2011)

Transfer of the Texas Commission on Environmental Quality's Surface Casing Program to the Railroad Commission of Texas

Article 2 of House Bill 2694, passed by the 82nd Texas Legislature and signed by the Governor, transferred from the Texas Commission on Environmental Quality (TCEQ) to the Railroad Commission of Texas (RRC) duties relating to the protection of groundwater resources from oil and gas associated activities.

Specifically, the law transfers from the TCEQ to the RRC, effective September 1, 2011, duties pertaining to the responsibility of preparing groundwater protection advisory/recommendation letters. After the transfer, the RRC will be responsible for providing surface casing and/or groundwater protection recommendations for the following activities:

- Exploration, development, or production of oil and gas resources - new drilling, other drilling activities including, but not limited to, enhanced recovery injection wells, injection wells for brine mining, injection wells for underground storage of hydrocarbons, seismic exploration and cathodic protection wells, well integrity tests, plugging of abandoned wells, core holes, and micro-seismic boreholes;
- Subsurface disposal and injection of oil and gas waste - saltwater disposal wells; and
- Anthropogenic carbon dioxide injection wells and geologic storage facilities under the RRC's jurisdiction.

The TCEQ and RRC staff are working cooperatively to facilitate the transfer, including the transfer of staff to the RRC. The Surface Casing program transfer and relocation to the RRC office located in the William B. Travis Building, 1701 North Congress, Austin, is scheduled for August 25, 2011. The program transfer and relocation are expected to be completed by August 31, 2011. The TCEQ and RRC staff will make every effort to minimize disruptions to surface casing program customers and groundwater protection advisory letter applicants during the transition.

Please continue to submit applications for groundwater protection advisory letters to the TCEQ until August 31, 2011 (postmark date or email). On or after September 1, 2011, please send applications or correspondence pertaining to groundwater protection advisory letters to the RRC at the following address:

By courier or express mail:
Railroad Commission of Texas
(Attn: Groundwater Advisory Unit)
William B. Travis Building,
1701 North Congress
Austin, TX 78701

By U.S. Postal Service:
Railroad Commission of Texas
(Attn: Groundwater Advisory Unit)
P.O. Box 12967
Austin, TX 78711-2967

If you have any questions pertaining to this notification, please contact the TCEQ's Surface Casing Program at (512) 239-0515 or by email at SC@tceq.texas.gov. On or after September 1, 2011, the surface casing staff can be contacted at (512) 463-2741 or by email at gau@rrc.state.tx.us.

Change in Expedited Letter Processing and Fee Payment

At 5:00 p.m. on August 12, 2011, TCEQ will stop accepting payments for expedited processing of groundwater protection advisory letters. TCEQ's ePay website will not present an option to pay this fee and will carry a notice on the login page that this fee payment will not be accepted. Additionally, checks received by the TCEQ for expedited processing after this date will be returned to the applicant.

During the transition period from August 13 through August 31, 2011, TCEQ will continue to receive and process applications for expedited letters without the fee payment. The RRC may collect fees for these applications at a later date.

For applications submitted from September 1, 2011 onwards, fees for expedited processing can be paid online on the RRC website at <http://www.rrc.state.tx.us/>.

RRC Application Forms

The RRC is in the process of creating new applications for seeking groundwater protection advisory letters. However, these forms (Forms GW-1 and GW-2) are not yet available. From September 1, 2011 until further notice, please continue to use the current TCEQ application form to seek groundwater protection advisory letters from the RRC. The TCEQ form will be available through the RRC's forms library (<http://www.rrc.state.tx.us/forms/forms/og/alpha.php>).