

## EPA Commends Texas Environmental Programs

Newspapers across Texas ran a story on Aug. 24 proclaiming that the Environmental Protection Agency (EPA) issued a report on Aug. 15 that “there is a significant possibility” oil and gas activity caused earthquakes in North Texas.

The story, written by Texas Tribune reporter Jim Malewitz, took EPA’s statement even further by stating that “state regulators won’t say so,” indicating there is some sort of controversy between EPA and the Texas Railroad Commission (RRC), the agency that regulates oil and gas.

Malewitz even finds a source, an attorney in Fort Worth, who will support his notion that EPA is troubled by the “reality” that the RRC has failed to recognize some possible connection.

The “reality” is that the EPA’s 61-page review of the RRC’s Underground Injection Control (UIC) program devoted only one page to induced seismicity in North Texas. In that lone page, EPA did not offer any scientific evidence pointing to the causation of earthquakes by injected fluids, but states that it believes there is a “significant possibility that North Texas earthquake activity is associated with disposal wells.”

EPA commended the RRC for its involvement in assessing the problems and implementing proven solutions.

“RRC was one of the state agencies that participated in this effort (assessment of potential induced seismicity) and is commended for its influential involvement,” EPA’s report stated. “RRC is also commended for establishing new regulations specific to seismicity, including solidifying RRC authority to take appropriate action related to injection well operations.”

What EPA referred to is a letter from David Hill, RRC manager of injection-storage permits and support, to EPA pointing out that the RRC added new requirements for applications for injection wells where “conditions, such as complex geology, proximity of the injection interval to the basement rock, and/or transmissive faults, exist that may increase the risk that fluids will not be confined to the injection interval.” Hill’s letter was a portion of EPA report. He also noted that the RRC has hired a seismologist.

The RRC conducted a formal hearing shortly after several seismic events near Azle, and found no scientific evidence that the wells in question caused the activity.

“The Commission will continue to monitor seismic activity in Texas, and will require daily recording of accurate pressures and volumes for appropriate wells,” Hill stated.

The UIC program involves much more than oversight of earthquakes, and the EPA stated that the RRC’s programs “reflect an outstanding enforcement monitoring program.” Specifically, EPA stated that the RRC mechanical integrity testing (MIT) “program exceeds the testing requirements for the MIT five-year performance measure.”

The Tribune story did not mention that the review of the UIC program included anything other than earthquakes.

EPA’s review contradicts the story’s premise that the RRC is ignoring its duty to protect the environment and safety of the public, and that the EPA and RRC are at odds over these issues. As a matter of fact, the review gives the RRC’s UIC program accolades.