



November 10, 2017

The Honorable Christi Craddick
The Honorable Wayne Christian
The Honorable Ryan Sitton
Railroad Commission of Texas
1701 Congress Ave
Austin, TX 78701

Dear Chair Craddick and Commissioners,

We write to you today to ask the Railroad Commission of Texas to adopt new safety standards to protect the public from the dangers of crude oil and produced water spills amid flooding events.

As you may know, the Railroad Commission of Texas received at least 20 reports of spilled oil, gas, and other fluids released due to Harvey-related flooding. The spills involved thousands of barrels of oil and produced water, including some which spilled in to the Colorado River.

During extreme weather events, like we saw with Hurricane Harvey, wastewater storage tanks can be damaged or even float away, while open pits can flood, mixing wastewater into the floodwater.

Wastewater spills can cause environmental damage. Produced water may contain more than 1600 potentially toxic chemicals. If produced water spills into the public water supply, these contaminants could threaten human health. Additionally, the high level of salinity has been found to harm soil health.

In normal circumstances, the salt levels in produced water can kill all vegetation and prevent its regrowth, while spills into waterways can kill fish. For example, a 2012 spill of 3,000 gallons of oil wastewater north of Dallas killed trees in a wildlife refuge.

We also know that oil and produced water will travel far and wide. In one post-Harvey spill, the Railroad Commission reported: "Oil stains are visible in trees 10-feet above ground level at a site about one-half mile from the location pad."

Exposure to spilled oil is associated with health effects, such as headaches and dizziness. The chemicals in oil can affect the central nervous system, skin, eyes, and respiratory system. Researchers studying people living in the vicinity of past oil spills have found consistent evidence of acute toxic effects. These effects include neurological damage, eye irritation and damage, and respiratory or breathing problems among exposed residents.

With thousands of barrels of oil and produced water in the floodwaters, there are health concerns for anyone who was exposed to the flooding or who is involved in the cleanup process. The Houston Chronicle and other outlets reported that residents in Houston experienced skin infections, itchiness, and coughing problems after exposure to floodwaters. Skin irritation and respiratory problems are common symptoms following exposure to oil and wastewater spills.

Fortunately, there are steps Texas can take to prevent future spills and limit damage. Colorado faced similar threats in September 2013, when heavy rain and flooding caused 43,478 gallons of produced water and 48,250 gallons of oil and fracking condensate to spill. After the flooding subsided, the Colorado Oil and Gas Conservation Commission inspected the damage, identified best practices for the future and eventually passed new regulations.

We urge the Commission to consider steps to help reduce the impacts of flooding on oil and gas infrastructure in Texas, including:

- Posting data on spills on the RCT website within 24 hours of being notified
- Requiring tanks in floodplains be anchored and have identification
- Prohibiting impoundments in floodplains or, at a minimum, requiring that they be engineered to withstand floods.
- Requiring all new wells in floodplains can be shut-off remotely,
- Requiring all wells be retrofitted with containment berms on steel rings that can contain spills.
- Prohibiting wells in floodplains and require a substantial buffer between drilling sites and bodies of water.

Sincerely,

Luke Metzger
Director, Environment Texas

David Foster
Director, Texas office of Clean Water Action

Robin Schneider
Director, Texas Campaign for the Environment